

## Section I

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

#### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Health Facility and Agency Licensing

RULE NO.:       RULE TITLE:

59A-6.020       Licensure Procedure

PURPOSE AND EFFECT: The Agency is proposing to amend the rules governing multiphasic health testing centers licensure procedures to update and conform to current statutory provisions.

SUBJECT AREA TO BE ADDRESSED: Multiphasic health testing centers licensure procedure standards.

RULEMAKING AUTHORITY: 483.291 FS.

LAW IMPLEMENTED: 483.285, 483.291, 483.30, 483.302 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: Friday, June 28, 2013, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dayle Mooney, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4380. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dayle Mooney, Health Services & Facilities Consultant, (850)412-4380, email: Dayle.Mooney@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-6.020 Licensure Procedure.

(1) A license from the agency is required to conduct, maintain or operate a multiphasic health testing center in this state, unless such center is exempt from licensure as specified in Section 483.285, F.S.

~~(2) An applicant for licensure shall be designated by a distinctive name, and the name shall not be changed without first notifying the agency and receiving approval in writing for such change.~~ The following documents shall accompany the initial or renewal application:

(a) For a corporate applicant, a current certificate of status or authorization pursuant to Section 607.0128, F.S.

(b) Roster of personnel employed by the center including a listing of health care professionals performing fecal occult blood and dipstick urinalysis authorized in subsection 59A-6.022(15), F.A.C., which includes title, position held, and current certification number, if applicable.

(c) A statement of services offered including a list of equipment and test menu.

(d) Name and address of hospitals, providers of laboratory and electrocardiograph services, or other facilities or individuals providing services for the center.

(e) Curriculum vitae for the medical director.

(f) Evidence of certification by the American Board of Internal Medicine in Cardiology or the American Board of Radiology for the individual in the event such individual is designated by the medical director of a contract multiphasic health testing center to read and interpret electrocardiograms and x-rays.

(g) Evidence of registration from the Department of Health ~~and Rehabilitative Services~~ to provide HIV testing as stipulated in Rule 10D-93.076, F.A.C., if HIV specimens are collected for analysis.

(h) If a center performs waived testing as defined by Section 483.041, F.S. ~~dipstick urinalysis and fecal occult blood tests~~, evidence of authorization under the federal Clinical Laboratory Improvement Amendments of 1988 ~~or Chapter 483, Part I, F.S., where applicable~~, to perform such testing waived tests must be submitted.

(i) Evidence of current registration under Chapter 404, F.S., for all x-ray equipment.

(j) Evidence of issuance of a current permit or exemption from such permitting pursuant to Section 381.0098, F.S.

(k) Proof of liability insurance as defined in Section 624.605, F.S., shall be submitted at the time of application. The liability insurance policy shall contain the name and physical address of the facility and the dates of coverage and shall document that coverage is generally appropriate for the facility.

(l) Such other information requested on the application for licensure as specified in paragraph 59A-35.060(1)(bb), F.A.C. form, AHCA 3170-4001, Jan 94, incorporated by reference, ~~which shall be provided by the agency, necessary in carrying out the purpose of this part.~~

~~(m) The license fee shall be \$643.00 per biennium and shall conform to the annual adjustment of Section 408.805, F.S.~~

~~(3) The license fee of \$643.00 for the operation of a multiphasic health testing center as specified in Rule 59A-6.033, F.A.C. The license shall be valid until midnight on the 31st of December of the year issued.~~

~~(3)(4) Any center that fails to pay the proper fee or otherwise fails to qualify by the date of expiration of its license shall be delinquent, and its license shall be canceled without notice or further proceedings. Upon cancellation under this section, the center's license shall be reinstated only upon application and qualification therefor as provided for initial applicants and upon payment of all delinquent fees.~~

~~(4)(5) Each license is valid only for the person or entity to whom it is issued and may not be sold, assigned, or transferred voluntarily or involuntarily. A license is not valid for any premises or mobile facility other than that for which originally issued. A center must be relicensed if a change of ownership occurs. Application for relicensure must be made to the agency 60 days prior to the change of ownership. When a multiphasic health testing center is leased by the owner to a second party for operation, said second party must apply for a new license. A copy of the lease agreement or signed statement showing which party is to be held responsible for the organization, operation and maintenance of the multiphasic health testing center shall be filed with the application. A license shall be returned to the agency immediately upon change of ownership or classification, suspension, revocation, or voluntary cessation of operations.~~

~~(5)(6) Upon receipt of the completed initial application, the agency shall conduct a survey to determine compliance with the established rules and standards. The inspection shall be conducted on an annual basis thereafter.~~

~~(7) When a multiphasic health testing center is in compliance with rules, regulations and standards, a license which identifies the name and location of the multiphasic health testing center, will be issued. This license must be displayed in a conspicuous place on the center premises.~~

~~(6)(8) A separate license shall be required for each multiphasic health testing center when more than one (1) multiphasic health testing center, whether it be a fixed or mobile facility, is operated under the same ownership or management.~~

~~(9) A license issued to any multiphasic health testing center shall be revoked and reapplication denied by the agency in any case where the center fails to sustain continued compliance with provisions of Ch. 483, Part II, F.S., or these rules.~~

~~(7)(10) A licensee shall notify the agency by certified mail of impending closure of a licensed center, thirty (30) days~~

prior to such closure. The license shall be surrendered to the agency immediately following cessation of operations.

~~(11) Licenses issued shall be valid until the end of the current calendar year.~~

~~(12) These rules are applicable to both fixed and mobile multiphasic health testing centers.~~

Rulemaking Specific Authority 483.291 FS. Law Implemented 483.285, 483.291, 483.30, 483.302 FS. History—New 3-20-94, Amended 5-1-96, \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.013      RULE TITLE: Employee Leasing Companies Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

SUMMARY: Within the first paragraph the Department proposes to add language to provide the contact information for individuals who want to obtain an Employee Leasing Companies application form. The following subsections provide information for a person/organization desiring licensure and the necessary application to submit. A subsection is provided for each type of licensure and application.

#### 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 economic review conducted by the agency

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: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 468.524(1); 468.525(1), (3), 468.526(1), (2), (3), 468.527(1), 468.5275(1), (2) 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: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@myfloridalicense.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35. 013 Employee Leasing Companies Departmental Forms.

The following Employee Leasing Companies Departmental forms can be obtained at [www.myfloridalicense.com/dbpr/](http://www.myfloridalicense.com/dbpr/) or by contacting the Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0790, (850)487-1395:

(1) Any person desiring to apply for licensure as an Employee Leasing Company Controlling Person, shall submit a completed Form DBPR ELC 1, Application for Licensure as an Employee Leasing Company Controlling Person, effective November 2012, adopted and incorporated by reference.

(2) Any company desiring to apply for licensure as an Employee Leasing Company, shall submit a completed Form DBPR ELC 2, Application for Licensure as an Employee Leasing Company, effective November 2012, adopted and incorporated by reference.

(3) Any person/company desiring to apply for licensure as an Employee Leasing Company Group, shall submit a completed Form DBPR ELC 3, Application for Licensure as an Employee Leasing Company Group, effective November 2012, adopted and incorporated by reference.

(4) Any company desiring to apply for registration as a Deminimus Employee Leasing Company, shall submit a completed Form DBPR ELC 4, Application for Registration as a Deminimus Employee Leasing Company, effective November 2012, adopted and incorporated by reference.

(5) Any person/company desiring to apply for registration as a Deminimus Employee Leasing Company Group, shall submit a completed Form DBPR ELC 5, Application for Registration as a Deminimus Employee Leasing Company

Group, effective November 2012, adopted and incorporated by reference.

Rulemaking Authority 455.203, 455.213, 455.2179 FS. Law Implemented 468.524(1), 468.525(1), (3), 468.526(1), (2), (3), 468.527(1), 468.5275(1), (2) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Morrison, Executive Director, Division of Professions, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 2013

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

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

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.: 6M-8.500      RULE TITLE: VPK Specialized Instructional Services  
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. 38 No. 40, October 1, 2012 issue of the Florida Administrative Register.

The text of the proposed rule is hereby revised as indicated below. In addition, substantive revisions to Form OEL-VPK 20S and Form OEL-VPK 02S, Part B, have been made. No substantive revisions have been made to other forms incorporated by reference into the proposed rule.

6M-8.500 VPK Specialized Instructional Services: Child Eligibility and Provider Reimbursement.

(1) General Eligibility. A parent with a four-year-old child who meets the Voluntary Prekindergarten Program eligibility requirements described in Rule 6M-8.200, F.A.C., and has a disability and a current individual educational plan (IEP) developed by the local school board may enroll the child in either a standard (school-year or summer) Voluntary Prekindergarten Education (VPK) Program or in a VPK specialized instructional services program type. Parents may enroll a child in only one program type; a child may not be enrolled in a ~~standard~~ (school-year or summer) program type and the VPK specialized instructional services program type at the same time.

## (2) Child Eligibility.

(a) In order to register a child for the VPK specialized instructional services (SIS) program type, a parent must do all of the following:

i. Register the child in accordance with the requirements of Rule 6M-8.201, F.A.C.;

ii. Submit to the early learning coalition a completed and signed Specialized Instructional Services Supplemental Student Application, Form OEL-VPK 01S, dated March 2013 August 2012, which is hereby incorporated by reference and may be obtained as described in Rule 6M-8.900, F.A.C.; and

iii. Submit to the early learning coalition a copy of the child's current IEP developed by the local school board.

(b) Upon receipt of the required registration documentation from a parent registering his or her child for the VPK SIS program type, a coalition shall first determine the child's eligibility for the VPK program under Rule 6M-8.201, F.A.C. A coalition shall then determine the child's eligibility for the SIS program by reviewing the completed and signed Form OEL-VPK 01S, dated March 2013 August 2012, and attached copy of the child's current IEP. A child shall be determined eligible for the VPK SIS program type by an early learning coalition if:

i. The Form OEL-VPK 01S is completed with accurate information as certified by the parent;

ii. The parent has selected a type or types of SIS in item 6. of Form OEL-VPK 01S which are consistent with the child's IEP; and

iii. The IEP submitted by the parent is dated within the last year.

(c) Upon determining that a child is eligible to participate in a VPK SIS program type, the appropriate coalition staff shall complete the "Early Learning Coalition Use Only" section of Form OEL-VPK 01S, as indicated in grey to document the child's eligibility. Additionally, the coalition shall complete sections I. and II. in Part A and items 1. through 8. in Part B of Form OEL-VPK 02S, dated March 2013. Form OEL-VPK 02S, Part A, dated March 2013 and Form OEL-VPK 02S, Part B, dated March 2013, are both August 2012, which is hereby incorporated by reference with ~~instructions~~ and may be obtained as described in Rule 6M-8.900, F.A.C. The coalition shall provide a copy of the forms referenced in this paragraph, with the appropriate sections completed, to the child's parent.

## (3) Provider Selection.

(a) The parent shall select a SIS provider or providers which offer services consistent with the student's current IEP from providers approved by the DOE under Rule 6A-6.03033, F.A.C., to offer SIS in the coalition service area. Services consistent with the student's current IEP may include, but are not limited to:

i. Applied behavior analysis as defined in Sections 627.6686 and 641.31098, F.S.

ii. Speech-language pathology as defined in Section 468.1125, F.S.

iii. Occupational therapy as defined in Section 468.203, F.S.

iv. Physical therapy as defined in Section 486.021, F.S.

v. Listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing who has received an implant or assistive hearing device.

(b) If the parent selects multiple providers from more than one coalition service area, the coalitions may enter into an interagency agreement regarding the payment of the providers shall make reasonable efforts to accommodate the parent's selection or to facilitate selection of comparable providers within a single service area.

## (4) Student Enrollment.

(a) After a parent has chosen a SIS provider, the parent shall work with the selected SIS provider to complete section III. of Form OEL-VPK 02S, Part A. If a parent selects multiple SIS providers, the coalition shall provide the parent an OEL-VPK 02S, Part A form to complete with each selected SIS provider.

(b) Each SIS provider shall have an authorized representative complete, sign and date the Form OEL-VPK 20S where indicated and submit the completed form, along with the completed Form OEL-VPK 02S, Part A, to the early learning coalition. Form OEL-VPK 20S, dated March 2013 August 2012, is hereby incorporated by reference and may be obtained as described in Rule 6M-8.900, F.A.C. A SIS provider must receive a fully executed copy of Form OEL-VPK 20S from the coalition prior to rendering VPK SIS to any student.

(c) SIS providers which do not submit a completed Form OEL-VPK 02S, Part A, for a student and a completed Form OEL-VPK 20S shall not be eligible to receive reimbursement.

## (5) Scheduling Services.

(a) The parent of a student shall schedule all SIS using Form OEL-VPK 02S, Part B, dated March 2013 August 2012. The parent shall work with each selected SIS provider to complete the form, which must include all scheduled services from all selected SIS providers ~~are included on the form~~. If additional space is required to list all scheduled services, the parent may attach additional copies of Form OEL-VPK 02S, Part B.

(b) After scheduling all SIS on Form OEL-VPK 02S, Part B, the parent shall submit the completed form to the early learning coalition for review at least 10 business days prior to the first appointment scheduled.

(c) Within 5 business days of receipt, the early learning coalition shall review the Form OEL-VPK 02S, Part B, to determine the student's available funding amount, to determine whether projected reimbursement for the scheduled services exceed the student's available VPK funding, and to return a copy of the form to the parent and each selected SIS provider.

1. Determining Student's Available Funding Amount

a.1. New enrollment. The cumulative total of services reimbursed for a child may not exceed the amount of the base student allocation provided in the VPK Program in the General Appropriations Act. In the absence of a specific base student allocation for VPK SIS:

i. The VPK School-Year base student allocation shall be used for students whose parents submit the completed Form OEL-VPK 02S, Part B, between 14 days before Labor Day and April 30th or, if the uniform date fixed by a district school board under Section 1001.42(4)(f), F.S., for the opening of public schools for regular school programs occurs in a county more than 14 days before Labor Day, then between the uniform date and April 30th.

ii. The VPK Summer base student allocation shall be used for students whose parents submit the completed Form OEL-VPK 02S, Part B, between May 1 and the uniform date fixed by the district school board under Section 1001.42(4)(f), F.S., for the opening of public schools for regular school programs in the county. VPK School-Year full-time equivalent funding amount (FTE) shall be made available to a student enrolling under this rule.

b.2. Reenrollment for good cause. Notwithstanding the funding described in a.1. above, if a student is reenrolled for good cause under Rule 6M-8.210, F.A.C., into the SIS program type from a School-Year or Summer program type, the funding available to the student shall be equal to the student's FTE for the program type in which the student was previously enrolled, minus any amount previously paid for such services rendered to the student.

2. Projected Reimbursement Exceeds Student's Available VPK Funding.

(d) The early learning coalition shall also review the Form OEL VPK 02S, Part B, to determine that projected reimbursement for the scheduled services does not exceed the student's available VPK funding.

4. If the scheduled services would exceed the student's available VPK funding, the coalition shall notify the parent, in writing, of the service that is projected to exceed the student's available VPK funding. The coalition shall not authorize payment for that service, shall strike through that service on the Form OEL-VPK 02S, Part B, and include a comment on the form that full payment for the service is not authorized. The provider and the parent may still contract for the stricken

services, but the coalition will not reimburse the provider in an amount greater than that approved on the Form OEL-VPK 02S, Part B, and that if the service is provided, the student's parent agrees to be responsible for the remainder of the unreimbursed cost for that service.

2. A student in the SIS program type shall receive all services prior to the beginning of a new VPK program year.

3. A provider shall only receive payment for approved services identified on the Form OEL VPK 02S, Part B.

(e) The coalition shall complete its review of the Form OEL VPK 02S, Part B, and shall return a copy of the form to the parent and each selected SIS provider within 14 business days of receipt.

(d)(f) If the parent wishes to add appointments to an existing Form OEL-VPK 02S, Part B, which has already been reviewed by the early learning coalition, the parent shall coordinate with the applicable SIS provider to schedule additional services, which shall be added to the existing form. The parent shall resubmit the revised Form OEL-VPK 02S, Part B, to the coalition for review. The resubmittal and review process shall follow the process detailed in subparagraphs (5)(b)-(c) above. The coalition shall complete its review of the revised Form OEL VPK 02S, Part B, and shall return a copy of the revised form within 14 business days of receipt to the parent and each selected SIS provider following its review.

(e) Services not identified on the Form OEL-VPK 02S, Part B, as reviewed and authorized by the early learning coalition shall not be reimbursed.

(f) A student in the SIS program type shall receive all services prior to the beginning of a new VPK program year.

(g) Services not included on Form OEL VPK 02S, Part B, as reviewed and authorized by the early learning coalition shall not be reimbursed.

(6) Provider Payment.

(a) To receive reimbursement for services rendered, a SIS provider shall obtain the parent's initials and date on Form OEL-VPK 02S, Part B, certifying that services were rendered. Within 30 days of providing services, the SIS provider shall submit the Form OEL-VPK 02S, Part B, with the parent's certification to the coalition as an invoice or as an attachment to an invoice for reimbursement.

(b) A coalition shall reimburse SIS providers for SIS rendered to an eligible student as certified by the parent on the Form OEL-VPK 02S, Part B. The coalition shall not reimburse a SIS provider for costs other than specialized instruction, for example missed appointments, late fees, or interest. However, a SIS provider must provide the parent with its policy for missed appointments, including late arrivals, in writing and may then follow its normal business practices regarding charges for missed appointments or late arrivals. A coalition shall reimburse the SIS provider in the calendar

month following the month in which an invoice for reimbursement is received by the coalition.

(c) SIS providers shall not invoice coalitions for services which have been paid for by other sources. If an SIS provider retains SIS funds for services paid for by other sources, the provider shall be subject to any available penalty at law, which may include, but is not limited to, referral for fraud investigation. If the coalition is made aware that payment from other sources has been rendered for services included on the Form OEL VPK 02S, Part B, the coalition shall make reasonable efforts to recover any duplicate payment from the SIS provider.

(d) An early learning coalition's total payment on behalf of a student enrolled under this rule shall not exceed the student's full-time equivalent funding amount established annually through the General Appropriations Act. If the student receives services through multiple SIS providers, the funding shall be distributed to the SIS providers in accordance with the schedule of services established on the Form OEL-VPK 02S, Part B. In accordance with paragraph (5)(c)2. ~~(d)1.~~ above, if the cost of services rendered to a student exceeds the amount of funding available through the VPK program, those services shall ~~be considered a private arrangement between the SIS provider and the parent and not be part of the VPK program, and the parent shall bear responsibility for all costs in excess of the amount available through the VPK Program.~~

(7) Reenrollment. Being enrolled under this rule constitutes an enrollment for the purposes of Rule 6M-8.201, F.A.C. Changing a student's enrollment between a standard VPK-program type (school-year or summer) and the VPK specialized instructional services program type constitutes a reenrollment for the purposes of Rule 6M-8.210, F.A.C. However, changing SIS providers while enrolled in the specialized instructional services program type does not constitute a reenrollment under Rule 6M-8.210, F.A.C. To reenroll a student, the parent must comply with the terms of Rule 6M-8.210, F.A.C.

Rulemaking Specific Authority 1002.75(3)(d), 1002.75(3)(e), 1002.79(2) FS. Law Implemented 1002.66, 1002.53(1)-(3), (4)(b), (6), 1002.71(4), 1002.72, 1002.75(1) FS. History--New

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.: 6M-8.500  
 RULE TITLE: VPK Specialized Instructional Services  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 40, October 1, 2012 issue of the Florida Administrative Register.

The Notice of Proposed Rule published in Vol. 38., No. 40, did not clearly indicate whether Legislative Ratification is required. Legislative Ratification is not required for proposed Rule 6M-8.500, F.A.C.

**Section IV  
 Emergency Rules**

NONE

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

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on May 30, 2013, the South Florida Water Management District (District), received a petition for Variance (Application 130530-26). The property is located at 8524 Summerville Place, Orlando, FL 33408, in Orange County, Section 15, Township 23 South, Range 28 East. The petition seeks relief from provisions in subsection 40E-24.201(6), Florida Administrative Code, which states that irrigation of existing landscaping shall be conducted on specific days, pursuant to Section 120.542, Fla. Stat.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone at 682-6911; by email at [permits@sfwmd.gov](mailto:permits@sfwmd.gov); or, by accessing the District's website ([www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting)) using the Application/Permit Search. To be considered, comments must be received by the close of business on June 24, 2013, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. For additional information, contact Patrick Martin at (561)682-2176 or email [pmartin@sfwmd.gov](mailto:pmartin@sfwmd.gov).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

Division of Hotels and Restaurants

RULE NO.: 61C-5.001  
 RULE TITLE: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on June 6, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Venetian Walk #1, filed May 15, 2013, and advertised on May 20, 2013 in Vol. 39, No. 98, 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 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-148).

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 June 6, 2013, the Division issued an order. The Final Order was in response to a Petition for a from Venetian Walk #2, filed May 15, 2013, and advertised on May 20, 2013 in Vol. 39, No. 98, 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 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-149).

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 June 6, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Daytona Beach Shores, FL, filed May 9, 2013, and advertised on May 16, 2013 in Vol. 39, No. 96, of the Florida Administrative Register. No comments were received in response to the petition. The Final

Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations 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 (VW2013-141).

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 June 6, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Florida Winery, filed May 15, 2013, and advertised on May 20, 2013 in Vol. 39, No. 98, 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 2.2.2.3, and 2.2.2.5 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators sump pump 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 (VW2013-145).

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 June 6, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Tarpon Cove Condominium Association, Inc., filed May 20, 2013, and advertised on May 28, 2013 in Vol. 39, No. 103, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for

Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations 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 (VW2013-161).

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.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### STATE BOARD OF ADMINISTRATION

The Investment Advisory Council (IAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 24, 2013, 10:15 a.m. until completion of agenda

PLACE: The Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce at (850)413-1253 or [diane.bruce@sbafla.com](mailto:diane.bruce@sbafla.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn at (850)413-1166 or [james.linn@sbafla.com](mailto:james.linn@sbafla.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).

#### STATE BOARD OF ADMINISTRATION

The Participant Local Government Advisory Council (PLGAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 24, 2013, 9:00 a.m. until completion of agenda

PLACE: Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Investment Pool Trust Fund (aka Florida PRIME) and makes recommendations regarding such administration to the Trustees. The Council operates under Section 218.409 (10)(a) of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce at (850)413-1253 or [diane.bruce@sbafla.com](mailto:diane.bruce@sbafla.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn at (850)413-1166 or [james.linn@sbafla.com](mailto:james.linn@sbafla.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).

#### WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 17, 2013, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to hear presentations on and discuss: Minimum Flows and Levels (MFLs) development process overview, Lower Santa Fe and Ichetucknee Rivers MFLs, Clay-Putnam MFLs Implementation Workgroup recommendations for prevention/recovery, Upper Suwannee chemistry and ecological resources, local government perspective on water budgeting and other items listed on the agenda. An opportunity for public comment will be provided near the end of the meeting. NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240,

email: [jgreen@sjrwmd.com](mailto:jgreen@sjrwmd.com) or by visiting the North Florida Regional Water Supply Partnership website at [www.northfloridawater.com](http://www.northfloridawater.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 48 hours before the workshop/meeting by contacting: Vanessa Fultz, Communications/Creative Services Specialist, Suwannee River Water Management District, (386)362-1001. 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: Julie Green, (386)329-4240, email: [jgreen@sjrwmd.com](mailto:jgreen@sjrwmd.com).

#### DEPARTMENT OF ELDER AFFAIRS

##### Long-Term Care Ombudsman Program

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2013, 12:00 Noon – 2:00 p.m.

PLACE: Orlando Public Library-Herndon Branch, 4324 E. Colonial Dr., Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: East Central Florida District Long-Term Care Ombudsman Program Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: the above referenced number. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, in conjunction with the Florida Fish and Wildlife Conservation Commission, announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2013, 5:30 p.m.

PLACE: Florida Fish & Wildlife Conservation Commission's Fish & Wildlife Research Institute; 100 Eighth Avenue SE, St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission will host a public meeting to take public comment on the Gulf Coast

Ecosystem Restoration Council's draft Initial Comprehensive Plan and the accompanying Draft Programmatic Environmental Assessment. These two documents can be found on either the Council's webpage: <http://www.restorethegulf.gov/> or the Department's Deepwater Horizon webpage: <http://www.dep.state.fl.us/deepwaterhorizon/>.

A copy of the agenda may be obtained by contacting: Kendra Parson, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, (850)245-2197, email: [Kendra.Parson@dep.state.fl.us](mailto:Kendra.Parson@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kendra Parson, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, (850)245-2197, email: [Kendra.Parson@dep.state.fl.us](mailto:Kendra.Parson@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kendra Parson, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, (850)245-2197, email: [Kendra.Parson@dep.state.fl.us](mailto:Kendra.Parson@dep.state.fl.us).

#### DEPARTMENT OF HEALTH

##### Board of Orthotists and Prosthetists

The Board of Orthotists & Prosthetists announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 19, 2013, 2:00 p.m., at meet me number (888)670-3525, participant passcode 9238150597

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the boards web site at: [www.doh.state.fl.us/mqa/orthpros/index.html](http://www.doh.state.fl.us/mqa/orthpros/index.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 48 hours before the workshop/meeting by contacting: Sherra W. Causey. 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.

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

The Florida Department of Children and Families announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, June 18, 2013, 10:00 a.m.

**PLACE:** Conference call-in number: (888)670-3525, conference participation code: 3082681153#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

**Title:** Reply Opening and Review of Mandatory Requirements for the Technical Assistance for Ethnic Community-Based Organizations (ECBOs) in Duval County (ITN# 05K13BS1).

**Description:** As provided for in Sections 2.5 and 2.9 of this ITN which was published to the Vendor Bid System (VBS) on June 5, 2013. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>. The purpose of the Reply Opening and Review of Mandatory Requirements is to ensure that prospective Vendors have complied with all Mandatory Requirements as required in Section 5.1 in order to be considered for selection under this ITN.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Pamela Thornton, email: Pamela\_Thornton@dcf.state.fl.us or (850)717-4567. 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: Holly\_Merrick@dcf.state.fl.us.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 20, 2013, 9:00 a.m.

**PLACE:** Florida Fish and Wildlife Conservation Commission, Bryant Building Auditorium, 620 South Meridian Street, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Evaluation Committee for the Florida Boating Improvement Program (FBIP) will meet to score applications for fiscal year 2013-2014 funding.

A copy of the agenda may be obtained by contacting: FBIP Program Administrator, FBIP@MyFWC.com or (850)488-5600.

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 five days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the FWC by calling (850)488-9542. 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).

**FISH AND WILDLIFE CONSERVATION COMMISSION  
Marine Resources**

The Florida Fish and Wildlife Conservation Commission, in conjunction with the Florida Department of Environmental Protection, announces a public meeting to which all persons are invited.

**DATE AND TIME:** June 17, 2013, 5:30 p.m.

**PLACE:** FWC Fish & Wildlife Research Institute, 100 Eighth Avenue SE, St. Petersburg, FL 33701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Florida Fish and Wildlife Conservation Commission and the Florida Department of Environmental Protection will host a public meeting to take public comment on the Gulf Coast Ecosystem Restoration Council's draft Initial Comprehensive Plan and the accompanying Draft Programmatic Environmental Assessment. These two documents can be found on either the Council's webpage: <http://www.restorethegulf.gov/> or the Department's Deepwater Horizon webpage: <http://www.dep.state.fl.us/deepwaterhorizon/>.

A copy of the agenda may be obtained by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email Doc.Kokol@myfwc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email Doc.Kokol@myfwc.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: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email Doc.Kokol@myfwc.com.

**BOARD OF GOVERNORS**

The Board of Governors of the State University System of Florida and the Strategic Planning Committee, the Facilities Committee, the Budget and Finance Committee, the Trustee Nominating and Development Committee, and the Academic

and Student Affairs Committee of the Board of Governors announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Tuesday, June 18, 2013, 1:00 p.m.; Wednesday, June 19, 2013, 9:00 a.m.; and Thursday, June 20, 2013, 8:30 a.m.

**PLACE:** University of South Florida, Ballroom, Marshall Student Center, Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Board of Governors and its Committees.

A copy of the agenda may be obtained by contacting: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines Street, Tallahassee, FL 32399-0400 and will be available at [www.flbog.edu](http://www.flbog.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 7 days before the workshop/meeting by contacting: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines Street, Tallahassee, FL 32399-0400, (850)245-0466. 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: Monoka Venters, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines Street, Tallahassee, FL 32399-0400.

**DISABILITY RIGHTS FLORIDA**

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

**DATE AND TIME:** Friday, June 28, 2013, 9:00 a.m. – 5:00 p.m.

**PLACE:** Disability Rights Florida 2728 Centerview Drive, Suite 102, Tallahassee, Florida 32301; Times Building, Suite 640, 1000 North Ashley Drive, Tampa, FL 33602; 1930 Harrison Street, Suite 104, Hollywood, FL 33020, (850)488-9071, toll-free 1(800)342-0823, TDD 1(800)346-4127

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Disability Rights Florida, Florida's Protection & Advocacy Programs Quarterly Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Paige Morgan, (850)488-9071 or 1(800)342-0823, ext. 9721

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

agency at least 7 days before the workshop/meeting by contacting: Disability Rights Florida, 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301, (850)488-9071, toll-free 1(800)342-0823, TDD 1(800)346-4127. 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: Paige Morgan, (850)488-9071 or 1(800)342-0823, ext. 9721.

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

**PUBLIC SERVICE COMMISSION**

**NOTICE IS HEREBY GIVEN** that the Florida Public Service Commission has received the petition for declaratory statement from Florida Power & Light Company on June 6, 2013. The petition seeks the agency's opinion as to the applicability of Florida Public Service Commission Order No. 18893 entered in Docket No. 870225-EI on February 22, 1988, Order No. PSC-95-0131-FOF-EI entered in Docket No. 941205-EI on January 26, 1995, and Order No. PSC-11-0194-DS-EI entered in Docket No. 110033-EI on April 13, 2011, as it applies to the petitioner.

Petition for Declaratory Statement Regarding the Inspection, Repair and Replacement of Meter Enclosures for Smart Meter Analytical Tool, by Florida Power & Light Company. Docket No. 130160-EI.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ann Cole, Office of Commission Clerk, 4075 Esplanade Way, Tallahassee, Florida 32399-0862, [clerk@psc.state.fl.us](mailto:clerk@psc.state.fl.us), (850)413-6770.

Please refer all comments to: Kathryn G.W. Cowdery, c/o Ann Cole, Office of Commission Clerk, Docket No. 130160-EI. Ms. Cowdery's contact information is [kcowdery@psc.state.fl.us](mailto:kcowdery@psc.state.fl.us), (850)413-6126.

Except for good cause shown, motions to intervene or petitions for administrative hearing by substantially affected persons must be filed within 21 days after publication of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**NOTICE IS HEREBY GIVEN** that the Department of Business and Professional Regulation has received the petition for declaratory statement from Don Meyler Inspections, Inc. The petition seeks the agency's opinion as to the applicability of Section 468.8319(1)(h), F.S. as it applies to the petitioner.

Petitioner asks whether a licensed contractor or licensed home inspector is permitted to provide a flat referral fee to an

insurance agent when conducting wind mitigation inspections as permitted in Section 627.711, F.S., whether the phrase "broker or agent", as used in Section 468.8319(1)(h), F.S. applies to insurance agents, and whether the advertisement of such incentive/referral fee is permitted.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard Morrison, Executive Director, Home Inspector Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

Please refer all comments to: Richard Morrison, Executive Director, Home Inspector Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Division of Alcoholic Beverage and Tobacco, Department of Business and Professional Regulation, State of Florida has issued an order disposing of the petition for declaratory statement filed by Bottle Club, LLC d/b/a Eyz Wide Shut II DS 2013-005 on January 22, 2013. The following is a summary of the agency's disposition of the petition:

On January 22, 2013, the Petitioner, BOTTLE CLUB, LLC., d/b/a EYZ WIDE SHUT, filed a Petition for Declaratory Statement seeking to resolve questions as it pertains to the Petitioner circumstances as to how the statues 561.01(11) and 562 apply to operating a bottle club and 4-COP operating as adjacent businesses that are connected via door. The Petitioner is substantially affected by the particular circumstances of its proposed declaratory statement because it is uncertain how to operate with an adjacent bottle club and comply with any applicable laws and other regulation at the same time. The Department published the notice of receipt of the Petition with Florida Administrative Register on 1/28/2013. On June 6, 2013, the Department filed a Final Order based upon the facts set out in the submitted Petition for Declaratory Statement, Petitioner's proposed business model – to use another licensed premises as the entrance to it own – is impermissible under Florida Law. This conclusion is based on the facts described in the Petitioner's Petition for Declaratory Statement and legal research by the Division. Accordingly, this conclusion has no application in the event that the factual circumstances and/or relationships among the entities described herein are incorrect or change.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joy.Cottrell@myfloridalicense.com, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Utility Services Associates, LLC on March 18, 2013. The following is a summary of the agency's disposition of the petition.

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 65, of the April 3, 2013, Florida Administrative Register. Petitioner sought the Board's interpretation of Section 489.105, Florida Statutes. Petitioner asks whether a license is required for the scope of work associated with AMR/AMI endpoint and electronic meter deployments, and if so which type of license. The Construction Industry Licensing Board considered the Petition at its meeting held on May 10, 2013, in Jacksonville, Florida. The Board's Order, filed on May 31, 2013, denies the petition for declaratory statement because the Petitioner has no standing. Also, the Board finds as alternate grounds for denial that the issue may be moot and there may be pending litigation concerning this issue.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783 or telephone: (850)487-1395.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Blygold Florida, Inc. on March 6, 2013. The following is a summary of the agency's disposition of the petition.

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 65, of the April 3, 2013, Florida Administrative Register. Petitioner sought the Board's interpretation of Section 489.105(1)(a), Florida Statutes. Petitioner asks whether the company's general contractor's license is sufficient to perform sponge blasting and the application of a special coating on centrifugal chillers of air conditioning units after they have been disassembled by a mechanical contractor. The Construction Industry Licensing Board considered the Petition at its meeting held on May 10, 2013, in Jacksonville, Florida. The Board's Order, filed on May 31, 2013, finds that the Petitioner can perform the described services as long as it subcontracts to a mechanical contractor for the assembly or disassembly of the unit.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783 or telephone: (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

NOTICE IS HEREBY GIVEN that on April 30, 2013, the Electrical Contractors' Licensing Board has received the Petition for Declaratory Statement from Thomas E. Wilson, PE. The petitioner seeks the scope of practice of electrical contractor licensure in order for him to provide the services as outlined in the petition.

Copies of the Petition may be obtained from Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

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

Section XII  
Miscellaneous

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

FAJUA Administrative Assistant Job Announcement

Description:

Title: Administrative Assistant

Annual Salary Range: \$27,000 - \$34,000

Office: 1425 Piedmont Dr. E. #201A

Tallahassee, FL 32308

Closing Date: June 28, 2013

Successful applicant will initially participate in a probationary employment period.

Contact Information: If you have questions regarding this position, please contact Lisa Stoutamire @ (850)681-2003 or email [lstoutamire@fajua.org](mailto:lstoutamire@fajua.org).

DESCRIPTION

Aids executive staff capacity by coordinating office services such as collecting and maintaining financial data and accounting records, verify and process expense reports, invoices and check requests. Plans meetings of the members, governing committee and committees, schedules appointments, gives information to callers, assists with administrative and business detail. Handles administrative duties for General Manager.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned.

- Assists in answering and directing telephone calls from a multi-line telephone system. Reads and routes incoming mail. Composes, types and files routine correspondence and other records. Coordinates and directs general office maintenance and special office purchases.
- Handles Banking matters.
- Coordinates movement of funds when necessary.
- Monitors monthly cash flow.
- Coordinates between the servicing carriers and bank on the establishment and maintenance of depository and disbursement accounts.
- Retrieves, compiles and sorts management data and documents, such as statements, invoices and checks, substantiating business transactions.

- Reviews invoices for accuracy, due dates, duplication, proper coding and signature authorization before being entered into system. Compares to budget to ensure proper codes are used.
- Verifies expense reports against the FAJUA travel policy and review for accuracy prior. Itemizes all credit card charges and advances. Ensures that Sr. Staff level of approval has been issued.
- Codes and forwards any receipts due to AIPSO or FAJUA to Accounts Receivable for deposit. Receives printed checks for distribution as instructed by invoice, check request or written procedures. Reviews check for correct amount and address prior to distribution. Prepares invoices for payment. Researches payments, invoices and generate reports when necessary.
- Manages office equipment and computer network vendor relationships which includes contacting vendors, obtaining quotes, compiles information and makes recommendations.
- Schedules appointments for manager and staff, arrange travel schedule and reservations for staff, governing committee, and committee members. Schedules and coordinates all logistics (location, meals, meeting notices, attendees) relating to governing committee and committees.
- Assists in preparation of Agendas for Annual, Board and Committee meetings. Maintenance of members,

governing committee and committee minutes. Assists with the annual preparation of the budget.

#### QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

#### EDUCATION and/or EXPERIENCE

Possession of a high school diploma or an equivalent recognized certificate. Two year certificate from college or technical school; two or more years of related experience and/or training; or equivalent combination of education and experience. Knowledge of the insurance industry, banking, meeting planning and travel arrangement. This position also requires proficiency in diverse computer software applications, including all Microsoft Office applications such as Word, Excel, PowerPoint & Access.

#### LANGUAGE SKILLS

Ability to read, analyze and interpret general business periodicals, procedure manuals and professional journals. Ability to write reports and business correspondence. Ability to effectively present information and respond to questions from other employees, committee members, etc.

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Section XIII  
Index to Rules Filed During Preceding  
Week

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

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