

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-5.026 Post-Election Certification Voting System
 Audit

PURPOSE AND EFFECT: This rule is being amended to reflect the legislative changes (found in Chapter 2013-57, Laws of Fla., effective January 1, 2014) allowing the option of an automated independent audit.

SUBJECT AREA TO BE ADDRESSED: Voting systems, automated independent audit.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 101.591(2), 101.5911 FS.

LAW IMPLEMENTED: 101.591 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: October 21, 2013, 11:00 a.m.
PLACE: R.A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250

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: Jordan Jones, Assistant General Counsel, (850)245-6536. 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: Jordan Jones, Assistant General Counsel, (850)245-6536

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

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

RULE NO.: RULE TITLE:
64C-3.002 Recovery of Third Party Payments

PURPOSE AND EFFECT: To recover funding for services from third party sources.

SUBJECT AREA TO BE ADDRESSED: Recovery of third party payments.

RULEMAKING AUTHORITY: 402.24(2)(h) FS.

LAW IMPLEMENTED: 391.026(9), 402.24 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bonnie Dorman, Children’s Medical Services, 4052 Bald Cypress Way, Bin A06, Tallahassee, Florida 32399-1707, telephone: (850)245-4200, email: bonnie_dorman@doh.state.fl.us

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

Section II

Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
61H1-20.001 Types of Certified Public Accountants and
 Firms; Office

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the definition of firms of certified public accountants.

SUMMARY: Definitions of firms of Certified Public Accountants will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 473.304 FS.

LAW IMPLEMENTED: 455.271, 473.3101, 473.3141 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.001 Definitions. Types of Certified Public Accountants and Firms; Office.

(1) through (3) No change.

(4) “Firm” or “Firms of certified public accountants” shall be deemed and construed to mean a sole proprietor, partnership, professional corporation or limited liability company engaged in the practice of public accounting, including individual partners, stockholders or members thereof, any legal entity that holds an active, delinquent, or temporary license issued under Chapter 473, F.S., or its state of domicile.

(5) through (8) No change.

Rulemaking Authority 473.304 FS. Law Implemented 455.271, 473.3101, 473.3141 FS. History—New 12-4-79, Formerly 21A-20.01, Amended 10-20-86, Formerly 21A-20.001, Amended 8-13-06, 11-3-09, 3-18-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 16, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.: RULE TITLES:

61H1-31.009 Renewal of Accountancy Firm License Fee

61H1-31.010 Initial Accountancy Firm License Fees

PURPOSE AND EFFECT: The Board proposes the rule amendments to specify the fee to fund efforts to combat unlicensed activity.

SUMMARY: A fee to fund efforts to combat unlicensed activity will be specified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 473.305, 473.3101 FS.

LAW IMPLEMENTED: 473.305, 473.3101, 473.3101 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.009 Renewal of Accountancy Firm License Fee.

(1) through (2) No change.

(3) A special fee of \$5.00 per licensee shall be imposed at each renewal to fund efforts to combat unlicensed activity.

Rulemaking Authority 473.305, 473.3101 FS. Law Implemented 473.305, 473.3101, 455.2281 FS. History—New 1-7-13, Amended _____.

61H1-31.010 Initial Accountancy Firm License Fees.

(1) through (3) No change.

(4) A special fee of \$5.00 per licensee shall be imposed upon initial licensure and at each renewal to fund efforts to combat unlicensed activity.

Rulemaking Authority 473.305, 473.3101 FS. Law Implemented 473.305, 473.3101, 455.2281 FS. History—New 1-7-13, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 16, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: September 16, 2013

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-503.200	Definitions
62-503.300	General Program Information
62-503.430	Loan Agreements
62-503.500	Funds Reserved for Specific Purposes
62-503.600	Priority List Information
62-503.700	Planning, Design, Construction, and Procurement Requirements
62-503.751	Environmental Review
62-503.800	Audits Required
62-503.850	Exceptions to Program Requirements

PURPOSE AND EFFECT: Amendments to Chapter 62-503, F.A.C., are proposed to clarify administrative procedures, delete unnecessary or redundant language, better define allowable and unallowable costs, restructure the priority system, and to improve the methodology for calculating the financing rate. Changes to the project priority system are being proposed so that projects addressing the Department's core mission will receive the highest priority. These revisions would align the program's priority system with the priorities of other Department programs. Changes in the financing rate formula will generally increase the base financing rate slightly, especially at current market rates, however the financing rate reductions proposed for implemented asset management plans, innovative/alternative projects, and new federal requirements for construction projects will frequently result in a net decrease in the financing rate for the average sponsor. The proposed changes will, however, result in an increase in financing rates during times when the bond market rates are somewhat higher than the current rate. This change was requested by the Division of Bond Finance to protect the AAA bond rating the program currently receives. The degree to which a sponsor is financially disadvantaged will remain the primary factor in determining the amount of the subsidy. The allowance for planning and design activities is being deleted and replaced with planning and design loans which will be reimbursed based on invoiced costs. Also, the requirements for an acceptable asset management plan and qualifications for innovative/alternative projects are being incorporated to define what is expected to qualify for the financing rate incentives.

SUMMARY: Rule 62-503.200, F.A.C., is being amended to incorporate new definitions and to revise existing definitions. New definitions for "Inflow/Infiltration project," "planning loan," "design loan," and "construction loan" are proposed to provide clarification on the requirements of each type of loan available. New definitions have also been included for "Asset Management Plan", "Innovative/Alternative project", "segment cap", "septic tank failure", "waiting portion", and loan service fee. Rule 62-503.300, F.A.C., establishes new deadlines for project submittals, clarifies allowable and unallowable project costs, and adds separate planning loans and design loans in place of preconstruction loans along with the required submittals to qualify for each type of loan. Proposed changes include a new formula for calculating the financing rate and financing rate incentives for implementing asset management plans and constructing innovative/alternative projects, as well as reductions for new federal requirements. The project priority system was moved to this section and would be changed to align with Department and EPA priorities. Revisions to Rule 62-503.430, F.A.C., include moving the application requirements to this section and various clarifications on the agreement requirements. The proposed changes to Rule 62-503.500, F.A.C., incorporate anticipated federal requirements for the program, allowing principal forgiveness and reserved funds for green projects as required by the federal government. Rule 62-503.600, F.A.C., will be repealed and the language moved to Rule 62-503.300, F.A.C. The proposed changes to Rule 62-503.700, F.A.C., are intended to clarify what is expected in planning and design documents as well as the procurement process for design/build and construction manager at-risk construction contracts. Revisions to Rules 62-503.751, 62-503.800, and 62-503.850, F.A.C., are minor updates and clarifications.

OTHER RULES INCORPORATING THIS RULE: 62-505.200, 62-505.300, and 62-505.350, F.A.C.

EFFECT ON THOSE OTHER RULES: The references to 62-503, F.A.C., that are currently in 62-505, F.A.C., will be amended as necessary to reflect changes in 62-503.

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.

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: 403.1835(10), 403.1837(9) FS.

LAW IMPLEMENTED: 403.1832, 403.1835, 403.031, 403.1837, 215.97 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Friday, October 25, 2013, 7:00 a.m. until conclusion, but no later than 11:00 a.m.

PLACE: Department of Environmental Protection, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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: Tim Banks at (850)245-8360 or email timothy.banks@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Banks at (850)245-8360 or email timothy.banks@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

CLEAN WATER STATE REVOLVING FUND
LOAN PROGRAM

62-503.200 Definitions.

For purposes of this rule chapter:

(1) "Act" means the Federal Water Pollution Control Act, 33 USC § 1251 et seq. Pub. L. 92-500, as amended, 1987, also known as the amended Clean Water Act. Sections 212, 319, and 320 and Title VI of the Act pertain to the Clean Water State Revolving Fund, and are hereby adopted and incorporated by reference.

(2) "Affordability Index" The term "Affordability Index" means the empirical number that is generated for a local governmental agency—project sponsor using the computer model entitled "Final Report Statistical Wt. – No Sales," which is based on a combination of median household income, poverty, and unemployment census statistics for local governments – User Manual Affordability Index, March 2003 This computer model can be found in "Updating the Department of Environmental Protection's Affordability Index, 2011," August 9, 2011, Economics Department, Florida State University, Tallahassee, Florida, is hereby incorporated by reference. This document is available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-

2400, or at <http://www.flrules.org/Gateway/?????????> and the term "Affordability Index" means the empirical number that is generated for a local government project sponsor using the computer model entitled "Final Report Statistical Wt. – No Sales," which is based on a combination of the most recent median household income, poverty, and unemployment census statistics for local governments.

(3) "Asset Management Plan" means a systematic management technique for utility systems that focuses on the long-term life cycle of the assets and their sustained performance, rather than on short-term, day-to-day aspects of the assets. This plan includes the identification of and costs for rehabilitating, repairing, or replacing all assets as well as the schedule to do so. Rule 62-503.700(7), F.A.C., provides details on the contents of the plan.

(3) renumbered (4) No change.

(4) "Brownfields" means abandoned, idle, or under used industrial and commercial sites where expansion or redevelopment is complicated by real or perceived environmental contamination of ground or surface waters.

(5) "Capitalization grant project" means a project for which the project sponsor shall document compliance with specific federal requirements under subsection 62-503.700(1), F.A.C., in addition to the general requirements under subsections 62-503.700(2) through ~~(7)~~(4), F.A.C., to qualify for a loan. Capitalization grant projects will be identified in an amount corresponding to the annual capitalization grant received by the Department from the United States Environmental Protection Agency (EPA).

(6) through (7) No change.

(8) "Construction loan" means an assistance agreement to fund a wastewater, stormwater, or non-point source construction project or equipment purchase. To be eligible for a construction loan, a planning document and plans and specifications must be accepted by the Department, the environmental review process described in Rule 62-503.751, F.A.C., must be complete, all required Department permits and authorizations must have been obtained, and all necessary site certifications must have been submitted to the Department. For design/build projects, the approval of the procurement process shall be accepted in lieu of the plans, specifications, site certifications, and permits. The requirements for planning documents are described in subsection 62-503.700(2), F.A.C., and the requirements for plans and specifications are described in subsection 62-503.700(3), F.A.C.

(8) renumbered (9) No change.

(9) "Contingency portion" means the portion of a priority list consisting of projects that are qualified to be on the fundable portion but cannot be placed on the fundable portion until there are sufficient funds.

(10) "Department" means the Department of Environmental Protection, Clean Water State Revolving Fund Program, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS 3505, Tallahassee, FL 32399-2400. For electronic information requests and submittals, email SRF Reporting@dep.state.fl.us.

(11) "Design/build" means a contracting procedure whereby a firm or other single entity contracts with the project sponsor for a fixed price or a cost-plus-a-fixed-fee with a guaranteed maximum price, for the work and is responsible for both design and construction of the project. The procurement process must be competitive best value or competitive qualifications based. For a competitive best value selection, the most advantageous proposal to the project sponsor is selected based on criteria that include price and other factors. For competitive qualifications based procurement, the qualifications of the responsible vendor are the primary consideration in the selection process and the responsible vendor shall use open book accounting for this process.

(12) "Design loan" means an assistance agreement to fund design activities that will result in biddable, permittable plans and specifications for an eligible construction project. Design/build projects are not eligible for a design loan. Additionally, a planning document defining the scope of the project to be funded must have been accepted by the Department. The requirements for an acceptable planning document are described in subsection 62-503.700(2), F.A.C.

(12) "Direct loan" means a loan from the state revolving fund monies other than proceeds from tax exempt bonds.

(13) "EPA" means the U.S. Environmental Protection Agency.

(14)renumbered (13) No change.

(14)(15) "Financing rate" means the semiannual compounding rate at which charges are imposed on the unpaid principal, including capitalized interest, of a State Revolving Fund (SRF) loan as described in subsection 62-503.300(5) 62-503.300(9), F.A.C., hereby incorporated by reference. The financing rate has a loan interest rate component and, for non-capitalization grant project loans ~~made after June 30, 1997~~, a grant allocation assessment rate component.

(16) renumbered (15) No change.

(17)"~~Florida Water Pollution Control Financing Corporation~~" means the nonprofit public benefit corporation created for the purpose of financing or refinancing the costs of water pollution control projects and activities authorized under Section 403.1835, F.S.

(18) through (19) renumbered (16) through (17) No change.

(18)(20) "Grant allocation assessment" means that portion of each repayment of each non-capitalization grant project

loan ~~made after June 30, 1997~~, used solely for the purpose of making wastewater grants to financially disadvantaged small communities under Section 403.1838, F.S. The grant allocation assessment is in addition to the principal and interest portions of each non-capitalization grant project loan repayment and is included as a component of the financing rate.

(19) "Inflow/infiltration or I/I project" means a project to reduce excessive inflow or infiltration into the collection system. Infiltration is considered excessive when the total flow exceeds 120 gallons per capita per day during periods of dry weather. Inflow is considered excessive when the total flow exceeds 275 gallons per capita per day during a rain event. Documentation shall include influent flow rates, rainfall records and the population of units connected to the treatment system or lift station.

(20) "Innovative/Alternative project" means a project that demonstrates water or energy efficiency, uses an environmentally innovative approach to treat wastewater or stormwater, or a stormwater project that restores the natural hydrology. The requirements for meeting one or more of these categories are provided in Attachment 2 of EPA's "Procedures for Implementing Certain Provisions of EPA's Fiscal Year 2012 Appropriation Affecting the Clean Water and Drinking Water State Revolving Fund Programs", March 2012, hereby incorporated and adopted as a reference. This document is available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or at <http://www.flrules.org/Gateway/?????????>. For energy efficiency projects the recipient shall provide a certification. The certification must state that the accepted project was designed to maximize energy efficiency. Certifications by a certified energy manager (CEM) or a certified energy auditor (CEA) are acceptable. CEMs and CEAs must be certified by the Association of Energy Engineers or equivalent national or international organization. Information on these certifications is available at: <http://www.aeecenter.org/i4a/pages/index.cfm?pageid=3330>.

(21) "Leveraged loan" means a loan ~~from the proceeds of bonds~~ issued by the Florida Water Pollution Control Financing Corporation (FWPCFC).

(22) "Loan interest rate" means a percentage of the financing rate as determined under subsection 62-503.300(8), F.A.C.

(22) "Loan Service Fee" means a fee paid by the project sponsor of two percent of the total loan amount less the portion of the loan for capitalized interest and shall not be included in the principal of the loan. The loan service fee shall be estimated at the time of execution of the loan agreement, revised with any increase or decrease amendment, and shall be

finalized in the final loan amendment based on the total loan disbursed. The loan recipient shall pay the loan service fee from the first available repayments following the final amendment.

~~(23) “Local government” means a municipality, county, district, or authority, or any agency thereof, or a combination of two or more of the foregoing acting jointly in connection with a project and having jurisdiction over collection, transmission, treatment, or disposal of wastewater, stormwater, industrial wastes, or other wastes. It includes a district or authority, the principal responsibility of which is to provide airport, industrial or research park, or port facilities to the public.~~

~~(23)(24) “Planning portion” means the portion of the priority list consisting of projects that do not qualify for the fundable or waiting emergency portion.~~

~~(24) “Planning loan” means an assistance agreement to perform the initial planning and administration for a project. The deliverable for this loan shall be a planning document or a sewer system evaluation study. The requirements for the planning document are described in subsection 62-503.700(2), F.A.C. A planning loan shall not be used to acquire any interest in real property.~~

~~(25) “Pledged revenue” means revenue specifically approved by the Department and pledged or dedicated to the repayment of the loan.~~

~~(26) “Priority list” means the annual listing of fundable, waiting emergency, and planning portion projects.~~

~~(27) “Project” means as follows:~~

~~(a) For funding as a result of section 212 of the Act, devices and systems associated with wastewater, reclaimed water or stormwater management; and~~

~~(b) For funding as a result of either section 319 or section 320 of the Act, devices and systems or implementation of best management practices associated with nonpoint source water pollution control or implementation of a remedial action plan associated with brownfields.~~

~~(28) through (29) No change.~~

~~(30) “Request for Inclusion” means completed Form 62-503.900(1), Request for Inclusion, effective (effective date of rule) (7-29-04), which is hereby incorporated by reference. This form is available from the Department’s Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or at <http://www.flrules.org/Gateway/?????????>.~~

~~(31) “Segment cap” means the maximum amount available to any one sponsor during a fiscal year. The segment cap amount shall be established at a public meeting approving the list and shall be less than 25 percent of the funds available. Adjustments to the segment cap amount shall be made at a list management public meeting if additional funds become~~

available and all projects eligible for placement on the fundable portion of the priority list at the most recent list approval or list management public meeting have been funded.

~~(31) “Segmented project” means a project for which the allowable costs exceed, in a given fiscal year, the amount that the Department commits to provide under paragraph 62-503.600(2)(b), F.A.C.~~

~~(32) “Septic tank failure” means a condition existing within an onsite sewage treatment and disposal system that prohibits the system from functioning in a sanitary manner and that results in the discharge of untreated or partially treated wastewater onto the surface of the ground, into surface water, into ground water, or that results in the failure of building plumbing to discharge properly. However, for the purposes of this rule, failures resulting from improper maintenance of the system or lack of maintenance shall not be considered a septic tank failure.~~

~~(33)(32) “Service Area” means that area currently served by the project sponsor and any additional the area proposed to be served by the sponsor’s project sponsor.~~

~~(34)(33) “Small community” means a municipality or unincorporated community with a total population of 10,000 20,000 or less as of the most recent decennial census.~~

~~(35) “Waiting portion” means the portion of a priority list consisting of projects that are qualified to be on the fundable portion but cannot be placed on the fundable portion until there are sufficient funds.~~

~~(34) renumbered (36) No change.~~

~~(37) The following terms and phrases used throughout this Rule Chapter have the meaning given these words in Sections 287.012, 403.1835, 403.1837 or 403.031, Florida Statutes: best value, FWPCFC, and local governmental agencies.~~

~~Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1832 403.1822(3), 403.1835, 403.031, 403.1837 FS. History–New 4-17-89. Amended 12-4-91, 2-23-94, Formerly 17-503.200, Amended 1-4-98, 7-1-99, 2-6-02, 7-29-04,_____.~~

~~62-503.300 General Program Information.~~

~~(1) Steps involved in obtaining a pre-construction or construction loan.~~

~~(a) Request for Inclusion. The project sponsor shall submit a Request for Inclusion Form, incorporated by reference in subsection 62-503.200(30), F.A.C., on the priority list to the Department to establish project ranking on the priority list as outlined in paragraph (1)(e) below Rule 62-503.600, F.A.C., and to determine the financing rate on the loan, as outlined in subsection (5)(9), below.~~

~~1. The Department shall review requests for inclusion shall be reviewed to verify eligibility and accuracy of the information provided, such as census tract numbers, service area boundaries, population, public health risk, system~~

boundaries, and project costs, and to determine the project scope.

2. Additional information shall be requested by the Department when the data provided by the project sponsor are incomplete or unclear. ~~Data remaining incomplete or unclear after thirty (30) days from receipt of the Department's written request for additional information shall result in the minimum priority score.~~

(b) Documentation required for priority listing. ~~The sponsor shall have postmarked or delivered to the Department all required documentation on or before June 1 preceding the first priority list hearing for the upcoming fiscal year. To be added to the priority list at a subsequent hearing for that year, documentation shall be submitted at least thirty (30) days prior to the hearing. All documentation must be complete as required by this chapter fifteen(15) days prior to the hearing date. The documentation that must be timely submitted to compete for funding at a priority list meeting varies depending on the type of loan being requested and is known as the readiness-to-proceed criteria. For planning loans preconstruction projects, the completed Request for Inclusion form is the only documentation required. For design loans, the Request for Inclusion form and all documentation required in subsection 62-503.700(2), F.A.C., must be submitted and complete. For Inflow and Infiltration (I/I) rehabilitation loans, the Request for Inclusion form, sewer system evaluation study, all documentation referenced in Rule 62-503.751, F.A.C., all required permits and bid documents corresponding to the areas to be rehabilitated must be submitted. For construction loans projects, the Request for Inclusion form, all documentation referenced in subsections required under Rule 62-503.700(2) through 62-503.700(5), F.A.C., must is also required to be submitted, and the process described in Rule 62-503.751, F.A.C., must be completed.~~

(c) Priority List Public Meeting.

1. Except as provided in subparagraph 2. below, if funds are available for new projects, a priority list public meeting shall be held on the second Wednesday in August, or as otherwise noticed in the Florida Administrative Register at least 60 days in advance of the public meeting.

2. If the waiting portion from the previous fiscal year exceeds twice the anticipated available funds, no public meeting shall be held, unless it is necessary to add projects to meet federal requirements. If such a public meeting is held, only those projects necessary to comply with the federal requirements shall be considered. For the purposes of this paragraph, anticipated available funds means federal capitalization grants and state matching funds expected to be received during the state fiscal year, loan repayments minus debt service payments to be received during the state fiscal

year, any carry over funds from the previous year, and anticipated interest earnings during the fiscal year.

3. If additional funds are available after the priority list public meeting, one or more priority list management public meetings shall be scheduled to allocate the additional funds.

(d) Readiness-to-proceed deadline. ~~List project on priority list. For a project to appear on the priority list, the sponsor shall have postmarked or delivered to the Department all documentation as required in paragraph (b) above no later than 45 days before the priority list public meeting at which the project competes for funding. Electronic submittals to the Department are encouraged. The project sponsor must respond to all Department comments related to the required documentation and must submit these responses at least 15 days prior to the public meeting.~~

(e) Priority system. Timely submitted projects shall be given priority according to the extent each project is intended to remove, mitigate, or prevent adverse effects on surface or ground water quality and public health. The final priority score for each project shall be determined as described in subparagraphs 1 through 4 below.

1. Base priority score. Each project shall receive a base priority score (BPS) based on the weighted average of its components or facilities. The BPS shall be determined based on the following formula where CPS means the component priority score and CCC means component construction cost or:

Project components shall be assigned component priority scores according to the categories in Table 1.

Table 1

Project Component	CPS
1. Eliminate a documented acute or chronic public health hazard	500 points
2. Implement a project included in, or to be implemented as a direct result of, an adopted Basin Management Action Plan or a Reasonable Assurance Plan approved pursuant to section 403.067, F.S.	450 points
3a. Protect surface or ground water by reducing a documented source of pollution, pollution reductions necessary to meet regulatory requirements, or; 3b. Projects or activities by local governmental agencies or on-site system management entities, under section 319 of the Act, that correct septic tank contributions to nutrient impaired spring systems	400 points
4. Address a compliance problem documented in an enforcement action where the Department	375 points

<u>has issued a notice of violation or entered into a consent order with the project sponsor</u>	
<u>5. Meet the criteria for Innovative/Alternative; correct excessive inflow/infiltration; scheduled rehabilitation, replacement, or repair described in an approved asset management plan; or reuse that replaces an existing or proposed demand on a water supply</u>	<u>350 points</u>
<u>6. Planning and design loans and for rehabilitation, replacement or repair not included in an approved asset management plan</u>	<u>340 points</u>
<u>7. Projects that construct other reclaimed water systems or residuals reuse systems that do not meet the criteria of component 5. above</u>	<u>300 points</u>
<u>8. Ensure compliance with other enforceable standards or requirements</u>	<u>200 points</u>
<u>9. Timely submitted project that otherwise meets the requirements of the Act</u>	<u>100 points</u>

2. Special waters of the state factor. A project base priority score assigned under subparagraph (e)1. above, shall be multiplied by 1.2 if the project is a construction project that will assist in the restoration or protection of Outstanding Florida Waters (pursuant to Section 403.061, F.S.), a water body identified under the National Estuary Program (pursuant to the Act); a federally designated Wild, Scenic or Recreational River Area; or an impaired water body on the State’s adopted verified list of impaired waters.

3. Construction projects that result in the elimination of ocean outfalls or are identified in a regional water supply plan developed pursuant to Section 373.709, F.S., shall have 15 bonus points added to the priority score after the adjustment under subparagraph (e)2. above.

4. Economic hardship. The extent of the economic hardship existing in a small community to be served by the project shall be reflected in the priority score. For a sponsor that qualifies as a small community with a financial hardship, points shall be added to the priority score, using the formula 1000 divided by the Affordability Index, after adjustment under subparagraphs (e)2. and (e)3., above.

(f) Priority List Development. The priority list is developed at the public meeting and includes the fundable, waiting, and planning portions. Projects that meet the requirements of paragraph (b) above compete for placement on the fundable or waiting portions using a tiered ranking system. Tier 1 includes all projects previously on the fundable portion which require an increase to an existing loan, tier 2 includes new projects that receive a priority score of 350 points or more, and tier 3 includes all other projects. Tier 1 is

the highest priority and tier 3 the lowest. Within each tier, projects are ranked in priority score order with the highest score at the top of the tier. Once the segment cap has been determined, the available funds are assigned to projects in tiers 1 and 2 moving down the list until all projects have been assigned funds, up to the lower of the requested amount or the segment cap, or until the available funds are exhausted. The unfunded balance is then placed on the waiting portion, up to a maximum of \$50 million, by tier then priority score order. If funds remain available, they are assigned to projects in tier 3 until the funds are exhausted or all projects have been funded. Projects that must be added to meet special provisions of a federal capitalization grant shall be added to the bottom of the fundable portion, bypassing projects that would otherwise be placed on the fundable portion. After the ranking of projects, the proposed list shall be posted on the Department’s website not later than 14 days before the priority list public meeting. Projects from tier 3 that do not receive any funding are placed on the planning portion in alphabetical order. To receive funding, projects on the planning portion must compete for funding at a subsequent priority list public meeting.

(d) Loan Application.

1. A complete loan application, Form 62-503.900(2), State Revolving Loan Program for Point Source Water Pollution Control Loan Application, effective (7-29-04), or Form 62-503.900(3), State Revolving Loan Program for Non-Point Source Water Pollution Control Loan Application, effective (7-29-04), hereby incorporated by reference, shall be submitted to the Department within 120 days after the project is listed on the fundable portion of the priority list. The project sponsor may incorporate into the loan application, by reference, any information previously submitted to the Department.

2. If no loan application is received within this 120 day period, the project is subject to removal from the priority list at the next scheduled hearing.

(e) Loan Agreement. A more detailed discussion is located in Rule 62-503.430, F.A.C.

1. In order to receive consideration for a loan, the project sponsor must achieve a fundable portion listing for the project, satisfy the appropriate requirements under Rules 62-503.700 and 62-503.751, F.A.C., and submit a complete loan application to the Department.

2. Projects that qualify for funding under section 212 of the Act may be eligible for direct loans or leveraged loans. However, a project sponsor that has previously financed any stormwater project or wastewater project using tax exempt bond proceeds shall not qualify for a direct loan for construction as long as the net proceeds of bonds issued by the Florida Water Pollution Control Financing Corporation are available and sufficient.

3. ~~Projects that qualify for funding under section 319 or 320 of the Act shall be eligible for direct loans only.~~

4. ~~A preconstruction loan agreement shall provide for an amendment to fund the construction activities when the preconstruction activities are completed as required under the loan agreement. Preconstruction loan recipients shall complete the requirements under Rules 62-503.700, and 62-503.751, F.A.C., no later than the time set forth in the loan agreement.~~

(2) Allowable project costs. Costs incurred before execution of a loan agreement shall be ineligible for reimbursement upon execution of the agreement unless the project sponsor receives prior written authorization from the Department to incur such costs. ~~The Department shall issue an authorization to incur costs only after the requirements of Rules 62-503.700 (except for land purchase) and 62-503.751, F.A.C., have been met.~~ Categories of allowable project costs include the following water pollution control activities subject to such limitations for leveraged loans as are necessary to maintain the tax-exempt status of bonds issued by the FWPCFC Florida Water Pollution Control Financing Corporation:

(a) Land that will be used for the ultimate disposal of wastewater or stormwater. Funding shall be limited to the fair market value of the acreage, in fee simple, of land necessary for and integral to the treatment process, including the zone of discharge. If additional land is acquired, the eligible amount shall be the acreage of land necessary for treatment divided by the total area purchased times the purchase price;

(b) Construction and related procurement and other arrangements used to implement planned activities (such as a best management practice ~~or brownfield remedial action plan~~);

(c) through (d) No change.

(e) ~~Legal and Technical services after bid opening or award receipt of proposals for design/build projects, and legal services resulting directly from the requirements of the Department supplied supplementary conditions that are included in the bid documents to comply with federal requirements, or legal services resulting from contractor non-compliance with the construction contract;~~

(f) ~~Allowable Costs associated with interim financing for project sponsors that proceed without sufficient loan funds from the Department, when a project sponsor has financed construction through other means prior to availability of funding from the Department and for which the sponsor has received prior written authorization from the Department;~~

(g) No change.

(h) ~~Allowance for costs under subsection 62-503.300(5), F.A.C. The purchase of a domestic wastewater facility being acquired if the Department has issued a notice of violation because the facility exceeds permit limits for nutrients and the non-compliance will be corrected as a result of the project.~~

(i) ~~Technical services for specialized field studies and tests such as soil and hydrogeological tests, geotechnical evaluations, sewer system evaluations, archaeological surveys and value engineering services performed by a SAVE International Certified Value Specialist. See the SAVE International web site at <http://www.value-eng.org/> for more information.~~ surveys, wetland delineations, environmental impact statements, and appraisals for eligible land;

(j) ~~Costs for planning and design under design/build procurement; and~~

(k) Project costs, excluding operational costs, to implement best management practices for agricultural nonpoint source water pollution control;

(l) For sewer system evaluation studies, technical services for generating a sewer system evaluation survey, inflow corrections including replacing clean out caps, installing seals and dishes for manholes, and the televising/cleaning of lines including point repairs as necessary;

(m) For I/I rehabilitation loans, construction and related procurement used to implement the Department approved planned activities for an I/I rehabilitation project;

(n) Preparation and implementation of an asset management plan. To be eligible for reimbursement, the asset management plan must meet the requirements of subsection 62-503.700(7), F.A.C.; and

(o) Constructed wetlands to be used for the treatment of domestic wastewater.

(3) ~~Ineligible Unallowable~~ project costs.

(a) Acquiring all or part of existing stormwater, wastewater, or water pollution control management systems, except as allowed in paragraph 62-503.300(2)(h), F.A.C.;

(b) Project facilities or activities not included within the Department approved project scope;

(c) No change;

(d) ~~Costs, such as for pending construction claims, yet to be incurred after at the project closeout has been conducted time of the on-site administrative action taken by the Department to document project completion, final project costs, and adequacy of sponsor's project files;~~

(e) No change;

(f) Water pollution control systems or components thereof, under a leveraged loan, that service a private use to the extent that the tax status of bonds issued by the FWPCFC Florida Water Pollution Financing Corporation is jeopardized; and

(g) Site Acquisition of sewer rights-of-way, sewage treatment plant sites, sanitary landfills, and other site acquisition that is not necessary for and integral to the treatment process as described in section 212(2)(A) of the Act; residuals disposal areas.

(h) Service connections on private property unless the project qualifies for funding as a result of section 319 of the Act;

(i) Costs incurred before execution of a loan agreement unless the Department has provided written authorization to incur costs;

(j) Any portion of a project funded by an executed agreement from any regional, state, or federal funding agency; and

(k)(h) Any other cost not listed as allowable under subsection (2) above.

(4) No change.

(5) Allowance.

~~(a) An allowance for project administration, planning, and engineering costs shall be included in the approved project cost. The allowance is initially based on estimated costs of construction and shall be adjusted to as bid costs after all contracts are bid. For design/build projects, the allowance shall be thirty percent of the allowance calculated under paragraph 62-503.300(5)(c), F.A.C., below.~~

~~(b) Sponsors shall not be eligible to receive an allowance for the same work funded as an allowance under other federal and state grants or appropriations.~~

~~(c) The maximum allowance shall be established as follows: (25.00 — Natural Logarithm of construction costs) times the construction costs divided by 100.~~

~~(d) An allowance shall be disbursed on request of the sponsor as follows:~~

~~1. For a construction funding agreement under a direct loan or an allowance agreement under a leveraged loan, the allowance shall be disbursed in two (2) draws. Up to seventy percent (70%) of the estimated allowance shall be disbursed after a loan agreement is signed. The remainder of the allowance shall be disbursed after all procurement contracts are executed and shall be adjusted to reflect as bid costs. For direct loans, if the sponsor agrees to an allowance adjustment once all contracts have been bid, the Department shall disburse the entire estimated allowance after a loan agreement is signed.~~

~~2. For a preconstruction funding agreement, the allowance shall be disbursed in three draws. Up to twenty percent (20%) shall be disbursed after a loan agreement is signed. Up to fifty percent (50%) of the allowance shall be disbursed after the planning documentation under Rules 62-503.700, and 62-503.751, F.A.C., has been completed and accepted. The remainder of the allowance shall be disbursed after all procurement contracts are executed and shall be adjusted to reflect as bid costs. For preconstruction loans that are being rolled into a direct loan for construction, if the sponsor agrees to an allowance adjustment once all contracts have been bid the Department shall disburse the entire estimated allowance~~

~~amount after acceptance of the plans and specifications or completion of the request for proposals.~~

~~(6) Loan Service Fee. A loan service fee shall be paid by the project sponsor in an amount not to exceed two percent of the total loan amount less the portion of the loan for capitalized interest. The fee percentage shall be determined for each fiscal year upon adoption of the intended use plan at a public hearing held by the Department. The loan service fee shall not be included in the principal of the loan. The loan service fee shall be estimated at the time of execution of the loan agreement and shall be revised with any increase or decrease amendment. The loan service fee shall be based on actual project costs and assessed in the final loan amendment. The loan recipient shall pay the loan service fee from the first available repayments following the final amendment.~~

~~(7) Refinancing. The Department shall not refinance a State Revolving Fund loan.~~

~~(5)(8) Financing rate.~~

(a) The financing rate shall be calculated as follows except that the minimum financing rate shall be 0 percent and the maximum financing rate shall be the market rate:

$$FR = MR - 4 + (4 / (1 + (100 / AI)^3)) - 1 / \text{Log}(P)$$

Where:

FR = financing rate

MR = Market Rate

AI = Affordability Index

P = Population served or to be served by the sponsor

(affordability index divided by 200) times When bond proceeds are available for leveraged loans, the market rate shall be the most recent rate at which bonds were sold by the FWPCFC. When bond proceeds are not available, the market rate for interest shall be as established using the Thomson Publishing Corporation's "Bond Buyer" 20-Bond GO Index. The maximum financing rate shall be limited to eighty percent the market rate. The market rate (20-Bond GO Index), is established by the Department as of January 1, April 1, July 1, and October 1 of each year and it is the average weekly yield during the three (3) months immediately preceding the date of determination. The average weekly yield is derived from the yields reported in the "Bond Buyer" for the full weeks occurring during the three-month period.

(b) The financing rate shall be fixed for the principal amount of the loan and for the duration of the loan repayment period. The financing rate shall be established separately for each amendment resulting from a project cost increase or new segment. The Affordability Index shall be adjusted when a design loan is rolled over to a construction loan to account for changes in project service area or for changes in the census data, but shall remain the same for all construction amendments. The financing rate shall be further adjusted by each of the following for which the project qualifies:

1. Projects with a Department accepted and implemented asset management plan that meets all requirements in subsection 62-503.700(7), F.A.C., shall be eligible for a reduction in the financing rate if implementation has been verified at least three (3) months prior to the first scheduled repayment. The financing rate shall be as calculated in paragraph 62-503.300(5)(a), F.A.C., minus 0.1.

2. Projects that qualify as Innovative/Alternative projects as defined in subsection 62-503.200(20), F.A.C., shall also be eligible for a reduction in the financing rate. For projects that are entirely Innovative/Alternative projects, the financing rate shall be as calculated in paragraph 62-503.300(5)(a), F.A.C., minus 0.1. For projects with components that do not qualify as Innovative/Alternative projects, the financing rate reduction shall be 0.1 times the Innovative/Alternative projects component cost divided by the total as-bid construction cost. For these projects the financing rate reduction shall be applied only after the project has been bid.

3. Projects that include a requirement for Davis Bacon wage rates as required in 29 C.F.R. Part 5, Subpart A (7-3-2013 Edition), hereby incorporated by reference, shall be eligible for a reduction in the financing rate of 0.25.

4. Projects that include a requirement for Buy American as required in 40 C.F.R. Part 35, Subpart E or 2 C.F.R. Part 176, Subpart B (7-3-2013 Edition), hereby incorporated by reference, shall be eligible for a reduction in the financing rate of 0.75.

~~(b) For non-capitalization grant project loans made after June 30, 1997, the financing rate has two parts, a loan interest rate component and a grant allocation assessment rate component. The Department shall determine the proportions of the components annually.~~

(c) The financing rate for a non-governmental sponsor of a project that qualifies for funding as a result of section 319 or 320 of the Act shall be fifty (50%) percent of the market rate as established in paragraph (5)(a), above.

(9) renumbered (6) No change.

~~Rulemaking Specific—Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History—New 4-17-89, Amended 12-4-91, 2-23-94, Formerly 17-503.300, Amended 1-4-98, 7-1-99, 2-6-02, 7-29-04, _____.~~

62-503.430 Loan Applications and Agreements.

(1) General.

(a) A complete loan application, Form 62-503.900(2), State Revolving Fund Loan Program for Point Source Water Pollution Control Loan Application, effective (effective date of rule), or Form 62-503.900(3), State Revolving Fund Loan Program for Non-Point Source Water Pollution Control Loan Application, effective (effective date of rule), shall be submitted to the Department within 120 days after the project is listed on the fundable portion of the priority list. Both of

these forms are hereby incorporated by reference. The project sponsor may incorporate into the loan application, by reference, any information previously submitted to the Department. These forms are available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or at <http://www.flrules.org/Gateway/?????????>.

~~(b)(a)~~ To receive a loan, a project sponsor must submit a complete loan application, provide reasonable assurance that it has the financial capability to complete the project and repay the loan, and enter into a negotiated written agreement. Loan agreements shall be offered to project sponsors for projects listed on the fundable portion in the order of receipt of a complete loan application irrespective of priority score, project rank, or qualification for the small-community reserve funds.

~~(c)(b)~~ If a project sponsor does not submit a complete loan application within 120 days, or a loan agreement is not executed within 210 days after a project is added to the fundable portion, the project shall be removed from the priority list at the next scheduled public meeting, unless mitigating circumstances are presented to the Department by the beginning of that meeting that document why the application was not submitted or why the agreement was not executed by the appropriate deadline. ~~shall be subject to placement on the bottom of the contingency portion at the next priority list management hearing.~~

(c) renumbered (d) No change.

~~(d) For loans to implement preconstruction projects, all loan agreement prerequisites shall be met upon submittal of a complete loan application.~~

~~(e) Financial hardship loans shall not be available for loan agreements awarded with funds from the FWPCFC using bond proceeds.~~

(f) The Department shall have the primary responsibility for drafting the loan agreement and setting settling its terms. The loan agreement shall have reasonable and necessary terms to meet program requirements. Loan agreement covenants may vary for direct and leveraged loans. Projects being funded as a result of different sections of the Act or as a result of different sources of pledged revenues may have different loan agreement provisions covenants.

(2) Financing Rate.

~~(a) The financing rate shall be fixed for the principal amount of the loan and for the duration of the loan repayment period. For segmented projects the financing rate shall be established separately for each amendment in accordance with subsection 62-503.300(8), F.A.C.~~

~~(b) The affordability index shall remain the same for all construction amendments. The affordability index may be~~

~~adjusted when a loan is rolled over from preconstruction to construction to account for changes in project service area.~~

~~(2)(3) Pledged Revenues.~~ The loan recipient shall make deposits of pledged revenues to a restricted or assigned debt service account and shall be responsible for the maintenance of that account.

(a) No change.

(b) Pledged revenues for projects sponsored by other than a local governmental agency shall be a minimum of 1.15 times the amount required to make each semiannual loan repayment and local government shall be secured with collateral having an appraised market value not less than 125% of the loan principal. The appraisal report must be less than 12 months old at the time the loan application is received. The loan applicant must own the real property in fee simple without any mortgages, liens or other encumbrances on the title to the property that would limit the Department's ability to sell the property in case of default on the loan.

(4) renumbered (3) No change.

~~(4)(5) Security.~~ The Department shall have no lien on or security interest in or claim on any monies moneys or property except as expressly provided in the loan agreement and, for projects sponsored by other than a local government, the security interest agreement.

~~(5)(6) Assurance of Compliance.~~ The project sponsor shall provide assurance that:

(a) through (b) No change.

(c) Loan funds will not be used for the purpose of lobbying the Legislature, the judicial branch, or a state agency.

~~(6)(7) Disbursements.~~ Disbursements to the project sponsor shall be for allowable invoiced costs. ~~For direct loans, disbursements shall be for costs paid or incurred and an allowance. For loans made from bond proceeds, disbursements shall be only for costs paid or incurred.~~ Disbursements shall be subject to the following requirements:

(a) Requests for disbursements for construction and engineering services costs shall be accompanied by ~~certifications and~~ itemized summaries of the materials, labor, or services to identify the nature of the work performed. The disbursement package shall also include a statement ~~Certifications shall state~~ that the construction or other service for which payment or reimbursement is sought has been satisfactorily performed;

(b) through (c) No change.

~~(d) Disbursements draws shall be subject to the limitations imposed by paragraph 62-503.300(5)(d), F.A.C.~~

~~(7)(8) Repayments.~~ The project sponsor shall begin repaying a loan no later than the date scheduled under the loan agreement. The scheduled date shall be six (6) months after the estimated completion date or, for projects using interim financing to complete the project prior to receiving a SRF loan

~~refinancing loans or segmented projects, six (6) months after the first available interim loan payoff date estimated for the final disbursement by the Department.~~

~~(8)(9) Loan Repayment Term.~~

(a) ~~Construction loan and preconstruction~~ Loan repayment periods for projects sponsored by a local governmental agency local government shall be limited to twenty (20) years or the useful life of the project, whichever is less. Loan repayment periods shall be extended to a maximum of thirty (30) years as allowed under the Act ~~and Section 403.1835, F.S.,~~ for projects to benefit a small community with a financial hardship.

(b) Repayment periods for loans sponsored by other than a local governmental agency local government shall be limited to twenty (20) ten (10) years or the useful life of the project, whichever is less.

~~(9)(10) Annual Certification.~~ No later than three (3) months prior to the first loan repayment and annually thereafter until the final loan repayment is made, the project sponsor's authorized representative or its chief financial officer shall submit a certification that:

(a) through (b) No change.

(c) The debt service loan repayment reserve account for a ~~direct loan~~ contains the funds required, if applicable; and

(d) For loans awarded after (effective date of rule), that the revenue generation system is in conformance with subparagraph 62-503.700(2)(h)3., F.A.C, hereby incorporated by reference. Insurance, including that issued through the National Flood Insurance Program authorized under 42 U.S.C. secs. 4001-4128, when applicable, in effect for the facilities generating the pledged revenues, adequately covers the customary risks to the extent that such insurance is available.

~~(10)(11) Remedies for Defaults.~~ Remedies for delinquent loan repayment and other events of default shall be limited to those set forth in loan agreements. Events of default shall include noncompliance with any of the terms of a loan agreement. No delay or omission to exercise any right or power accruing upon an event of default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, ~~and every such right and power may be exercised as often as may be deemed expedient.~~

Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History—New 4-17-89, Amended 12-4-91, 6-21-93, 2-23-94, Formerly 17-503.430, Amended 1-4-98, 7-1-99, 2-6-02, 7-29-04, _____.

62-503.500 Funds Reserved for Specific Purposes.

(1) No change.

~~(2) Service fee. Service fees collected for loan program administration under Rule 62-503.400, F.A.C., shall be deposited in the Department's Grants Trust Fund. Fee proceeds, including investment earnings, shall be reserved to~~

~~pay for the administration of the financial assistance programs of the Bureau of Water Facilities Funding.~~

~~(2)(3) Grant allocation assessment. Grant allocation assessments shall be deposited in the Grants and Donations Trust Fund. Grant allocation assessments and earnings that have been released from any lien securing any bonds thereon shall be used solely for making wastewater management project grants to financially disadvantaged small communities under sSection 403.1838, F.S.~~

~~(3) Innovative/Alternative project reserve. If required in the federal capitalization grant, funds shall be reserved for Innovative/Alternative projects as defined in subsection 62-503.200(20), F.A.C., hereby incorporated by reference, if sufficient Innovative/Alternative projects are submitted to use the funds.~~

~~(4) Funds reserved for principal forgiveness. If required in the federal capitalization grant, funds shall be reserved for providing loan principal forgiveness to projects that qualify for grants under section 403.1838, F.S. The percentage of the loan principal forgiven shall be determined as described in subsection 62-505.350(5), F.A.C., hereby incorporated by reference, and shall be applied at the time each disbursement is made.~~

~~Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History—New 4-17-89, Amended 12-4-91, 2-23-94, Formerly 17-503.500, Amended 1-4-98, 7-1-99, 2-6-02, 7-29-04, _____.~~

62-503.600 Priority List Information.

~~Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History—New 4-17-89, Amended 12-4-91, 2-23-94, Formerly 17-503.600, Amended 12-26-96, 1-4-98, 7-1-99, 2-6-02, 7-29-04, Repealed _____.~~

62-503.700 Planning, Design, Construction, and Procurement Requirements.

~~(1) General. The requirements of subsections (2) through (6) below, where applicable, shall be met for all projects.~~

~~(a) Federal regulations incorporated by reference shall be read so that the terms "United States," "federal," "EPA," and "officials of EPA" mean "the Department state" unless the context clearly indicates otherwise. These federal regulations also shall be read so that "grants" means "loans."~~

~~(b) Capitalization grant projects shall be subject to the requirements of specific federal cross-cutting authorities identified in the loan application Form 62-503.900(2), F.A.C.~~

~~(2) Project planning documentation shall include the following:~~

~~(a) No change.~~

~~(b) A description of the existing and recommended facilities, estimated capital costs, and estimated operation and maintenance costs, if applicable.~~

(c) No change.

(d) A cost comparison of at least ~~three~~ two alternatives, except for projects in paragraph (e), below. ~~Alternatives may include no action.~~

(e) For projects qualifying for funding as a result of section 319 or section 320 of the Act, documentation of conformance with the Act, as incorporated by reference in subsection 62-503.200(1), F.A.C., is required. Acceptable documentation includes at least one of the following:

1. Conservation practices listed in the USDA Natural Resource Conservation Service's "Field Office Technical Guide, Section IV." These conservation practices are available on the internet at http://efotg.sc.egov.usda.gov/efotg_locator.aspx and are specific to the county in which the work is to be accomplished.

2. Best management practices established in Florida statute or rule.

~~3. Best management practices and related activities addressed in the Department's "Florida Nonpoint Source Management Program Update."~~

~~3.4.~~ Agricultural practices implemented to carry out a nutrient management plan prepared by the USDA National Resource Conservation Service or a Florida licensed Professional Engineer.

~~5. Remedial action plan for brownfield clean up.~~

(f) No change.

(g) The public participation process used to explain the project and the financial impacts to the public affected parties.

1. When a project is eligible for funding as a result of section 212 of the Act, the public participation process shall include the project sponsor's public meeting held before the project sponsor's acceptance of the planning recommendations. The public meeting shall provide for public participation in the evaluation of project alternatives and shall inform the public of the capital cost of the proposed project and the long term financial impacts on the customers. Notice of the public meeting shall be in accordance with local requirements or 14 days whichever is greater.

2. When an agricultural practice identified in subparagraphs (e)1. through 4. above, is selected for implementation on the project sponsor's property and it is eligible for funding as a result of section 319 or section 320 of the Act, the public participation requirement shall be deemed to have been met as a result of the environmental review process in Rule 62-503.751, F.A.C.

3. No change.

(h) Financial feasibility information addressing the following:

1. The sources and amounts of revenues to be dedicated to repaying the loan and the expenses, charges, and liens against

or to be paid from such dedicated funds or revenues. The information shall demonstrate the ability to repay the loan with a margin of safety. Examples of a margin of safety are as follows:

a. Pledged revenue coverage ratio of at least 1.15 for projects sponsored by a local government agency;

b. A current term debt and capital lease coverage ratio of at least 1.15, as explained in subsection 62-503.300(6) ~~62-503.300(10)~~, F.A.C., for projects sponsored by other than a local government agency.

2. Capital improvements that will be financed from the same funds or revenues dedicated to repaying the loan. For projects qualifying for funding as a result of section 212 of the Act, information must include capital improvements that will be implemented over at least a two-year period commencing with the first semiannual loan repayment.

3. The proposed system of charges, rates, fees, and other collections that will generate the revenues to be dedicated to loan repayment. The rate structure of the revenue generation system shall be approved at least six months before the first State Revolving Fund loan repayment is due or before the project closeout, whichever occurs first. The rate structure shall be implemented timely to ensure the generation of sufficient revenues dedicated to loan repayment and may be implemented in phases to the extent timely and sufficient revenue generation will be accomplished. The revenue generation system shall be revised, as necessary, to satisfy the pledged revenue requirements of the loan.

(i) An updated ~~R~~request for ~~I~~nclusion to include the schedule, scope, and costs for implementing the recommended facilities or activities and any changes to the census tracts to account for project changes if necessary.

(j) An adopting resolution or other action establishing a commitment to implement the planning recommendations.;

(k) For a project, or its components, that is to be listed as an Innovative/Alternative project, documentation of how the project is categorically Innovative/Alternative or a business case detailing how the project or its components meet the federal requirements for Innovative/Alternative projects in Attachment 2 of EPA's "Procedures for Implementing Certain Provisions of EPA's Fiscal Year 2012 Appropriation Affecting the Clean Water and Drinking Water State Revolving Fund Programs", March 2012.

(l) The electronic submittal of planning documentation is encouraged.

(3) Plans and Specifications. The project sponsor shall submit biddable plans and specifications conforming to the planning documentation described in subsection 62-503.700(2), F.A.C., for projects involving construction. For design/build projects the sponsor shall submit a copy of the request for qualifications; or requests for proposals, and the

preliminary design report submitted for permitting. Final permitted plans and specifications shall be submitted for each component of the project. Electronic submittals are encouraged.

(4) No change.

(5) Permit. The project sponsor shall submit evidence that all required permits have been obtained, or written documentation from the applicable permitting authorities that the project will be permitted, or that a permit is not required, one or more of the following permitting related conditions, as necessary, exist for the project:

~~(a) The use of a general permit under Rule 62-620.705, F.A.C., has been authorized;~~

~~(b) An intent to issue a permit under Rule 62-620.510, F.A.C., has been established;~~

~~(c) The Department has issued other authorization for project construction (includes design/build); or~~

~~(d) The Department has determined that its authorization is not required prior to construction or.~~

~~(e) An intent to issue a permit for construction under Part IV, Chapter 373, F.S., has been established.~~

(6) Procurement must be in conformance with 40 CFR 31.36, (July 1, 2011), hereby adopted and incorporated by reference. (Reference: 40 CFR 31.36). When procuring property and services under a SRF loan, a project sponsor shall follow the policies and procedures it uses for procurements from its non-SRF funds provided that the procurement conforms to applicable federal, State and local laws and regulations, and the following requirements:

(a) All procurement transactions shall be conducted in a manner providing full and open competition. The use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals is prohibited. For small purchases that do not cost more than \$100,000, price or rate quotations shall be obtained from a minimum of two qualified sources.

(b) Construction contractors shall be selected according to a recognized procurement method such as formal advertised competitive bidding, competitive best value or competitive qualifications based proposals, or noncompetitive proposals. Delivery methods shall be design/bid/build, design/build agreements or construction manager at risk agreements.

(c) No change.

(d) Competitive proposals shall be solicited from an adequate number of qualified sources to ensure open competition. The loan recipients shall have a method for conducting technical evaluations of the proposals received and for selecting awardees.

1. For the competitive best value selection method of procurement, awards shall be made to the responsible firm

whose proposal is most advantageous to the loan recipient, with price and other factors considered.

2. For the competitive qualifications based selection method of procurement, statements of qualifications shall be solicited from an adequate number of sources. Statements of qualifications received from at least three responsible vendors shall be considered adequate unless it is determined by the loan recipient that it is in its best interest to proceed with the procurement having received less than three proposals. Statements of qualifications shall be evaluated based on the request for qualifications. Awards shall be made to the responsive and responsible vendor whose statement of qualifications is deemed to be most advantageous by the loan recipient.

~~(d) Requirements for the competitive proposals method of procurement shall be as follows:~~

~~1. Proposals shall be solicited from an adequate number of qualified sources to assure open competition.~~

~~2. Loan recipients shall have a method for conducting technical evaluations of the proposals received and for selecting awardees;~~

~~3. Awards shall be made to the responsible firm whose proposal is most advantageous to the loan recipient, with price and other factors considered.~~

(e) No change.

(f) Design/build and construction manager at risk (CMR) procurement:

1. Competitive best value or competitive qualifications based selection shall be used as the selection process for design/build procurement. Requests for proposals shall be used in the selection process.

a. Requests for competitive best value or competitive qualifications based selection proposals shall be submitted to the Department prior to advertising for a determination of compliance with loan program requirements.

b. The proposal solicitation shall describe the work eligible for a loan, the requirements with which the successful respondent shall comply, and the evaluation process to be used in selecting the successful respondent.

c. Advertising shall include announcement in a publication having general circulation on a statewide basis, in a construction trade journal, in a professional journal, or in an electronic plan room.

d. The time allowed for development of proposals shall be commensurate with the complexity and extent of the work and with the extent of the conceptual documents provided with the request for proposals.

e. The project sponsor shall demonstrate that the competition solicited is sufficient for the complexity and extent of the work.

f. The design/build team will be identified as part of awarding the contract. If the construction contractor is not identified as part of the award, procurement shall follow steps to ensure a competitive process as described in paragraphs 62-503.700(6)(a) through 62-503.700(6)(d), F.A.C.

2. Requests for proposals shall be used in the selection process for CMR procurement. The request for proposals shall describe the work eligible for a loan, the requirements with which the successful respondent shall comply, and the evaluation process to be used in selecting the successful respondent.

a.3. Advertising shall include announcement in a publication having general circulation on a statewide basis, in a construction trade journal, in a professional journal, or in an the electronic plan room.

4. through 7 renumbered b. through e. No change.

f. Work performed directly by the CMR shall be limited to no more than 50% of the guaranteed maximum price unless a higher percentage is requested and approved by the Department. For any construction work that will be performed by the CMR, bids or request for proposals shall be submitted to and reviewed by the sponsor or any other neutral party as determined by the sponsor to avoid a conflict of interest.

(g) through (h) No change.

(i) Loan recipients are encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost. Loan recipients are also encouraged to complete water efficiency and energy audits to minimize operational costs.

(j) No change.

(k) Loan recipients shall maintain records sufficient to detail the significant history of a procurement. These records shall include the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(l) Loan recipients ~~alone~~ shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.

(m) Retention of all required records for five (5) three (3) years after loan recipients or subloan recipients make final payments and all other pending matters are closed.

(n) For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold, the Department shall ~~will~~ accept the bonding policy and requirements of the loan recipient when the Department has made a determination that the Department's interest is

adequately protected. If such a determination has not been made, the minimum requirements shall be as follows:

1. through 3. No change.

(o) A loan recipient's contracts shall contain provisions for:

1. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms;

2. Such sanctions and penalties as may be appropriate; and

3. Termination for cause and for convenience by the loan recipient including the manner by which it shall be effected and the basis for settlement.

4. Access by the loan recipient, the Department, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor that are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

5. Incorporating the Department's Supplementary Conditions into its bid or request for proposals documents. These Supplementary Conditions include, but are not limited to, conditions contain the following provisions:

a. Equal Employment Opportunity compliance;

b. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act, section 508 of the Clean Water Act, and Executive Order 11738; and

c. Contracting with small and minority firms, women's business enterprise, and labor surplus area firms (if applicable).

(7) Asset Management Plans. Loan recipients are encouraged to implement an asset management plan to promote long term sustainability of the system. To be accepted for the financing rate adjustment and to be eligible for reimbursement, an asset management plan must be adopted by ordinance or resolution and written procedures must be in place to implement the plan and it shall be implemented timely. The plan must include each of the following:

(a) Identification of all assets within the project sponsor's system;

(b) An evaluation of the current age, condition, and anticipated useful life of each asset;

(c) The current value of the assets;

(d) The cost to operate and maintain all assets;

(e) A capital improvement plan based on a survey of industry standards, life expectancy, life cycle analysis, and remaining useful life;

(f) An analysis of funding needs;

(g) An analysis of population growth and wastewater or stormwater flow projections, as applicable, for the sponsor's planning area, and a model, if applicable, for impact fees;

commercial, industrial and residential rate structures; and industrial pretreatment fees and parameters;

(h) The establishment of an adequate funding rate structure;

(i) A threshold rate set to ensure the proper operation of the utility, if the sponsor transfers any of the utility proceeds to other funds, the rates must be set higher than the threshold rate to facilitate the transfer and proper operation of the utility; and

(j) A plan to preserve the assets; renewal, replacement, and repair of the assets as necessary, and a risk-benefit analysis to determine the optimum renewal or replacement time.

Rulemaking Specific—Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History—New 4-17-89, Amended 8-1-90, 12-4-91, 6-21-93, 2-23-94, Formerly 17-503.700, Amended 1-4-98, 7-1-99, 2-6-02, 7-29-04,_____.

62-503.751 Environmental Review.

(1) General.

(a) The Department shall perform an environmental review for each project to be funded. The environmental review shall evaluate ~~establish~~ the environmental significance of a proposed project and whether the planning of the project meets the requirements of this chapter rule. ~~The environmental review also shall establish the Department's intention to make funding available for a project after the project sponsor has met the applicable requirements of this rule.~~ The results of the Department's environmental review for each project shall be issued as an environmental information document which shall be valid for five (5) years from the date of issue, after such time, the document is no longer valid unless a Florida Reaffirmation Notice, pursuant to subsection 62-503.751(5), F.A.C. is written by the Department. The different environmental information documents are described in subsections (2) through (5) below. A notice of availability of an environmental information document shall be published in the Florida Administrative Register ~~on the Department's website www.dep.state.fl.us (under "Official Notices" or similar link)~~ to announce the results of the Department's environmental review. The notice of availability shall include instructions about the procedures for accessing the project information and the Department's findings. The Department shall provide a thirty (30) day period, commencing as of the date of the notice of availability, for public comment about the environmental impacts of proposed projects. Written comments from the public shall be considered by the Department before approving a project for funding if postmarked or delivered within the thirty (30) day comment period to the Department.

(b) No change.

(2) Florida Categorical Exclusion Notice (FCEN). ~~The Department shall issue a~~ A FCEN shall be used for certain projects that are not expected to generate controversy over potential environmental effects. A FCEN shall not be used when there are documented environmental objections to a project before the local ~~governmental agency government~~ adopted the planning recommendations provided that such objections have a basis in statute, regulation, or ordinance.

(a) No change.

(b) Projects potentially eligible for categorical exclusion are:

1. Rehabilitation of existing water pollution control system components or replacement of structures, materials or equipment;

2. Water pollution control systems that do not change the existing discharge point or permitted pollutant concentration limits and that do not involve acquisition of undisturbed land;

3. Water pollution control systems that serve less than 10,000 people in unsewered communities that involve self-contained individual or cluster systems providing both treatment and disposal of wastewater that will take place near the buildings from which the wastewater is to be discharged;

4. Water pollution control systems in areas where streets have been established, underground utilities installed, or building sites excavated; and

5. Treatment plant upgrades that are solely to enable ~~reclaimed water reuse if the treatment level enables unrestricted~~ public access reuse.

(3) Florida Finding of No Significant Impact (FFONSI). ~~The Department shall issue a~~ A FFONSI shall be used when a project sponsor proposes a project not categorically excluded from a detailed environmental review and not requiring a Florida Environmental Impact Statement. In issuing a FFONSI, the Department shall:

(a) Record the basis for the decision to provide financial assistance for the project, addressing:

1. The environmental consequences of the project;
2. The purpose and the need for the project;
3. The alternatives, including no action, and the cost considerations for the project;
4. Any environmental enhancement measures to be implemented;
5. The public participation process;
6. The results, if available, of the State Clearinghouse Review; and
7. Compliance with relevant rules of the Department.

(b) Consider public comments about environmental impacts of a project if the comments are received within 30 days after the date of posting of the notice of availability ~~on~~ the Department's website.

(c) Conclude the environmental review for the project only after the 30-day comment period has expired and:

1. No information is received about previously unconsidered adverse environmental impacts;

2. Information is received about previously unconsidered adverse environmental impacts and one of the following occurs:

a. The objections are either without a basis in statute, regulation, or ordinance or the objections are resolved;

b. A re-evaluation of the project is made as a result of the comments and the Department confirms the original decision or requires environmental enhancement measures before implementing the project; or

c. The FFONSI is rescinded.

(4) Florida Environmental Impact Statement (FEIS). A FEIS and a Florida Record of Decision (FROD), as required in 40 CFR Part 35 Subparts K & L, shall be used for a project for which there is an adverse direct or indirect impact on land use and population patterns, the quality of the environment, cultural or environmental resource areas, or the habitats of endangered or threatened species. A FEIS and FROD also shall be used when there is ~~unresolved~~ public objection controversy over the environmental impacts of a project provided that the objections to the project have a basis in statute, regulation, or ordinance. A FEIS shall be prepared by the Department or, at the direction of the Department and in accordance with the Consultants' Competitive Negotiation Act, Section 287.055, F.S., by others with no conflicting interest in the outcome. In completing the environmental review, the Department shall:

(a) through (f) No change.

(g) Announce the funding eligibilities using a FROD and consider public comments about environmental impacts if received during the thirty (30) day period beginning on the date of posting of the notice of availability in the Florida Administrative Register ~~on the Department's website~~; and

(h) No change.

(5) Florida Reaffirmation Notice (FRAN). A FRAN shall be used to establish the Department's continuing intention to make funds available for unimplemented projects, the planning for which was previously documented as accepted by the Department in a FCEN, FFONSI, FROD, or analogous documents issued by EPA, or amendments to any of the foregoing that are no longer valid after five (5) years have elapsed since issuance. In issuing a FRAN, the Department shall:

(a) No change.

(b) Consider public comments about changed conditions altering the environmental impacts since the previous FCEN, FFONSI, FROD, or analogous documents issued by EPA, or amendments to any of the foregoing. Comments shall be

considered if received during the thirty (30) day period beginning on the date of posting of the notice of availability of the FRAN in the Florida Administrative Register on the Department's website.

- (c) No change.
- (6) No change.

(7) Project Revision Memoranda (PRM). For a project that requires modifications to the selected alternative that do not alter its environmental effects, a PRM shall be written by the Department to document the changes.

Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History--New 7-29-04, Amended _____.

62-503.800 Audits Required.

- (1) Federal or State Audit Required.

(a) In the event that the project sponsor expends \$500,000 or more in federal awards in its fiscal year, the project sponsor must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as published in the *Federal Register*, June 26, 2007, hereby adopted and incorporated by reference. This document is available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or electronic versions are available at http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf or <http://www.flrules.org/Gateway/?????????>. Beginning with the fiscal year in which an agreement for a loan is executed and continuing for each year thereafter until the loan is retired, the local government shall submit annual audit reports to the Department. Audits shall address the local government's financial condition; accounts of water and sewer systems or other sources generating the pledged revenues; loan disbursements received, if any; project expenditures, if any; and compliance with loan agreement covenants. The local government shall cause its auditor to notify the Department immediately if anything comes to the auditor's attention during the annual examination of the local government's records that would constitute a default under the loan agreement. Reports shall be submitted within one year after the end of each audited fiscal year.

(b) Section 215.97, F.S., and the rules adopted pursuant to that section by the Department of Financial Services or Auditor General impose audit requirements on the project sponsor and sub-recipients based on designated thresholds for expenditures. Each agreement entered into pursuant to this rule chapter shall include the audit requirements applicable to the project at the time the agreement is executed.

(2) Within the later of 12 months after the effective date of a loan agreement amendment establishing final project costs or the date upon which deposits of pledged revenues

under subsection 62-503.430(3), F.A.C., are first required, the project sponsor shall submit to the Department a report for a state project specific audit of the loan related revenues and expenditures. Audits of both direct loans and leveraged loans shall address the project sponsor's financial condition; accounts of the sources generating the pledged revenues; loan disbursements received, and project expenditures; and compliance with loan agreement covenants. The project sponsor shall cause its auditor to notify the Department immediately if anything comes to the auditor's attention during the examination of the records that would constitute a default under the loan agreement. The audit findings shall set aside or question any costs that are unallowable under this rule chapter. A final determination of whether such costs are allowed shall be made by the Department. The above described state project specific audit shall be required unless the only disbursements under the loan agreement are for allowances, loan service fee, and loan repayment reserve under a preconstruction loan. The definition of a state project specific audit may be found in Section 215.97, F.S.

(2)(3) For your information, pursuant to Section 215.97, F.S., the State is authorized to The Department may conduct an audit within five (5) three years following project closeout close out if loan covenant compliance problems have been noted; record keeping deficiencies are noted during close-out; the project involves unusual or questioned costs; or other justification for conducting the audit becomes apparent.

(a) The Department shall give the project sponsor advance notice of any audit.

(b) The Department shall prepare a written report on each audit and shall provide a copy of the report to the project sponsor. The project sponsor must respond, in writing, to the findings and recommendations within 30 days after receipt of a written request from the Department.

Rulemaking Specific Authority 403.1835(10), 403.1837(9) FS. Law Implemented 403.1835, 215.97 FS. History--New 4-17-89, Amended 12-4-91, 2-23-94, Formerly 17-503.800, Amended 1-4-98, 2-6-02, 7-29-04, _____.

62-503.850 Exceptions to Program Requirements.

(1) The Department shall consider a requests for an exceptions to the requirements of this chapter rule if the exception does not conflict with state or federal law or federal regulations.

- (2) No change.

Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1835 FS. History--New 4-17-89, Formerly 17-503.850, Amended 7-29-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Department of Environmental Protection
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 28, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2012

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-815.013
 RULE TITLE: Annual Reporting Requirement
 PURPOSE AND EFFECT: Change the stewardship report requirements from annually to every five years for eligible projects.

SUMMARY: The Florida Communities Trust is governed by two separate rules, the Preservation 2000 Program in Chapter 62-815, F.A.C., and the Florida Forever Program, Chapter 62-818, F.A.C. The amendment to Rule 62-815.013, F.A.C., will provide consistency between the two rules relative to the annual reporting requirement. The amendment will allow annual reports to be transferred to a five-year reporting cycle if all of the terms and conditions in the Declarations of Restrictive Covenants have been met by the Grantee. The amendment will make both programs run in a consistent manner and will provide opportunity for Preservation 2000 Grantees the same flexibility as Florida Forever Grantees already have. Allowing the five-year reporting cycle streamlines the process for the Florida Communities Trust staff and eases the burden on Grantees that have fulfilled the terms and conditions of the grant.

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 rule revision will reduce the annual reporting requirements and will not have an adverse impact or a increase in regulatory cost as identified in the SERC checklist.

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: 380.507(11) FS.

LAW IMPLEMENTED: 259.101, 375.045 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 25, 2013, 9:00 a.m.

PLACE: Douglas Building, Conference Room A, 3900 Commonwealth Blvd, 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 hours before the workshop/meeting by contacting: A. Diane Langston, 3800 Commonwealth Blvd, MS 103, Tallahassee, FL 32399-3000, (850)245-2702, Diane.Langston@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: A. Diane Langston, 3800 Commonwealth Blvd, MS 103, Tallahassee, FL 32399-3000, (850)245-2702, Diane.Langston@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-815.013 Annual Stewardship Report Reporting Requirement.

(1) Each award to a Recipient shall include a condition that, after Acquisition of the Project Site, a stewardship report is required. The stewardship report is intended to verify that conditions imposed at the time the award was made are being followed and to monitor the stewardship and use of the property. The stewardship report shall be due each year.

(2) Once the project is fully developed as outlined in the approved Management Plan, the stewardship report for that projects may be submitted to the Trust on a five year review cycle:

(a) To initiate the five year review cycle of the stewardship report, the Recipient shall provide the following:

1. Written statement of completion certifying that the Project Site was developed in accordance with the approved Management Plan;

2. Updated Management Plan that includes an as-built master site plan drawing showing all facilities and structures; and

3. Photographic record of all completed site improvements and restoration activities.

(b) Trust staff shall perform site visits to ensure that the Recipient has demonstrated that the terms of the Declaration of Restrictive Covenants and the approved Management Plan have been followed.

(c) Upon the Trust's acceptance of the Recipient's statement of completion, the updated Management Plan and photographic record and a satisfactory completion of the site

visit, the Trust may, in its discretion, transfer the stewardship report to a five year review cycle. If, after transfer of the stewardship report to a five year review cycle, the Trust finds that the terms and conditions of the Declaration of Restrictive Covenants are not being followed, the annual stewardship report requirement shall be reimposed.

~~Each award to a Recipient shall include a condition that, after acquisition of the project site, an annual report is required from the Recipient benefitting from the award, and title holder if different, in order to verify that conditions imposed at the time the award was made are being followed, to monitor the stewardship and use of the property, to verify the status of conditions in Rule 62-815.012, F.A.C., and other sections of this rule chapter, and to collect survey information. The annual report shall be due on the anniversary of the date on which the project plan was approved by the governing body.~~

Rulemaking Authority 380.507(11) FS. Law Implemented 259.101, 375.045, 380.510 FS. History—New 11-3-91, Amended 11-1-92, 2-9-98, Formerly 9K-4.013, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: A. Diane Langston

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 1, 2013 (Volume 39, Number 127)

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

RULE NO.: 69U-140.020
 RULE TITLE: Semiannual Assessment

PURPOSE AND EFFECT: The proposed amendment to Rule 69U-140.020, F.A.C., creates additional monetary assessment tiers to extend declining assessments rates for agencies with assets from \$2.5B up to and exceeding \$10B. This will generally reduce the assessments due for international agencies with assets exceeding \$2.5B. Currently, the rule provides for declining assessments until reaching a flat assessment rate for agencies with total assets over \$1B. The proposed rule amendment also includes the statutory minimum assessment and late payment penalty amounts.

SUMMARY: The proposed amendment creates additional monetary assessment tiers to extend declining assessments rates for agencies with assets from \$2.5B up to and exceeding \$10B. The proposed rule amendment also includes the statutory minimum assessment and late payment penalty amounts.

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.

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: 655.012(2), 663.12, 663.13 FS.

LAW IMPLEMENTED: 663.12 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: Jo Morris, jo.morris@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69U-140.020 Semiannual Assessment.

(1) Each state licensed international banking agency shall pay to OFR a semiannual assessment fee for the six-month period beginning thirty days before each payment date. Each assessment shall be postmarked on or before January 31 and July 31 of each year. The amount of the semiannual assessment to be paid by each agency is computed as follows: If the agencies' total assets are:

	But Not Over	This Amount (Base Assessment)	Plus (Assessment Rate)	Of Excess Over
Million	Million			Million
\$0	\$35	\$0	0.000065	0
35	100	2,275	0.000052	35
100	500	5,655	0.000040	100
500	1,000	21,495	0.000028	500
1,000	2,500	35,335	0.000016	1,000
	-			
<u>2,500</u>	<u>5,000</u>	<u>59,655</u>	<u>0.000004</u>	<u>2,500</u>
<u>5,000</u>	<u>7,500</u>	<u>69,655</u>	<u>0.000002</u>	<u>5,000</u>
<u>7,500</u>	<u>10,000</u>	<u>74,655</u>	<u>0.0000008</u>	<u>7,500</u>
<u>10,000</u>	<u>...</u>	<u>76,655</u>	<u>0.0000004</u>	<u>10,000</u>

(2) Each semiannual assessment is based on the total assets (including amounts due the agency from other offices or branches of the international banking corporation of which the agency is a part of or from entities related to that international

banking corporation) as shown in the agency’s “Report of Assets and Liabilities of U.S. Agencies of Foreign Banks” most recently preceding the payment date. ~~The assessment shall be computed on Form OFR U 7, Semiannual Assessment Return International Bank Agencies, revised 3/2003, provided by OFR. Form OFR U 7 is incorporated by reference and can be obtained by contacting OFR.~~ Each agency subject to the jurisdiction of OFR on January 1 or June 30 of each year is subject to the full assessment for the next six-month period without proration for any reason.

(3) Regardless of the rates above, the semiannual assessment must equal at least \$1,000.

(4) The agency officer who is responsible for the calculation of the semiannual assessment must sign, date, and indicate his/her title when submitting to OFR.

(5) OFR shall levy a late payment penalty of \$100.00 per day for each day that a semiannual assessment is past due, unless the late payment penalty is excused for good cause. For intentional late filing of a semiannual assessment, OFR shall levy a late payment penalty of \$1,000.00 per day for each day that a semiannual assessment is past due.

Rulemaking Specific Authority 655.012(2)(3), 663.12 658.73(6)(b), 663.13 FS. Law Implemented 663.12 658.73(6) FS. History—New 8-21-83, Amended 11-15-85, Formerly 3C-15.13, Amended 10-1-87, 5-17-90, Formerly 3C-15.013, 3C-140.020, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Hayes, Director, Division of Financial Institutions,
Robert.Hayes@flofr.com, (850)410-9518

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 3, 2013

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-560.1012
RULE TITLE: Adoption of Forms

PURPOSE AND EFFECT: The proposed amendment to Rule 69V-560.1012, F.A.C., deletes the reference to the Florida Fingerprint Card (FL922720Z).

SUMMARY: The proposed amendment to Rule 69V-560.1012, F.A.C., deletes the reference to the Florida Fingerprint Card (FL922720Z).

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.

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

RULEMAKING AUTHORITY: 560.105, 560.118, 560.141, 560.2085, 560.209, 560.403 FS.

LAW IMPLEMENTED: 560.141 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: Jo Morris, jo.morris@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.1012 Adoption of Forms.

(1) The following forms are incorporated by reference and readopted by this rule for the purposes of Rules 69V-560.102-.913, F.A.C.:

(a) Application for Licensure as a Money Services Business, Form OFR-560-01, effective 10-18-09, amended new date ~~5-29-12~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-01231>.

(b) Location Notification Form, Form OFR-560-02, effective 1-13-09.

(c) Declaration of Intent to Engage in Deferred Presentment Transactions, Form OFR-560-03, effective 1-13-09.

(d) Money Services Business Quarterly Report Form, Form OFR-560-04, effective 1-13-09.

(e) Pledge Agreement, Form OFR-560-05, effective 1-13-09.

(f) Money Services Business Surety Bond Form, Form OFR-560-06, effective 1-13-09.

(g) Security Device Calculation Form, Form OFR-560-07, effective 10-18-09.

(h) Request for Exemption from Electronic Filing Requirements, Form OFR-560-08, effective 3/16/2011, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00145>.

~~(i) Florida Fingerprint Card (FL922720Z), effective 1-13-09.~~

~~(i)(j)~~ Currency Transaction Report, FinCEN Form 104, effective 1-13-09.

~~(j)(4)~~ Suspicious Activity Report by Money Services Business, FinCEN Form 109, effective 1-13-09.

~~(k)(4)~~ Report of International Transportation of Currency or Monetary Instruments, FinCEN Form 105, effective 1-13-09.

(2) All forms adopted by this rule are available on the Office’s website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority 215.405, 560.105, 560.118, 560.141, 560.2085, 560.209, 560.403 FS. Law Implemented 560.118, 560.140, 560.141, 560.205, 560.2085, 560.209, 560.403, 943.053 FS. History—New 1-13-09, Amended 10-18-09, 3-16-11, 5-29-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Greg Oaks, Director, Division of Finance,
greg.oaks@flofr.com, (850)410-9829

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 4, 2013

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-560.102
RULE TITLE: Application or Appointment Procedures and Requirements

PURPOSE AND EFFECT: The proposed amendment to Rule 69V-560.102, F.A.C., requires applicants for licensure as a money service business to submit fingerprints through a live-scan vendor approved by the Florida Department of Law Enforcement (FDLE). These fingerprints will be submitted to the FDLE for a state criminal background check and the Federal Bureau of Investigation for a Federal criminal background check. The proposed amendment also removes the requirement for applicants to submit a written request for withdrawal of application and instead must submit the request through the Office of Financial Regulation REAL system.

SUMMARY: The proposed rule amendment requires applicants for licensure as a money service business to submit fingerprints through a live-scan vendor approved by the Florida Department of Law Enforcement.

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.

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: 215.405, 560.105, 560.118, 560.209, 560.403 FS.

LAW IMPLEMENTED: 560.141 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: Jo Morris, jo.morris@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.102 Application or Appointment Procedures and Requirements.

(1) Applications for money service business licenses must be made in accordance with the provisions of Sections 560.140, 560.141, and 560.143, F.S. Further, application for a money services business license involving payment instrument sales or money transmission must also comply with Section 560.205, F.S. The application form for applying hereunder is Application for Licensure as a Money Services Business, OFR-560-01, which is incorporated by reference in Rule 69V-560.1012, F.A.C.

(2) Each person listed in question 5G of the Application for Licensure as a Money Services Business, OFR-560-01, must submit fingerprints through a live-scan vendor approved by the Florida Department of Law Enforcement. A list of approved vendors is published on the Florida Department of Law Enforcement’s website (<http://www.fdle.state.fl.us/Content/getdoc/941d4e90-131a-45ef-8af3-3c9d4efefd8e/Livescan-Service-Providers-and-Device-Vendors.aspx>). Such fingerprints will be submitted to the Florida Department of Law Enforcement for a state criminal background check and the Federal Bureau of Investigation for a Federal criminal background check. The cost of the fingerprinting process shall be borne by the applicant and paid directly to the live-scan vendor.

~~(3)(2)~~ Request for Additional Information. Any request for additional information will be made by the Office within thirty (30) days after receipt of the application. The additional information must be received by the Office within forty-five (45) days from the date of the request. Failure to provide all information within forty-five (45) days from the date of the request will result in the Office denying the application.

~~(4)(3)~~ Withdrawal of Application. An application may be withdrawn if the applicant submits a ~~written~~ request through

the REAL system for same before the application is approved or denied.

(5)(4) Amendments to Pending Applications. If the information contained in any application form for licensure as a money services business, or in any amendment thereto, becomes inaccurate for any reason, the applicant shall file an amendment correcting such information within thirty (30) days of the change on Form OFR-560-01, which is incorporated by reference in Rule 69V-560.1012, F.A.C. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days from receipt of the application by the Office. Otherwise, the application may be amended only with prior written permission from the Office. The Office will grant permission to amend the application, unless the amendment constitutes a material change to the application. Requests to make changes which are material to the application will be deemed by the Office to be grounds for denial, and a new application, accompanied by the appropriate filing fee, will be required. Material changes include:

(a) Changes in net worth;

(b) The substitution or addition of a director, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, partner, member, joint venturer, responsible person, or controlling shareholder;

(c) Any change relating to the bond or collateral security item;

(d) A change to a response to the disclosure questions listed in section 6 on Form OFR-560-01; and

(e) A change to disclosure questions listed in section 3 on the biographical summary on Form OFR-560-01.

Rulemaking Specific Authority 215.405, 560.105, 560.118, 560.209, 560.403 FS. Law Implemented 215.405, 560.118, 560.140, 560.141, 560.143, 560.1235, 560.204, 560.205, 560.209, 560.303, 560.307, 560.403, 943.053 FS. History—New 9-24-97, Amended 11-4-01, 12-11-03, Formerly 3C-560.102, Amended 7-15-07, 6-17-08, 12-25-08, 1-13-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Greg Oaks, Director, Division of Finance,
greg.oaks@flofr.com, (850)410-9829

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 4, 2013

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:

69V-560.302 Renewal Fees, Deadlines, and Requirements

PURPOSE AND EFFECT: The proposed amendment to Rule 69V-560.302, F.A.C., requires applicants for renewal of Money Service Business (MSB) licensure to submit a nonrefundable fee, on or after October 1, 2013, of \$12.00 for each person currently listed in the records of the Office in question 5G of the application for licensure as a MSB, OFR-560-01, to cover the cost of fingerprint retention. Failure to remit the \$12.00 fingerprint retention fee and the renewal fee prescribed in Section 560.141(2), F.S., by the license expiration date will automatically result in the license becoming expired. The proposed amendment also requires licensees to submit live-scan processing fingerprints to a live-scan vendor approved by the Florida Department of Law Enforcement for each person currently listed in the records of the Office in question 5G of the Application for Licensure as a Money Service Business, OFR-560-01, as required by Section 560.141(7), F.S. The proposed amendment allows the Office of Financial Regulation to request additional information and documentation regarding the criminal background results and such information must be received by the Office within 45 days from the date of request.

SUMMARY: The proposed amendment requires applicants for licensure for renewal as a Money Service Business (MSB) to submit a nonrefundable fee of \$12.00 for each person currently listed in the records of the Office in question 5G of the application for licensure as a MSB, form OFR560-01, to cover the cost of fingerprint retention.

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.

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

RULEMAKING AUTHORITY: 560.105 FS.

LAW IMPLEMENTED: 560.143 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: Jo Morris, jo.morris@lofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

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

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

(2) Licensees initially approved on or after October 1, 2013, shall submit a nonrefundable fee of \$12.00 for each person currently listed in the records of the Office in question 5G of the Application for Licensure as a Money Services Business, OFR-560-01, to cover the costs of fingerprint retention. Failure to remit renewal fees as prescribed in Section 560.141(2), F.S., and fingerprint retention fees as required in this paragraph by the license expiration date will automatically result in the license becoming expired. An expired license may be reinstated within 60 days following expiration pursuant to Section 560.142, F.S.

(3)(a) Licensees initially approved before October 1, 2013, shall submit fingerprints for each person currently listed in the records of the Office in question 5G of the Application for Licensure as a Money Services Business, OFR-560-01, for live-scan processing pursuant to 560.141(7), F.S. Such fingerprints must be submitted before renewing a license that is scheduled to expire between April 30, 2014, and December 31, 2015. The Office shall screen the background results to determine if the licensee meets licensure requirements. The Office may request additional information and documentation regarding the criminal background results. Any request for additional information must be received by the Office within forty-five (45) days from the date of the request. For purposes of this paragraph, each of the applicant's control persons required to submit fingerprints shall submit such fingerprints to a live-scan vendor approved by the Florida Department of Law Enforcement and published on the Florida Department of Law Enforcement's website (<http://www.fdle.state.fl.us/Content/getdoc/941d4e90-131a-45ef-8af3-3c9d4efefd8e/Livescan-Service-Providers-and-Device-Vendors.aspx>) for submission to the Florida Department of Law Enforcement and the Federal Bureau of Investigation for a state criminal background check and a Federal criminal background check. The cost of the fingerprinting process shall be borne by the applicant and paid directly to the live scan vendor.

(b) Licenses renewed pursuant to paragraph (a) shall submit a nonrefundable fee of \$12.00 for each person currently listed in the records of the Office in question 5G of the Application for Licensure as a Money Services Business, OFR-560-01, to cover the costs of fingerprint retention. This

requirement applies to licensees renewing licenses that expire on or after April 1, 2016 that were approved before October 1, 2013. Failure to remit renewal fees as prescribed in Section 560.141(2), F.S., and fingerprint retention fees as required in this paragraph by the license expiration date will automatically result in the license becoming expired. An expired license may be reinstated within 60 days following expiration pursuant to Section 560.142, F.S.

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Greg Oaks, Director, Division of Finance,
 greg.oaks@lofr.com, (850)410-9829
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: September 24, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: September 4, 2013

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-18.040	Definitions
6A-18.0401	Federal Regulations Adopted by Reference
6A-18.041	Establishment of Vending Facilities
6A-18.042	Issuance of License
6A-18.0421	Conditions for Removal from a Facility; Suspension or Revocation of License
6A-18.0423	Grievance Procedure
6A-18.0424	Announcement of Facility Vacancies

- 6A-18.0425 Application and Selection
- 6A-18.044 Operator License Agreement
- 6A-18.045 Newspaper Vending Sales
- 6A-18.046 Incorporation by Reference
- 6A-18.047 Forms and Instructions
- 6A-18.048 Solicitation of Funds for Blind Persons
- 6A-18.049 General Description of Services and Procedures
- 6A-18.050 Transportation (Transferred to 38K-1.050)
- 6A-18.051 Exit Review Panel (Transferred to 38K-1.051)
- 6A-18.052 The Individualized Plan for Vocational Rehabilitation
- 6A-18.053 Determination That a Client Has Been Rehabilitated

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 163, August 21, 2013 Florida Administrative Register has been continued from October 15, 2013 to November 19, 2013.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-42.022 Permits Required

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 191, October 1, 2013 issue of the Florida Administrative Register.

A Notice of Proposed Rule was published for section 40C-42.022, F.A.C., indicating it as one of the rules being repealed pursuant to paragraph 373.4131(2)(c), F.S. The section number and title were included, but the corresponding language was inadvertently left out of the Notice of Proposed Rule. The language should read as follows:

40C-42.022 Permits Required.

Rulemaking Authority 373.044, 373.113, 373.171, 373.404, 373.406, 373.414, 373.418 FS. Law Implemented 373.118, 373.406, 373.413, 373.414, 373.416, 373.418, 373.426 FS. History—New 9-25-91, Amended 4-11-94, 11-22-94, 10-11-01, 11-11-03, Repealed.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.: RULE TITLE:

61B-85.001 Filing Reporting Information.

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. 157, August 13, 2013 issue of the Florida Administrative Register.

61B-85.001 Filing Reporting Information.

~~(1) In order to comply with reporting requirements set forth in Section 720.303(3), F.S., The community association manager or management firm, or the association when there is no community association manager or management firm, shall complete form DBPR Form HOA 6000-1, Homeowner Association Reporting, effective _____, incorporated herein by reference. Reporting shall be completed on the Internet at <http://www.myfloridalicense.com/hoa> via the online form DBPR Form HOA 6000-1, Homeowner Association Reporting, incorporated herein by reference, which may be found at <https://www.flrules.org/Gateway/reference.asp?No=Ref-03079>, and effective _____.~~

~~(2) Associations created after November 22, 2013, must report and adhere to the requirements of this rule.~~

Rulemaking Authority 720.303(13)(f) FS. Law Implemented 720.303(13) FS. History—New _____.

**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-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 30, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Section 5-203.13, 2009 FDA Food Code, paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Nana's Italian Ice located in Titusville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that at least one accessible bathroom be provided for use by customers and

employees. They are requesting to utilize holding tanks to provide potable water and to collect wastewater, to share a mopsink and bathrooms located within an adjacent establishment in the same mall.

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

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.0135 Dental Hygiene Examination

The Board of Dentistry hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on May 14, 2013, by Aliesha L. Baker. The Notice of Petition for Variance or Waiver was published in Vol. 39, No. 116, of the June 14, 2013, Florida Administrative Register. Petitioner sought a variance or waiver of paragraph 64B5-2.0135(3)(d), F.A.C., entitled "Dental Hygiene Examination." The Board considered the instant Petition at a duly-noticed public meeting, held August 23, 2013, in Orlando, Florida.

The Board's Order, filed September 17, 2013, granted a waiver extending the time to complete the Laws and Rules Examination. The Petitioner has complied with Section 120.542(2), F.S., and has demonstrated the purpose of the underlying statute, Section 466.007, F.S., will be achieved or has been achieved by other means. The Board further finds that the Petitioner established that applying the requirements of the aforementioned rule to Petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-7.0035 Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities

The Board of Dentistry hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on June 10, 2013, by Sudeep Rao, DMD. The Notice of Petition for Variance or Waiver was published in Vol. 39, No.

116, of the June 14, 2013, Florida Administrative Register. Petitioner sought a variance or waiver of subsection 64B5-7.0035(5), F.A.C., entitled "Temporary Certificate Requirements for dentists Practicing in State and County Government Facilities." The Board considered the instant Petition at a duly-noticed public meeting, held August 23, 2013, in Orlando, Florida.

The Board's Order, filed September 17, 2013, granted a one-time waiver until December 31, 2014 or until Petitioner obtains a Residency Permit. The Petitioner has complied with Section 120.542(2) F.S., and has demonstrated the purpose of the underlying statute, Section 466.025(2), F.S., will be achieved or has been achieved by other means. The Board further finds that the Petitioner established that applying the requirements of the aforementioned rule to Petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on October 01, 2013, the Board of Medicine, received a petition for waiver filed by Victor Espinosa, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on September 30, 2013, the Florida Housing Finance Corporation, received a petition for waiver from Northwest Properties II, LTD., requesting a waiver of the Instructions in order to allow for the use of a community wide access control intercom system installed at a single entry point at each building in the Development (the

“Visitor Notification System”) in lieu of an electric doorbell at individual unit doors in the Development (the “Required Doorbell”).

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on September 30, 2013, the Florida Housing Finance Corporation, received a petition for waiver from Northwest Properties IV, LTD., requesting a waiver of the Instructions in order to allow for the use of a community wide access control intercom system installed at a single entry point at each building in the Development (the “Visitor Notification System”) in lieu of an electric doorbell at individual unit doors in the Development (the “Required Doorbell”).

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Alligator Marketing and Education Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2013, 10:00 a.m.

PLACE: Bert Harris Ag Center/IFAS Extension, 4509 George Boulevard, Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Martin May at (850)617-7280.

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: John Easley or Martin May at (850)617-7280. 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: John Easley or Martin May at (850)617-7280.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

The Sturgeon Production Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 18, 2013, 11:00 a.m. – 4:00 p.m.

Meeting also accessible through teleconference by dialing 1(888)670-3525; enter participant pass code 1543680102

PLACE: Nora Mayo Hall, 500 3rd Street NW, Winter Haven, FL 33881

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting sturgeon culture in Florida.

A copy of the agenda may be obtained by contacting: Paul Zajicek at 1203 Governor's Square Blvd, Suite 501, Tallahassee, FL 33201-2961, (850)488-5471.

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: Paul Zajicek, (850)488-5471. 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).

METROPOLITAN PLANNING ORGANIZATIONS

Orlando Urban Area

The Central Florida MPO Alliance (CFMPOA) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 11, 2013, 10:00 a.m.

PLACE: MetroPlan Orlando, David L. Grovdahl Board Room, 315 E. Robinson St., Suite 355, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled CFMPOA meeting.

A copy of the agenda may be obtained by contacting: Ms. Cathy Goldfarb, 315 E. Robinson St., Suite 355, Orlando, FL 32801 or (407)481-5672, ext. 315.

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: Ms. Cathy Goldfarb, 315 E. Robinson St., Suite 355, Orlando, FL 32801 or (407)481-5672, ext. 315. 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: Ms. Cathy Goldfarb, 315 E. Robinson St., Suite 355, Orlando, FL 32801.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 5, 2013, 9:00 a.m. – 12:00 p.m., EST.

PLACE: University of North Florida, Adam W. Herbert University Center, 12000 Alumni Drive, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: To increase community awareness and provide participants with information and resources for aging in place. Developers, contractors, architects, city and county planners, local officials, and consumers will hear about local, state and federal trends on aging and why there is a need to begin preparing for Florida's population shift.

A copy of the agenda may be obtained by contacting: Lisa Murray, Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, via email at murrayek@elderaffairs.org or by phone at (850)414-2097.

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: Lisa Murray, Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, via email at murrayek@elderaffairs.org or by phone at (850)414-2097. 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: Lisa Murray, Department of Elder Affairs, Elder Housing Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, via email at murrayek@elderaffairs.org or by phone at (850)414-2097.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

DATES AND TIMES: October 8, 2013, 1:00 p.m. – 3:30 p.m.; October 9, 2013, 1:00 p.m. – 3:30 p.m.; October 11, 2013, 1:00 p.m. – 3:30 p.m.

PLACES: October 8, 2013, 1:00 p.m. – 3:30 p.m.: Egypt Shriners, 4050 Dana Shores Drive, Tampa, FL 33634. To participate by phone, please call 1(877)809-7263 and enter the participant passcode 72390513#.

October 9, 2013, 1:00 p.m. – 3:30 p.m.: Florida International University, Kovens Center, 3000 N.E. 151 Street, North Miami, FL 33181. To participate by phone, please call 1(877)299-4502 and enter the participant passcode 78073166#.

October 11, 2013, 1:00 p.m. – 3:30 p.m.: Agency for Health Care Administration, Building 3, 1st Floor, Conference Room A, 2727 Mahan Drive, Tallahassee, FL 32308. To participate by phone, please call 1(877)299-4502 and enter the participant passcode 88742870#. The public meeting in Tallahassee will also be available via webinar. To participate by webinar, follow the directions outlined below:

- 1) Go to <https://suncom.webex.com/suncom/k2/j.php?ED=233333852&UID=1622458687&HMAC=56ac1e48ed9515d674af636a2a2b29b3c6d37a42&RT=MmMxMQ%3D%3D>.
- 2) Enter your name and email address (or registration ID).
- 3) Click "Join".
- 4) Follow the instructions that appear on your screen.

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public meetings are being held to solicit public input from recipients, providers and all stakeholders and interested parties on the development of the three-year extension request for Florida's 1115 Managed Medical Assistance (MMA) Waiver (previously known as Medicaid Reform Waiver), as approved by the Centers for Medicare and Medicaid Services (Federal CMS) on June 14, 2013. During the meetings, the

following items will be discussed: the future of Florida's 1115 MMA Waiver, legislation creating the MMA program passed during the 2011 Florida Legislative Session, overview of the existing waiver and description of the draft waiver extension request. There will be an opportunity for public comment at the meetings.

SUMMARY DESCRIPTION OF THE WAIVER: Florida's 1115 Research and Demonstration Waiver was initially approved by Federal CMS October 19, 2005 to operate for the period from July 1, 2006 to June 30, 2010. Implementation of the waiver occurred in Broward and Duval Counties on July 1, 2006 with expansion to Baker, Clay and Nassau Counties occurring July 1, 2007. Federal CMS granted temporary extensions of the waiver until December 15, 2011, when final approval of the extension request was granted, for the period from December 16, 2011 to June 30, 2014.

On June 14, 2013, Federal CMS approved an amendment to the waiver that allows for implementation of an improved statewide model of managed care in 2014 and the continuation of the Low Income Pool program. The amendment also changed the name of the waiver to the Florida Managed Medical Assistance Waiver.

With the submission of the three-year waiver extension request, the state is seeking federal authority to extend Florida's MMA Waiver for the period July 1, 2014 to June 30, 2017. The waiver is designed to implement a new statewide managed care delivery system without increasing costs and to continue the Low Income Pool program. The program is guided by principles designed to improve coordination and patient care while fostering fiscal responsibility.

The MMA program will provide primary and acute medical care for the majority of Medicaid recipients through high quality, competitively selected managed care organizations. Moving from a fee-for-service system to the MMA program, the program increases consumer protections as well as quality of care and access for Floridians in many ways including:

- Increases recipient participation on Florida's Medical Care Advisory Committee and convenes smaller advisory committees to focus on key special needs populations;
- Ensures the continuation of services until the primary care or behavioral health provider reviews the enrollee's treatment plan (no more than sixty calendar days after the effective date of enrollment);
- Ensures recipient complaints, grievances and appeals are reviewed immediately for resolution as part of the rapid cycle response system;
- Establishes Healthy Behaviors programs to encourage and reward healthy behaviors and, at a minimum, requires plans offer a medically approved smoking cessation program, a medically directed weight loss program and a substance abuse treatment plan;

- Requires Florida's External Quality Review Organization to validate each plan's encounter data every three years;
- Enhances consumer report cards to ensure recipients have access to an understandable summary of quality, access, and timeliness regarding the performance of each participating managed care plan;
- Enhances the plan's performance improvement projects by focusing on six key areas with the goal of achieving improved patient care, population health and reducing per capita Medicaid expenditures;
- Enhances metrics on plan quality and access to care to improve plan accountability; and
- Enhances the state's comprehensive continuous quality improvement strategy, focusing it on all aspects of quality improvement in Medicaid.

PUBLIC NOTICE AND PUBLIC COMMENT: OCTOBER 1, 2013 – OCTOBER 30, 2013

The Agency will conduct a 30-day public notice and comment period prior to the submission of the waiver extension request to Federal CMS. The Agency will consider all public comments received regarding the waiver extension request. The 30-day public notice and public comment period begins October 1, 2013 and ends October 30, 2013. To view a comprehensive description of the waiver extension request, please click the following link: http://ahca.myflorida.com/Medicaid/statewide_mc/pdf/mma/1115_Public_Notice_Document_Oct_1_2013.pdf

More information is available on the Agency's website at the following link: http://ahca.myflorida.com/Medicaid/statewide_mc/index.shtml#FCA

To submit comments by postal service or internet e-mail, please follow the directions outlined below. When providing comments regarding the 1115 MMA Waiver extension request, please have '1115 MMA Waiver Extension Request' referenced in the subject line.

Mail comments and suggestions to:

1115 MMA Waiver Extension Request
Office of the Deputy Secretary for Medicaid
Agency for Health Care Administration
2727 Mahan Drive, MS #8
Tallahassee, Florida 32308

You may also e-mail your comments and suggestions to: FLMedicaidWaivers@ahca.myflorida.com.

A copy of the agenda may be obtained by contacting: Ms. Linda Macdonald at (850)412-4031 or via email at Linda.Macdonald@ahca.myflorida.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 7 days before the workshop/meeting by contacting: Ms. Linda Macdonald at (850)412-4031 or via email at Linda.Macdonald@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Linda Macdonald at (850)412-4031 or via email at Linda.Macdonald@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 18, 2013, 9:00 a.m. (Only)

PLACE: Marjorie Stoneman Douglas Building, Conference Rooms A&B, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The previous noticed meeting of the Acquisition and Restoration Council (ARC) for the purpose of conducting business will proceed as scheduled and public testimony will be heard on the above date. The public hearing for Thursday, October 17, 2013 has been cancelled.

A copy of the agenda may be obtained by contacting: Hank Vinson, Office of Environmental Services at (850)245-2784 or on the web at www.dep.state.fl.us/lands/arc_calendar.htm.

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: Hank Vinson, Office of Environmental Services at (850)245-2784 or Hank.Vinson@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: Hank Vinson, Office of Environmental Services at (850)245-2784 or Hank.Vinson@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: October 10, 2013, 1:30 p.m.

PLACE: Deltona Library and Environmental Center – Scrub Jay Auditorium, 2150 Eustace Avenue, Deltona, Florida 32725

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of interested stakeholders to discuss and receive comments on the Lakes Harney and Monroe and Middle St. Johns River Basin Management Action Plan (BMAP) 2013 Progress Report.

A copy of the agenda may be obtained by contacting: Charles Gauthier, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at Charles.Gauthier@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 48 hours before the workshop/meeting by contacting: Charles Gauthier at (850)245-8555. 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 HEALTH

Athletic Trainers

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

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

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

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

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

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

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

The Bureau of Emergency Medical Oversight announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2013, 10:00 a.m.

PLACE: Capital Circle Office Complex – Southwood, 4042 Bald Cypress Way, Conference Room 240P, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Emergency Probable Cause Panel Meeting to discuss a confidential case with the Emergency Action Unit. Portions of this meeting will not be open to the public.

A copy of the agenda may be obtained by contacting: Kimberly Dodson at (850)245-4444, ext. 8206.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services

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

DATE AND TIME: Wednesday, October 16, 2013, 2:30 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 1, Room 132, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Title: Organizational Meeting of Negotiation Team for the Citizenship and Immigration Related Employability Services for Broward, Miami-Dade and Palm Beach Counties (ITN# SNR14K01).

Description: As provided for in Sections 2.5 and 5.3 of this ITN which was published to the Vendor Bid System (VBS) on April 18, 2013. The VBS can be accessed at: <http://vbs.dms.state.fl.us/>. The purpose of the Organizational Meeting of Negotiation Team is to enable the Department to establish the principle terms and conditions needing to be negotiated with Vendors and create successful strategies that will be used during the negotiation process.

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.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2013, 9:00 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Deliberation for cases pending before the Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Finance and Auditing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 11, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Juvenile Justice, Knight Building CR 1134, 2737 Centerview Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Approval of Minutes, SOP Status Report, Midrange and Mainframe Professional Rates, Rate Based to Monthly Cost Recovery Billing and Direct Bills and Administrative Charges.

A copy of the agenda may be obtained by contacting: Jane.Geier@nsrc.myflorida.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: Jane.Geier@nsrc.myflorida.com, (850)487-9442. 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: Jane.Geier@nsrc.myflorida.com, (850)487-9442.

PALM BEACH SOIL AND WATER CONSERVATION DISTRICT

The Palm Beach Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATES AND TIMES: October 22, 2013, 1:00 p.m.; November 19, 2013, 1:00 p.m.; January 28, 2014, 1:00 p.m.; February 25, 2014, 1:00 p.m.; March 25, 2014, 1:00 p.m.; April 22, 2014, 1:00 p.m.; May 27, 2014, 1:00 p.m.; June 24, 2014, 1:00 p.m.; July 22, 2014, 1:00 p.m.; August 26, 2014, 1:00 p.m.; September 23, 2014, 1:00 p.m.

PLACE: USDA Service Center, 420 S. SR 7, Royal Palm Beach, FL 33141

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

For more information, you may contact: Laura Bloom, (561)792-2727.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Community Competitiveness Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 9:00 a.m. – 10:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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 11 days before the workshop/meeting by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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: Al Latimer, (407)956-5602, alatimer@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Enterprise Zone Task Force Interest announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 10:00 a.m. – 11:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Sharon Spratt, (850)298-6644, sspratt@eflorida.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 1 day before the workshop/meeting by contacting: Sharon Spratt, (850)298-6644, sspratt@eflorida.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: Sharon Spratt, (850)298-6644, sspratt@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 11:45 a.m. – 1:00 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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 1 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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: Al Latimer, (407)956-5602, alatimer@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Stakeholders Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 3:45 p.m. – 5:30 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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 1 day before the workshop/meeting by

contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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: Al Latimer, (407)956-5602, alatimer@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Team Florida Marketing Partnership announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 2:30 p.m. – 4:00 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Kim Wilmes, (407)956-5628, kwilmes@eflorida.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 1 day before the workshop/meeting by contacting: Kim Wilmes, (407)956-5628, kwilmes@eflorida.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: Kim Wilmes, (407)956-5628, kwilmes@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Joint Board Finance & Compensation Committee and Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 10:00 a.m. – 11:30 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Pamela Murphy, (407)956-5644, pmurphy@eflorida.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 1 day before the workshop/meeting by

contacting: Pamela Murphy, (407)956-5644, pmurphy@eflorida.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: Pamela Murphy, (407)956-5644, pmurphy@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2013, 1:00 p.m. – 2:30 p.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Michael Preston, (850)298-6630, mpreston@eflorida.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 1 day before the workshop/meeting by contacting: Michael Preston, (850)298-6630, mpreston@eflorida.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: Michael Preston, (850)298-6630, mpreston@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 31, 2013, 8:30 a.m. – 11:00 a.m.

PLACE: The Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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 1 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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: Al Latimer, (407)956-5602, alatimer@eflorida.com.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Board Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 3, 2013, 9:30 a.m. – 10:00 a.m.

PLACE: Conference Call, CALL-IN NUMBER: 1(800)501-8979, ACCESS CODE: 9565636#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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 1 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, alatimer@eflorida.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: Al Latimer, (407)956-5602, alatimer@eflorida.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

NOTICE IS HEREBY GIVEN that on September 24, 2013, the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Kimandy Lawrence on behalf of Vergona-Bowersox. The petition seeks the agency's opinion as to the applicability of Section 489.505(12), F.S., and Section 489.538, F.S. as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.505 (12), F.S., and Section 489.538, F.S., as to whether there are requirements to hold an electrical license to perform the concrete and structural work for supporting solar panels. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, Daniel.Biggins@myfloridalicense.com or by telephoning (850)487-1395.

DEPARTMENT OF HEALTH

Board of Chiropractic

NOTICE IS HEREBY GIVEN that on September 26, 2013, the Board of Chiropractic Medicine has received the petition for declaratory statement from Paul Watson Lambert, Esquire, on behalf of Florida Chiropractic Association, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 460, Florida Statutes as it applies to the petitioner.

The petition seeks the Board's interpretation of Chapter 460, Florida Statutes, as to whether a Florida licensed chiropractic physician using web based advertising under a contract with a web based company facilitating the advertisement to offer discounted vouchers for chiropractic services violates either Section 456.054 or Section 817.505(1), Florida Statutes.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Wm. Freeman Miller, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, mqa_chiropractic_medicine@doh.state.fl.us or by telephoning (850)245-4355.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Notice of Application Period for Preapproved Advanced
Cleanup Program

NOTICE OF APPLICATION PERIOD FOR PREAPPROVED ADVANCED CLEANUP PROGRAM

The Department of Environmental Protection announces, in accordance with Section 376.30713, F.S., that it will accept preapproved advanced cleanup applications submitted between November 1, 2013, and on or before 5:00 p.m. on December 31, 2013. Public opening of timely submitted applications shall be on January 8, 2014, beginning at 9:00 a.m. at the Department of Environmental Protection, 2600 Blair Stone Road, Room 458N, Tallahassee, Florida. The required application form and instructions for the Preapproved Advanced Cleanup Program may be obtained at the following internet site on October 25, 2013: <http://www.dep.state.fl.us/waste/categories/pcp/pages/pac.htm>.

Ken Busen, the PAC Program administrator, is the point of contact for the PAC Program. He can be contacted in regard to PAC applications on or after October 25, 2013. Please direct mail inquiries to:

Ken Busen, Environmental Administrator
Department of Environmental Protection
Petroleum Restoration Program
2600 Blair Stone Road, MS #4580
Tallahassee, Florida, 32399-2400

Mr. Busen's telephone number is: (850)245-8745.

VISIT FLORIDA

VISIT FLORIDA is seeking a qualified vendor who can provide an ad serving solution for VISIT FLORIDA websites that will support efforts to deliver relevant advertisements to visitors. Deadline for submissions is October 31. For more information pertaining to this Request for Proposal visit <http://visitflorida.org/rfp>.

HILLSBOROUGH COUNTY AVIATION AUTHORITY
HCAA RFQ 13-411-032 Project Number 8100 14 Main
Terminal Transfer Level Expansion and Concession
Redevelopment

HILLSBOROUGH COUNTY AVIATION AUTHORITY (AUTHORITY)

Request for Qualifications
Solicitation Number 13-411-032
Project Number 8100 14

Sealed qualifications for the Main Terminal and Airport Concession Redevelopment Program will be received from Design-Build firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Airport Business, Active Solicitations on Tuesday October 1, 2013 by 5:00 p.m.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR
VEHICLES

Division of Motor Vehicles

Steve's Cycles, Inc. for the establishment of DAIX motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Steve's Cycles, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (line-make DAIX) at 843 North Cocoa Boulevard, Cocoa, (Brevard County), Florida 32922, on or after November 1, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Steve's Cycles, Inc., are dealer operator(s): Stephen Foley, 843 North Cocoa Boulevard, Cocoa, Florida 32922; principal investor(s): Stephen Foley, 843 North Cocoa Boulevard, Cocoa, Florida 32922.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Wendy Yu, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration received the following CON application for expedited review:

County: Broward Service District: 10
Facility/Project: John Knox Village of Pompano Beach
Applicant: John Knox Village of Florida, Inc.
Project Description: Add 17 sheltered nursing home beds

DEPARTMENT OF HEALTH
Board of Medicine

Notice of Emergency Action

On October 1, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michael Dennis Flint, P.A., PA# 91054477. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 1, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Tina Bopp, R.N., RN# 3361882. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was

fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 1, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Jamie Lee Lavelly, R.N., RN# 9221623. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On October 1, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Maritza Novas, R.N., RN# 9225998. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Pharmacy

Notice of Emergency Action

On October 1, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Anne Colyn Miley, R.P.T., RPT# 4163. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.
