

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:

60S-4.010 Retirement Benefit Payment Options

PURPOSE AND EFFECT: To address and clarify the wording of Option 4 on the FRS-11 to Option Selection Form.

SUBJECT AREA TO BE ADDRESSED: Retirement Benefit Payment Options.

RULEMAKING AUTHORITY: 121.031, 121.052(14) FS.

LAW IMPLEMENTED: 121.021, 121.052, 121.055, 121.091(6), (11) FS.

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

DATE AND TIME: April 20, 2015, 10:00 a.m. ET.

PLACE: Division of Retirement, Department of Management Services, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL.

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: Stephanie Farmer, Administrative Assistant, at (850)778-4407. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)488-5706

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the education requirements for a specialty in cytogenetics.

SUBJECT AREA TO BE ADDRESSED: Technologist Licensing Requirements.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.809, 483.811(2), 483.823 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adrienne Rodgers, Acting Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: RULE TITLE:

69B-186.008 Escrow Disbursements

PURPOSE AND EFFECT: On August 1, 2015, in compliance with the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Consumer Financial Protection Bureau (CFPB) will implement a new rule that integrates mortgage disclosures required by the Truth in Lending Act (TILA) and the Real Estate Settlement Procedures Act of 1974 (RESPA). The new "TILA-RESPA" rule includes a new "Closing Disclosure" form that replaces the currently used HUD-1 Settlement Statement. Like the currently used HUD-1, the new Closing Disclosure form, with few exceptions, is required for use in consumer mortgage transactions. National industry groups and state regulators have expressed concern that the new Settlement Disclosure form provides inadequate and potentially misleading information regarding the cost of title insurance.

A noteworthy feature of the TILA-RESPA rule is the degree to which it alters the customary dynamic between lenders and settlement agents during the mortgage closing process. By custom, lender-creditors have typically relied on settlement /title agents to provide and assume responsibility for completing the HUD-1 Settlement Statement used at real estate closings. However, the new TILA-RESPA rule provides that the lender-creditor is wholly responsible for both the accuracy and the delivery of the Closing Disclosure form. To minimize their risk of non-compliance with provisions of the new TILA-RESPA rule, the lender-creditor community is bringing the preparation of the Closing Disclosure forms "in-house" and providing for their delivery to consumers. One

consequence of the new TILA-RESPA rule's shifting of liability for the accuracy of the Closing Disclosure form to the lender-creditor is the unintended consequence of relieving the settlement agent from closing process liability, even though the settlement agent continues to handle the disbursement of escrow funds. In the absence of the proposed rulemaking, Florida regulators will be limited in their ability to prosecute settlement agents who mishandle or misappropriate escrow funds following implementation of the new TILA-RESPA rule. The proposed rule addresses this problem by reestablishing provisions holding settlement agents responsible and accountable for their actions during the course of the closing process to assure that Florida consumers will retain protections currently afforded them under Florida law, following implementation of the new TILA-RESPA rule.

The proposed rule establishes the following:

(1) Provides consumers with an explanation regarding the true cost for the title insurance policy they are purchasing as well as showing the exact amount of premium paid, as apportioned between parties.

(2) Authorizes the title insurance agency to hold and disburse the funds being held in the agency's escrow account to fund the transaction.

(3) Require the settlement agent to certify that the escrowed funds are being disbursed consistent with the disclosure provided to all the parties and as the lender has instructed the funds to be paid.

(4) Incorporates by reference new Form DFS-H1-2146 (Florida Insurance Premium Disclosure & Settlement Agent Certification Form, Effective 08/2015).

SUBJECT AREA TO BE ADDRESSED: Requirements and Responsibilities of Title Agents.

RULEMAKING AUTHORITY: 624.308(1), 626.8473(6) FS.

LAW IMPLEMENTED: 626.8473 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: Monday, April 20, 2015, 2:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Wenger @ (850)413-5605 or Ray.Wenger@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ray Wenger, Division of Agent & Agency Services, Bureau of Investigation, 200 E Gaines Street, Tallahassee, FL 32399-0320, (850)413-5605 or Ray.Wenger@MyFloridaCFO.com.

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: **RULE TITLE:**

6D-12.003 Campus Police Department

PURPOSE AND EFFECT: The purpose of this rule is to establish the authority for appointment, employment, and removal of; standards governing; and authority of, the Campus Police for the Florida School for the Deaf and the Blind; together with establishing in writing a police policy manual.

SUMMARY: Establishes the authority for appointment, employment, and removal of campus police in accordance with the State Career Service System; and establish in writing a police policy manual.

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: A checklist was prepared by the Agency to determine the need for an SERC. Based on this information at the time of this analysis and pursuant to s. 120.541, F.S., the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1002.36(4)(c) and 1002.36(8)(f), FS.

LAW IMPLEMENTED: 1002.36(4)(e) and 1002.36(8), FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jerry Chandler, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2315, Email: chandler@fsdb.k12.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: Jerry Chandler, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2315, Email: chandler@fsdb.k12.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-12.003 Campus Police Department.

(1) Police Department. The Board of Trustees of the Florida School for the Deaf and the Blind, or School, shall provide for a safe and secure campus through the creation of a Campus Police Department, as authorized by Section 1002.36(8)(a), F.S.

(2) Staff. The campus police department shall consist of campus police officers, who shall have the same rights, protections, and immunities afforded other law enforcement officers of the State of Florida, as defined by Section 943.10, F.S., incorporated by reference herein, and available at [http://to be filled in], consistent with Section 1002.36(8)(e), F.S.

(3) General. The campus police department provides general police services to the School, including protection of its population, buildings, grounds and equipment, and the maintenance of peace and order within the School community, and at its functions. The campus police department shall have the right to provide mutual aid to other law enforcement agencies, excluding enforcement of all traffic and parking regulations, as authorized by Section 1002.36(8)(b), F.S., and Section 23.1225, F.S., incorporated by reference herein, and available at [http://to be filled in].

(4) Minimum Standards. Campus police officers shall meet the minimum standards established by the Criminal Justice Standards and Training Commission pursuant to 943.12, F.S., available at [http://to be filled in], as required by Section 1002.36(d), F.S.

(5) Authority. Campus police officers are authorized and empowered by Section 1002.36(8), F.S. to:

(a) Enforce Section 1002.36(8), F.S. to provide for the safety of all persons, and to protect any property or facilities of the School, on School property;

(b) Make arrests, issue citations, and seek the assistance of, and cooperate with, other law enforcement agencies in carrying out police functions;

(c) Pursue violators off campus to make arrests in hot pursuit;

(d) Bear arms in the performance of their duties;

(e) Carry out search warrants;

(f) Serve subpoenas or other legal process and make arrests as authorized by Section 1002.36(8), F.S.;

(g) Enforce traffic laws as authorized by Section 1002.36(8), F.S.;

(h) Enforce all mutual aid agreements, excluding enforcement of traffic and parking ordinances, that are not in conflict or inconsistent with Section 1002.36, F.S., Section 23.1225, F.S., or this rule; and

(i) Employ civilian personnel.

(6) Manual. The Board of Trustees shall establish and enforce a police policy manual as mandated by Section 1002.36(8)(f), which shall include procedures for managing routine law enforcement and emergency law enforcement situations. The current police policy manual is incorporated by reference herein, and is available at [http://to be filled in]. Specific Authority 1002.36(8)(f), F.S. Law Implemented 1002.36, F.S., History – New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry Chandler

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Trustees

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 30, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2015

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement - Local Retirement

| | |
|------------|-------------------|
| RULE NOS.: | RULE TITLES: |
| 60T-1.001 | Scope and Purpose |
| 60T-1.002 | Definitions |
| 60T-1.003 | Actuarial Reports |

PURPOSE AND EFFECT: The Definitions section needed to be updated to remove unused or statutorily redundant definitions and update the name of a Division bureau.

SUMMARY: Amending the rule to remove unused or statutorily redundant definitions and update the name of a Division bureau.

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: Not required because there are no adverse impacts on economic growth, business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation.

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: 112.665 FS.

LAW IMPLEMENTED: 112.61, 112.63, 112.64, 112.661, 112.664, 112.665 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: April 27, 2015, 10:00 a.m., ET.

PLACE: Division of Retirement of the Department of Management Services, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL

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: Stephanie Farmer, Administrative Assistant, Division of Retirement, Department of Management Services at (850)778-4407. 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: Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60T-1.001 Scope and Purpose.

(1) This chapter sets forth the rules under which municipal and special district units of government are to provide information on their retirement systems to the Division of Retirement (~~Bureau of Program Services~~) pursuant to Part VII of Chapter 112, F.S. The provisions of this chapter shall be applicable to all municipal governments and special districts (or agencies and instrumentalities thereof) which operate or administer a retirement system or plan for public employees funded in whole or in part by public funds. This chapter shall not apply to municipalities or special districts with respect to any of their employees which participate as a covered group in the Florida Retirement System.

(2) The objectives of this chapter are to ~~enhance and further~~ clarify the implementation intent of Part VII, Chapter 112, F.S., so that governmental retirement systems may be managed, administered, operated, and funded in such manner as to maximize the protection of public employee retirement benefits. ~~Inherent in this intent is the recognition that~~ The pension liabilities attributable to the benefits promised public employees are ~~be~~ fairly, orderly, and equitably funded by the current, as well as future, taxpayers. Accordingly, except as herein provided, ~~it is the intent of these rules to~~ prohibit the use of any procedure, methodology, or assumptions, the effect of which is to transfer to future taxpayers any portion of the costs which may reasonably be expected to be paid by the current taxpayers.

Rulemaking Authority 112.665(1) FS. Law Implemented 112.63 ~~112.61~~ FS. History—New 5-6-81, Amended 9-19-83, Formerly 22D-1.01, Amended 11-14-91, Formerly 22D-1.001, _____.

60T-1.002 Definitions.

The words and phrases in this chapter shall be construed according to their plain meaning, in light of the context and subject matter, unless expressly defined otherwise in this rule, this chapter or in Section 112.625, F.S. Whenever used in this chapter, unless otherwise expressly stated, or unless the context or subject matter requires a different meaning, the following words and terms shall have the respective meaning indicated:

(1) “Actuarial Impact Statement” means a statement setting forth the actuarial liabilities and contribution requirements of a proposed change in the provisions of a local retirement system certified by an enrolled actuary or prepared by the plan administrator or plan sponsor.

(2) “Actuarial Report” means a report prepared and certified by an enrolled actuary based on actuarial evaluation of a local retirement system or plan.

(3) ~~“Benefit Increase” means a change or amendment in the plan design or benefit structure which results in increased benefits or increased value of benefits for plan members or beneficiaries.~~

~~(4) “Concurrent Funding” means payment of the required contributions to fund benefit changes shall begin no later than the first of the next fiscal year after benefits change.~~

~~(3)(5) “Division” means the Division of Retirement, Bureau of Local Retirement Systems Program Services.~~

~~(6) “Enrolled Actuary” means an actuary who is a member of the Society of Actuaries or the American Academy of Actuaries and who is enrolled under subtitle C of Title III of the Employee Retirement Income Security Act of 1974.~~

~~(7) “Governmental Entity” means the state, for the Florida Retirement System, and the municipality or special district which is the employer of the member of a local retirement system or plan.~~

~~(4)(8) “Local Retirement System or Plan” means any employee pension benefit plan supported in whole or in part by public funds which is not specifically exempt by Section 112.625(1), F.S.~~

~~(9) “Plan Administrator” means the person so designated by the terms of the instrument or instruments, ordinance, or statute under which the plan is operated, or the plan sponsor where no plan administrator is designated.~~

~~(10) “Plan Sponsor” means the local governmental entity which has established or which may establish a local retirement system or plan.~~

~~(5)(11) “Significant Plan Amendment” means any change or changes in the retirement plan or system the net effect of which would require a current or potential increase in the contribution rate.~~

~~(12) “Statement Value” means the value of assets in accordance with Section 302(c)(2), F.S., of the Employee Retirement Income Security Act of 1974, and as permitted under regulations prescribed by the Secretary of the Treasury. Rulemaking Authority 112.665(1) FS. Law Implemented ~~112.61, 112.625, 112.63, 112.64, 112.661, 112.664, 112.665~~ FS. History—New 5-6-81, Amended 9-19-83, Formerly 22D-1.02, Amended 11-14-91, Formerly 22D-1.002,_____.~~

60T-1.003 Actuarial Reports.

(1) No change.

(2) The results of each actuarial report shall be filed with the plan administrator within 60 days after completion and certification by the actuary and made available for inspection upon request. Also, the system or plan shall provide a copy of each actuarial report to the Division of Retirement within 60 days of receipt from the actuary.

(3) through (11) No change.

Rulemaking Authority 112.665(1) FS. Law Implemented ~~112.61, 112.63~~ FS. History—New 5-6-81, Amended 9-19-83, 8-15-84, Formerly 22D-1.03, Amended 11-14-91, Formerly 22D-1.003, Amended 2-23-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dan Drake, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 16, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2014

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:

69V-180.002 Adoption of Forms

PURPOSE AND EFFECT: This rule is proposed as a new rule to re-adopt certain current forms (Form OFR-COM-101, Exhibit A to Form OFR-COM-101, and Form OFR-CCA-101) and to adopt certain new forms (Form OFR-559-101, and Form OFR-559-102) that replace existing forms. The effect of adoption of these forms will facilitate the application to the Office for registration by commercial collection agencies and consumer collection agencies, as well as the filing of complaints by consumers under the Florida Consumer Collection Practices Act, Chapter 560, Part VI, Florida Statutes.

SUMMARY: The proposed new rule re-adopts Form OFR-COM-101, Exhibit A to Form OFR-COM-101, and Form OFR-CCA-101. The proposed rule adopts new forms, Form OFR-559-101, and Form OFR-559-102 which replace existing forms, Form OFR-CCA-102 and Form OFR-CCA-103.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1) F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.545, 559.554, 559.555 FS.

LAW IMPLEMENTED: 559.542, 599.544, 559.545, 559.553, 559.555 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.002 Adoption of Forms.

(1) The forms referred to in this section are incorporated by reference and adopted by this rule. 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.

(a) Commercial Collection Agency Forms:

1. Registration of Commercial Collection Agency – Form OFR-COM-101, effective 05-01-04;

2. Exhibit A

3. State of Florida Commercial Collection Agency Surety Bond Form – Form OFR-CCA-101, effective 05-01-04.

(b) Consumer Collection Agency Forms:

1. Application for Registration as Consumer Collection Agency – Form OFR-559-101, effective _____;

2. Florida Consumer Collection Practices Act Complaint Form – Form OFR-559-102, effective _____.

Rulemaking Authority 559.545, 559.554, 559.555 FS. Law Implemented 559.542, 599.544, 559.545, 559.553, 559.555, FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Gregory C. Oaks, Director, Division of Consumer Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.010
 RULE TITLE: Commercial Collection Surety Bond and Procedures

PURPOSE AND EFFECT: The purpose of this rule amendment is amend an obsolete rulemaking authority reference in the current rule, to update a form date reference, to remove an obsolete form title reference, and to correct the

reference to the Office’s zip code in the current rule. The effect of this amendment is to conform the form references in this rule to the form references in proposed new Rule 69V-180.002, F.A.C., to provide the correct zip code for the Office of Financial Regulation, and to provide the current Rulemaking Authority for this rule.

SUMMARY: Subsection (1) is proposed to be amended to update the effective date of Form OFR-CCA-101, to amend the title of Form OFR-CCA-101, and to correct the reference to the Office’s zip code. The Rulemaking Authority reference is proposed to be amended to delete an obsolete reference and replace with the current reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1); and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.545 FS.

LAW IMPLEMENTED: 559.542, 559.544, 559.545, 559.546 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.010 Commercial Collection Surety Bond and Procedures.

(1) Any person acting as a commercial collection agency must obtain and maintain a surety bond in the amount of \$50,000 issued by a surety company admitted to do business

in this state. To comply with this rule the commercial collection agency shall utilize ~~F~~form_OFR-CCA-0101, State of Florida, Office of Financial Regulation bond form ~~Commercial Collection Agency Surety Bond~~, effective 05/01/04 ~~11-3-93~~, which is hereby incorporated by reference and available from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376 ~~32399-0375~~. The terms of the surety bond shall be complied with. The surety bond shall be duly executed by the principal and the surety and shall not contain any blank spaces.

(2)(a) In the event that the surety has received claims within a six (6) month period, whether or not reduced to judgment, which exceed the amount due by the surety on the bond, the surety may pay the amount due on the bond to the Office of Financial Regulation and shall not be further liable on the bond. At the time payment is made by the surety to the Office of Financial Regulation, the surety shall provide the Office of Financial Regulation with copies of all claims made on the bond. Only valid claims made against the bond within six (6) months after the date of receipt of the first claim against the bond shall be paid. Subsequent to the expiration of the six-month period, the Office of Financial Regulation shall notice its intent to approve or deny the claims on file with the Office of Financial Regulation. The entry of a valid final judgment against the commercial collection agency or the surety shall be conclusive evidence of a valid claim. In the event that the claimant has not reduced the claim to judgment, the claimant may provide evidence to the Office of Financial Regulation pursuant to Section 120.57, F.S. Should the amount of valid claims exceed the amount on deposit with the Office of Financial Regulation, payment shall be based on the ratio that the person's claim bears to the total claims filed.

(b)1. As used herein, "claim" means a written demand for payment whether by letter or legal process.

2. As used herein, "valid final judgment" means a judgment from a court of competent jurisdiction where no appeal is pending and which is not subject to collateral attack. Rulemaking Authority ~~47-29~~ 559.545 FS. Law Implemented 559.542, 559.544, 559.545, 559.546 FS. History—New 11-3-93, Formerly 3D-180.010, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Director, Division of Consumer Finance
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.020
 RULE TITLE: Commercial Collection Registration Form and Procedures

PURPOSE AND EFFECT: This rule is proposed to be amended to remove an obsolete rulemaking authority reference in the current rule, to update a form date reference, to correct the reference to the Office's zip code in the current rule, to include a cross-reference to amended subsection 69V-180.010(1), F.A.C., and to delete a requirement in the current rule that the registration fee be paid in certified funds.

SUMMARY: Subsection (1)(a) is proposed to be amended to update the date reference for Form OFR-COM-101 and to provide the correct zip code for the Office of Financial Regulation. Subsection (1)(b) is proposed to be amended to delete a requirement that the registration fee be paid in certified funds. Subsection (1)(c) is proposed to be amended to add a reference to amended subsection 69V-180.010(1), F.A.C. The Rulemaking Authority is proposed to be amended to delete an obsolete statutory reference, and to replace with the current statutory reference.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1) F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.545 FS.
 LAW IMPLEMENTED: 559.542, 559.544, 559.545, 559.546 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.020 Commercial Collection Registration Form and Procedures.

(1) Each person registering as a commercial collection agency shall submit the following to the Office of Financial Regulation:

(a) A completed Registration as a of Commercial Collection Agency form, Form OFR-COM-101, effective ~~2-15-94~~ 05-01-04, which is hereby incorporated by reference and available by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida ~~32399-0375~~ 32399-0376;

(b) A non-refundable registration fee of \$500, ~~which shall be in certified funds, shall be the fee~~ for the annual registration period beginning January 1 of each calendar year or any part thereof.

(c) Evidence of a current surety bond in the amount of \$50,000 as required in Rule 69V-180.010(1), F.A.C.

(2) Request for Additional Information. An incomplete registration form shall not be considered as validly received. A request for additional information will be made by the Office of Financial Regulation within thirty (30) days after initial receipt of the incomplete registration form by the Office of Financial Regulation. The additional information must be received by the Office of Financial Regulation within forty-five (45) days from the date of request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Office of Financial Regulation as grounds for rejection of the registration for failure to complete the registration and the registration shall be rejected pursuant to Section 120.60(2), F.S.

(3) Amendment of Pending Registration.

(a) A prospective registrant shall notify the Office of Financial Regulation within ten (10) days of the occurrence of any change in the information reported on the registration.

(b) A prospective registrant may amend the registration form as to those factors generally within the control or selection of the prospective registrant once, as a matter of course, at any time within thirty (30) days from its initial receipt for filing. Otherwise the registration form may be amended only with prior written permission from the Office of Financial Regulation. Requests to make changes which are material to the registration or to the Office of Financial Regulation's evaluation of the registration filed at any time after initial receipt of the registration form shall be deemed by

the Office of Financial Regulation to be grounds for rejection of the registration, and a new registration form, accompanied by the appropriate filing fee and evidence of a current surety bond in the amount of \$50,000 shall be required.

(4) Withdrawal of Registration. A prospective registrant may request withdrawal of a registration prior to an initial determination of the registration being made by the Office of Financial Regulation by submitting a written request that the registration be withdrawn.

(5) Refunds. If the registration is withdrawn, voided, or rejected, the registration fee is non-refundable.

(6) Upon approval, a registration will be issued for the remainder of the annual registration period.

Rulemaking Authority ~~47-29~~ 559.545 FS. Law Implemented 559.542, 559.544, 559.545 FS. History—New 2-15-94, Formerly 3D-180.020, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Gregory C. Oaks, Director, Division of Consumer Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2015

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.030
 RULE TITLE: Consumer Collection Registration Form and Procedures

PURPOSE AND EFFECT: The purpose of this proposed amendment is to amend an obsolete rulemaking authority reference in the current rule, to update a form number and date reference, to correct the reference to the Office's zip code, to delete a requirement that the registration fee be paid in certified funds, and to add a provision regarding the fingerprints of applicants to conform to statutory changes. The effect of this amendment is to provide the correct rulemaking authority reference in the current rule, to update a form number and date reference to conform to proposed new Rule 69V-180-002, F.A.C., to provide the correct zip code for the Office of Financial Regulation, to delete a requirement that the registration fee be paid in certified funds, and to add a provision regarding the fingerprints of applicants to conform to statutory changes.

SUMMARY: Subsection (1)(a) is proposed to be amended to change the title and form number for the consumer collection agency registration form, to include the effective date of the form, and to correct the zip code for the Office of Financial regulation. Subsection (1)(b) is proposed to be amended to

remove the requirement the registration fee be paid in certified funds. Subsection (1)(c) is proposed as a new subsection to conform to statutory changes to Section 559.555, F.S. regarding the submission of fingerprints for control persons.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1) F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.554, 559.555, 559.5551 FS.

LAW IMPLEMENTED: 559.551, 559.553, 559.555 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: c. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.030 Consumer Collection Registration Form and Procedures.

(1) Each person registering as a consumer collection agency shall submit the following to the Office of Financial Regulation:

(a) A completed Application for Registration as a Consumer Collection Agency form, Form OFR-559-101 ~~OFR-CCA-102~~, effective 2-15-94, which is hereby incorporated by reference and available by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida ~~32399-0376~~ 32399-0375;

(b) A non-refundable registration fee of \$200, ~~which shall be in certified funds, shall be the fee~~ for the annual registration

period beginning January 1 of each calendar year or any part thereof.

(c) Each control person required to be listed on the Application for Registration as Consumer Collection Agency, Form OFR-559-101, 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 processing shall be borne by the applicant and paid directly to the live-scan vendor.

(2) Request for Additional Information. An incomplete registration form shall not be considered as validly received. A request for additional information will be made by the Office of Financial Regulation within thirty (30) days after initial receipt of the incomplete registration form by the Office of Financial Regulation. The additional information must be received by the Office of Financial Regulation within forty-five (45) days from the date of request. Failure to respond to the request within forty-five (45) days from the date of request shall be construed by the Office of Financial Regulation as grounds for rejection of the registration for failure to complete the registration and the registration shall be rejected pursuant to Section 120.60(2), F.S.

(3) Amendment of Pending Registration.

(a) A prospective registrant shall notify the Office of Financial Regulation within ten (10) days of the occurrence of any change in the information reported on the registration.

(b) A prospective registrant may amend the registration form as to those factors generally within the control or selection of the prospective registrant once, as a matter of course, at any time within thirty (30) days from its initial receipt for filing. Otherwise the registration form may be amended only with prior written permission from the Office of Financial Regulation. Requests to make changes which are material to the registration or to the Office of Financial Regulation's evaluation of the registration filed at any time after initial receipt of the registration form shall be deemed by the Office of Financial Regulation to be grounds for rejection of the registration, and a new registration form, accompanied by the appropriate filing fee, shall be required.

(4) Withdrawal of Registration. A prospective registrant may request withdrawal of a registration prior to an initial determination of the registration being made by the Office of Financial Regulation by submitting a written request that the registration be withdrawn.

(5) Refunds. If the registration is withdrawn, voided, or rejected, the registration fee is non-refundable.

(6) Upon approval, a registration will be issued for the remainder of the annual registration period.

Rulemaking Authority ~~47.29~~ 559.554, 559.555, 559.5551 FS. Law Implemented 559.551, 559.553, 559.555 FS. History—New 2-15-94, Formerly 3D-180.030, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Gregory C. Oaks, Director, Division of Consumer Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.031 **RULE TITLE:** Consumer Collection Agency Electronic Filing of Forms and Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed new rule is to specify that the required electronic filing of the registration form adopted under subparagraph 69V-180.002(1)(b)1., F.A.C., and payment of fees under Rule 69V-180.030, F.A.C., are to be submitted through the REAL System.

SUMMARY: Subsection (1) defines the REAL system for purposes for the rule. Subsection (2) requires that the registration form adopted under subparagraph 69V-180.002(1)(b)1. F.A.C., must be filed electronically through the REAL system. Subsection (3) requires that any fees required under Rule 69V-180.30, F.A.C., must be paid electronically through the REAL system.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency expressly relies on an analysis of potential economic impact conducted by persons with subject matter knowledge of this rule.

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: 559.554, 559.555 FS.

LAW IMPLEMENTED: 559.553, 559.554(2)(a), 559.555 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.031 Consumer Collection Agency Electronic Filing of Forms and Fees.

(1) For purposes of this rule, “REAL System” means the Office of Financial Regulation’s Regulatory Enforcement and Licensing System, which is accessible through the Office’s website at www.flofr.com.

(2) The registration form adopted under subparagraph 69V-180.002(1)(b)1, F.A.C., must be filed electronically with the Office through the REAL system.

(3) All fees required to be filed with the Office under Rule 69V-180.030, F.A.C., must be paid electronically with the Office through the REAL System.
Rulemaking Authority 559.554, 559.555, FS. Law Implemented 559.553, 559.554(2)(a), 559.555, FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Gregory C. Oaks, Director, Division of Consumer Finance

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2015

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.032 **RULE TITLE:** Effect of Law Enforcement Records on Applications for Consumer Collection Agency Registration

PURPOSE AND EFFECT: The purpose of the proposed new rule is to implement statutory requirements under Sections 559.554 and 559.730, Florida Statutes. The effect of the proposed new rule is to specify the procedures to be followed and the documents to be provided to the Office by an applicant for Consumer Collection Agency Registration in disclosing

any pending criminal charges and all criminal matters in which a control person of the applicant has pled guilty or nolo contendere, or was convicted or found guilty. The proposed new rule also specifies the classification of crimes by the Office, the specification of time periods for which an applicant is disqualified from registration with the Office based upon the classification of crimes, the effect of multiple crimes on the disqualifying period, and the aggravating and mitigating factors to be considered by the Office in determining the period of disqualification from registration.

SUMMARY: Subsection (1) of the new rule provides definitions. Subsection (2) of the new rule specifies the general procedures regarding law enforcement records. Subsection (3) of the new rule states the effect of the failure to fully disclose a law enforcement record on an application. Subsection (4) of the new rule states the classifications of crimes. Subsection (5) states the effect that a single crime has on registration. Subsection (6) states provisions regarding control persons with multiple crimes. Subsection (7) states the mitigating factors that may be considered. Subsection (8) states circumstances that do not constitute mitigation. Subsection (9) states the effect of a pending appeal in criminal proceedings, including reversal on appeal. Subsection (10) addresses the effect of pre-trial intervention. Subsection (11) states the effect of sealing or expunging a criminal record. Subsection (12) states the effect of varying terminology related to law enforcement records. Subsection (13) addresses imprisoned persons and community supervision. Subsection (14) states the effect of disqualifying periods on an application. Subsection (15) lists the crimes considered Class "A" crimes. Subsection (16) lists the crimes considered Class "B" crimes. Subsection (17) lists the crimes considered Class "C" crimes. Subsection (18) states the effect of foreign law enforcement records.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency expressly relies on an analysis of potential economic impact conducted by persons with subject matter knowledge of this rule.

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: 559.554, 559.555, 559.5551 FS.

LAW IMPLEMENTED: 559.554(2)(b), 559.730 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.032 Effect of Law Enforcement Records on Applications for Consumer Collection Agency Registration.

(1) Definitions. For purposes of this rule:

(a) "Control person" has the same meaning as provided in Section 559.55(4), F.S.

(a) "Trigger date" means the date on which a control person was found guilty, or pled guilty, or pled nolo contendere to a crime.

(2) General Procedure Regarding Law Enforcement Records. At the time of submitting an Application for Registration as a Consumer Collection Agency, Form OFR-559-101, which is incorporated by reference in Rule 69V-180.002(1)(b)1, F.A.C., the applicant shall disclose on the application form any pending criminal charges and all criminal matters in which a control person has pled guilty or nolo contendere to, or has been convicted or found guilty, regardless of whether adjudication was withheld, of any crime. The applicant shall supply the Office with required documentation for each control person, as specified in this rule, relating to: 1) all criminal matters in which the control person has pled guilty or nolo contendere to, or has been convicted or found guilty, regardless of whether adjudication was withheld, of a class "A", "B", or "C" crime as described in paragraphs 16, 17, and 18 of this rule, 2) any pending criminal charges for a control person relating to a class "A", "B", or "C" crime as described in this rule, or 3) evidence that such documentation cannot be obtained. Evidence that documentation cannot be obtained shall consist of a written statement on the letterhead of the agency that would be the custodian of the documents, signed by a representative of that agency, stating that they have no record of such matter, or that the record is lost or was damaged or destroyed, or otherwise stating why the document cannot be produced. The required documentation must be legible. Required documentation includes:

(a) A copy of the police arrest affidavit, arrest report or similar document.

(b) A certified copy of the charges.

(c) A certified copy of the plea, judgment, and sentence where applicable.

(d) A certified copy of an order of entry into pre-trial intervention, and the order of termination of pre-trial intervention showing dismissal of charges where applicable.

(e) A certified copy of an order of termination of probation or supervised release, if applicable.

(3) Effect of Failure to Fully Disclose Law Enforcement Record on Application.

(a) The Office shall not deny an application for failure to provide documentation listed in subsection (2) when the crime is not a class "A", "B", or "C" crime and the applicant has disclosed the crime on the application form.

(b) If the Office discovers the applicant's failure to disclose after a registration has been granted, the Office will suspend or revoke each registration currently held by the applicant as follows:

1. Suspension for 12 months if, had the registration application been accurate, the application would have been granted, based on the statutes and rules applicable to the application at the time the Office issued the registration, and the documentation in the applicant's file at the time the Office issued the registration.

2. Revocation if, had the registration application been accurate, the application would have been denied, based on the statutes and rules applicable to the application at the time the Office issued the registration.

(4) Classification of Crimes.

(a) The Office makes a general classification of crimes into three classes: A, B and C, as listed in subsections (16), (17) and (18) of this rule.

(b) These classifications reflect the Office's evaluation of various crimes in terms of moral turpitude and the seriousness of the crime as such factors relate to the prospective threat to public welfare typically posed by a person who would commit such a crime.

(c) The names or descriptions of crimes, as set out in the classification of crimes, are intended to serve only as generic names or descriptions of crimes and shall not be read as legal titles of crimes, or as limiting the included crimes to crimes bearing the exact name or description stated.

(d) A charge in the nature of attempt or intent to commit a crime, or conspiracy to commit a crime, is classified the same as the crime itself.

(5) Effect on Registration of Commitment of Single Crime. The Office finds it necessary to implement the following standards for applicants with control persons whose law enforcement record includes a single crime, subject to the

mitigating factors set forth elsewhere in this rule before registration. All disqualifying periods referenced in this rule run from the trigger date.

(a) Class A Crime. The applicant will not be granted a registration until 15 years have passed since the trigger date.

(b) Class B Crime. The applicant will not be granted a registration until 7 years have passed since the trigger date.

(c) Class C Crime. The applicant will not be granted registration until 5 years have passed since the trigger date.

(6) Control persons With Multiple Crimes.

(a) The Office construes Section 559.554(2), F.S. to require that an applicant with control persons whose law enforcement record includes multiple class "A", "B" or C crimes, or any combination thereof, wait longer than those whose law enforcement record includes only a single crime before becoming eligible for registration in order to assure that such control person's greater inability or unwillingness to abide by the law has been overcome. Therefore, the Office finds it necessary that a longer disqualifying period be utilized in such instances, before registration can safely be granted. Accordingly, where the control person has been found guilty or pled guilty or pled nolo contendere to more than one crime, the Office shall add 5 years to the disqualifying period for each additional crime.

(b) The additional periods are added to the basic disqualifying period for the one most serious crime, and the combined total disqualifying period then runs from the trigger date of the most recent crime.

(c) Classification as "Single Crime" versus "Multiple Crimes." For purposes of this rule, two (2) or more offenses are considered a single crime if they are triable in the same court and are based on the same act or transaction or on two (2) or more connected acts or transactions.

(7) Mitigating Factors.

(a) The disqualifying period for a crime or crimes shall be shortened upon proof of one or more of the following factors. Where more than one factor is present the applicant is entitled to add together all the applicable mitigation amounts and deduct that total from the usual disqualifying period, provided that an applicant shall not be permitted an aggregate mitigation of more than three (3) years for the following factors:

1. One year is deducted if the probation officer or prosecuting attorney in the most recent crime states in a signed writing that the probation officer or prosecuting attorney believes the applicant would pose no significant threat to public welfare if registered as a Consumer Collection Agency.

2. One year is deducted if restitution or settlement has been made for all crimes in which restitution or settlement was ordered by the court, and proof of such restitution or settlement is shown in official court documents or as verified

in a signed writing by the prosecuting attorney or probation officer.

3. One year will be deducted if the control person was under age 21 when the crime was committed and there is only one crime in the control person's law enforcement record.

4. One year is deducted if the applicant furnishes proof that the control person was at the time of the crime addicted to drugs or suffering active alcoholism. The proof must be accompanied by a written letter from a properly licensed doctor, psychologist, or therapist licensed by a duly constituted state licensing body stating that the licensed person has examined or treated the control person and that in his or her professional opinion the addiction or alcoholism is currently in remission and has been in remission for the previous 12 months. The professional opinion shall be dated within 45 days of the time of application.

5. Other Mitigating Factors. An applicant is permitted to submit any other evidence of facts that the control person believes should decrease the disqualifying period before registration is allowed and one additional year shall be deducted if the Office agrees the facts have a mitigating effect on the registration decision.

(b) In no event shall the aggregate mitigation result in less than a seven (7) year disqualifying period where the underlying crime committed was a felony.

(c) The burden is upon the applicant to establish these mitigating factors. Where the mitigating factor relates to or requires evidence of government agency or court action, it must be proved by a certified true copy of the agency or court document.

(8) Circumstances Not Constituting Mitigation. The Office finds that no mitigating weight exists, and none will be given, for the following factors:

(a) Type of Plea. The Office draws no distinction among types of pleas, i.e., found guilty; pled guilty; pled nolo contendere.

(b) Collateral Attack on Criminal Proceedings. The Office will not allow or give any weight to an attempt to re-litigate, impeach, or collaterally attack judicial criminal proceedings or their results in which the control person was found guilty or pled guilty or nolo contendere. Thus the Office will not hear or consider arguments such as: the criminal proceedings were unfair; the judge was biased; the witnesses or prosecutor lied or acted improperly; the defendant only pled guilty due to financial or mental stress; the defendant was temporarily insane at the time of the crime; or the defendant had ineffective counsel.

(c) The Office finds that subjective factors involving state of mind have no mitigating weight.

(9) Effect of Pending Appeal in Criminal Proceedings; Reversal on Appeal.

(a) The Office interprets the statutory grounds for denial of registration as arising immediately upon a finding of guilt, or a plea of guilty or nolo contendere, regardless of whether an appeal is or is not allowed to be taken. The Office will not wait for the outcome of an appeal to deny registration, unless a Florida court specifically stays the Office's adverse action.

(b) If on appeal the conviction is reversed, the Office shall immediately drop the said crime as grounds for denial of registration.

(10) Pre-Trial Intervention. The Office considers participation in a pre-trial intervention program to be a pending criminal enforcement action and will not grant registration to any applicant with a control person who, at the time of application, is participating in a pre-trial intervention program. The Office finds it necessary to the public welfare to wait until the pre-trial intervention is successfully completed before registration may be considered.

(11) Effect of Sealing or Expunging of Criminal Record.

(a) An applicant is not required to disclose or acknowledge, and is permitted in fact to affirmatively deny, any arrest or criminal proceeding for a control person, the record of which has been legally and properly expunged or sealed by order of a court of competent jurisdiction prior to the time of application, and such denial or failure to disclose is not grounds for adverse action by the Office.

(b) Matters Sealed or Expunged Subsequent to Application. Occasionally a control person will have a matter sealed or expunged after the applicant submits an application, but before a registration decision is made by the Office. In such situations the Office policy is as follows:

1. If the applicant's control person properly revealed the matter on the application, and thereafter has the record sealed or expunged, the Office will not consider the matter in the application decision.

2. However, if the applicant's control person did not reveal the matter on the application and the matter had not been sealed or expunged at the time of making the application, the Office will construe the failure to disclose the matter on the application as a material misrepresentation or material misstatement, and the application shall be denied pursuant to Section 559.730(1)(d), F.S.

(12) Effect of Varying Terminology.

(a) With regard to the following six subparagraphs, the Office treats each phrase in a particular subparagraph as having the same effect as the other phrases in that same subparagraph:

1. Adjudicated guilty; convicted.

2. Found guilty; entered a finding of guilt.

3. Pled guilty; entered a plea of guilty; admitted guilt; admitted the charges.

4. Nolo contendere; no contest; did not contest; did not deny; no denial.

5. Adjudication of guilt withheld; adjudication withheld; no adjudication entered; entry of findings withheld; no official record to be entered; judgment withheld; judgment not entered.

6. Nolle prosequere; nolle prosequere; charges withdrawn; charges dismissed; charges dropped.

(b) In all other instances the Office will look to the substantive meaning of the terminology used in the context in which it was used under the law of the jurisdiction where it was used.

(13) Imprisoned Persons and Community Supervision.

(a) Imprisonment. Notwithstanding any provision to the contrary in this rule, the Office shall not register any applicant under Chapter 559 Part VI, F.S., while any control person of the applicant is imprisoned or serving a sentence for any crime. Further, the Office shall not register any applicant with a control person who has been released from imprisonment until the later of the period otherwise set out in these rules or 5 years after the date of release. The Office finds it necessary that the person be released from imprisonment and thereafter demonstrate an ability to abide by the law by passage of at least 5 years on good behavior, before registration can be granted without undue risk to the public welfare.

(b) Community Supervision. The Office shall not grant registration to any person who at the time of application or at any time during the pendency of the application is serving term on community supervision for any felony crime involving fraud, dishonest dealing, moral turpitude, misappropriation, conversion, or unlawful withholding of moneys belonging to others; or any misdemeanor crime involving misappropriation, conversion, or unlawful withholding of moneys belonging to others. The Office shall not substantively consider an application until the control person has successfully completed his or her probationary term.

(14) Effect of Disqualifying Periods. The disqualifying periods established in this rule do not give an applicant a right to registration after any set period of time. Regardless of the expiration of any disqualifying period imposed by these rules, the burden to prove entitlement to registration remains on the applicant.

(15) Class "A" Crimes include the following felonies involving financially related or white collar crime, or crimes involving violence, and the Office finds that such crimes involve an act of fraud, dishonest dealing, moral turpitude, misappropriation, conversion, or unlawful withholding of moneys belong to others regardless of adjudication. This list is representative only and shall not be construed to constitute a complete or exclusive list of all crimes that are Class "A"

crimes. Crimes similar to the crimes on this list may also be considered Class "A" crimes, and no inference should be drawn from the absence of any crime from this list.

(a) Any type of fraud, including but not limited to Fraud, Postal Fraud, Wire Fraud, Securities Fraud, Welfare Fraud, Defrauding the Government, Credit Card Fraud, Defrauding an Innkeeper, Passing worthless check(s) with intent to defraud.

(b) Perjury.

(c) Armed robbery.

(d) Robbery.

(e) Extortion.

(f) Bribery.

(g) Embezzlement.

(h) Grand theft.

(i) Larceny.

(j) Burglary.

(k) Breaking and entering.

(l) Identity Theft.

(m) Any type of forgery or uttering a forged instrument.

(n) Misuse of public office.

(o) Racketeering.

(p) Buying, receiving, concealing, possessing or otherwise dealing in stolen property.

(q) Treason against the United States, or a state, district, or territory thereof.

(r) Altering public documents.

(s) Witness tampering.

(t) Tax evasion.

(u) Impersonating or attempting to impersonate a law enforcement officer.

(v) Money laundering.

(w) Murder in all degrees.

(x) Arson.

(y) Sale, importation, or distribution of controlled substances (drugs); or possession for sale, importation or distribution.

(z) Aggravated Assault (e.g., as with a deadly weapon).

(aa) Aggravated Battery (e.g., as with a deadly weapon).

(bb) Rape.

(cc) Sexually molesting any minor.

(dd) Sexual battery.

(ee) Battery of or threatening a law enforcement officer or public official in the performance of his/her duties.

(ff) Kidnapping.

(16) Class "B" Crimes include all felonies not Class "A" crimes.

(17) Class "C" Crimes include any misdemeanor that involves fraud, dishonesty, or any other act of moral turpitude.

(18) Foreign Law Enforcement Records. If a law enforcement record includes convictions, charges, or arrests outside the United States, the Office shall consider the following factors to reduce, eliminate, or apply a disqualifying period:

(a) Whether the crime in the criminal record would be a crime under the laws of the United States or any state within the United States;

(b) The degree of penalty associated with the same or similar crimes in the United States; and

(c) The extent to which the foreign justice system provided safeguards similar to those provided criminal defendants under the Constitution of the United States; for example, the right of a defendant to a public trial, the right against self-incrimination, the right of notice of the charges, the right to confront witnesses, the right to call witnesses, and the right to counsel.

Rulemaking Authority 559.554, 559.555, 559.5551, FS. Law Implemented 559.554(2)(b), 559.730 FS. History – New

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Director, Division of Consumer Finance
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.040
 RULE TITLE: Consumer Collection Agency Complaint Form and Procedures

PURPOSE AND EFFECT: The purpose of the amended rule is to amend an obsolete rulemaking authority reference in the current rule, and to update a form title, form number, and date reference in the current rule. The effect of the amended rule is to amend an obsolete rulemaking authority reference in the current rule, and to update a form title, form number, and date reference in the current rule.

SUMMARY: The rule amends current Form OFR-CCA-103 by changing its form number to OFR-559-102; the form is entitled "Florida Consumer Practices Act Complaint Form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1) F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.554 FS.

LAW IMPLEMENTED: 559.72, 559.725 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.040 Consumer Collection Agency Complaint Form and Procedures.

Each consumer desiring to file a complaint against a consumer collection agency shall submit to the Office of Financial Regulation a completed ~~complaint form~~, Florida Consumer Practices Act Complaint form, Form OFR-559-102 ~~OFR-CCA-103~~, effective MM-DD-YY 10-25-14, available at <https://www.flrules.org/gateway/reference.asp?NO=Ref-00640>, which is hereby incorporated by reference. Such form shall be filed with the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority ~~47-29~~, 559.554, FS. Law Implemented 559.72, 559.725, FS. History--New 2-15-94, Formerly 3D-180.040, Amended 10-25-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Director, Division of Consumer Finance
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

DEPARTMENT OF FINANCIAL SERVICES**Finance**

RULE NO.: 69V-180.070
 RULE TITLE: Location of Records

PURPOSE AND EFFECT: The purpose and effect of the proposed new rule is to specify the renewal requirements for registrations that expire on December 31, 2014, specifically, the non-refundable renewal fee to be submitted by a registrant, the procedures to be followed by registrants in submitting fingerprints for each control person prior to the registration renewal, to establish a deadline for registrants to respond to the Office with additional information, and to provide that a registration will automatically expire if the registrant does not respond to the Office by the deadline. The proposed new rule also specifies the renewal requirements for registrations expiring on December 31, 2015, and thereafter, specifically, the non-refundable renewal fee to be submitted by a registrant, and the non-refundable fee to be submitted by a registrant to cover the costs in retaining the fingerprints of each control person. The proposed new rule states that failure to remit the fees required by the expiration date for registrations expiring on December 31, 2015, and thereafter will automatically result in expiration of the registration.

SUMMARY: Section (1) requires renewal of registration in accordance with Section 559.555, F.S. Section (2) provides the renewal requirements for registrations expiring on December 31, 2014. Section (3) provides the renewal requirements for registrations expiring on December 31, 2015.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1) F.S.; and 2) The new rule will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.554, 559.555 FS.

LAW IMPLEMENTED: 559.555 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.070 Consumer Collection Agency Registration Renewal.

(1) Consumer Collection Agency registrations must be renewed in accordance with the provisions of Section 559.555, F.S.

(2) Renewal requirements for registrations expiring on December 31, 2014:

(a) Registrants shall submit a non-refundable renewal fee equal to the registration fee required in Section 559.555(2)(b), F.S.

(b) Registrants initially approved before October 1, 2014, shall submit fingerprints for each control person as defined in Section 559.55(4), F.S. for live-scan processing pursuant to Section 559.555(2)(c), F.S. Such fingerprints must be submitted before renewing a registration that is scheduled to expire December 31, 2014. Failure to submit such fingerprints within forty-five (45) days from the date of the request will result in the registration becoming expired. For purposes of this paragraph, each of the registrant'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 registrant and paid directly to the live scan vendor. The Office shall screen the background results to determine if the registrant continues to meet the registration requirements of Section 559.555, F.S. Any request for additional information made by the Office must be received within forty-five (45) days from the date of the request. Failure to provide additional information requested by the Office within forty-five (45) days from the date of the request will result in the registration becoming expired.

(3) Renewal requirements for registrations expiring on December 31, 2015 and thereafter:

(a) Registrants shall submit a non-refundable renewal fee equal to the registration fee required in Section 559.555(2)(b), F.S.

(b) Registrants shall submit a nonrefundable fee of \$6.00 for each person reported to the Office as a control person as defined in Section 559.55(4), F.S. on the Application for Registration as Consumer Collection Agency, OFR-559-102, to cover the costs of fingerprint retention. Failure to remit all fees required in this paragraph by the registration expiration date will automatically result in the registration becoming expired.

Rulemaking Authority 559.554, 559.555, FS. Law Implemented, 559.555, FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Director, Division of Consumer Finance
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-180.100
 RULE TITLE: Guidelines for Imposing Administrative Penalties

PURPOSE AND EFFECT: The purpose and effect of the amended rule are to change the title of the rule; to amend an obsolete rulemaking authority reference; to update a statutory reference in the rule; to both adopt and incorporate by reference into the rule, the “Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies” document; to specify how a copy of the “Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies” document may be obtained from the Office; to amend language in the current rule regarding references to guidelines, violations, and citations numbers; to delete requirements from the current rule; and to clarify the use of the term “citation” in the proposed rule. The proposed rule also clarifies what actions the Office may take against a registrant based upon the “Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies,” and specifies the mitigating and aggravating factors the Office shall consider in determining the appropriate penalty. The proposed rule further clarifies the current ranges for administrative fines to be imposed by the Office as a penalty, and specifies the ranges for suspensions to be imposed by the Office as a penalty.

SUMMARY: Subsection (1) states that there are guidelines applicable to each ground for disciplinary action, and provides the location where the guidelines may be found. Subsection (2) states the authority of the Office to impose penalties. Subsection (3) states the circumstances the Office shall consider in determining the appropriate penalties. Subsection (4) states that the list of violations in the rule is not exclusive. Subsection (5) states the ranges for certain administrative fines. Subsection (6) states the ranges for suspensions. Subsection (7) states defines a previous occurrence as used in this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S.; and 2) The amendments will not exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 559.554, 559.730(7) FS.

LAW IMPLEMENTED: 559.5556, 559.565(1), 559.72, 559.725(6), 559.727, 559.730 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: C. Michael Marschall, Division of Consumer Finance, (850)410-9516, Mike.Marschall@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-180.100 Disciplinary Guidelines for Imposing Administrative Penalties.

(1) Pursuant to Section 559.730(3)(7), F.S., listed below are guidelines applicable to each ground for disciplinary action that may be imposed by the Office against a person for a violation of Part VI, Chapter 559, F.S. are hereby adopted. The disciplinary guidelines are contained in “Office of Financial Regulation, Division of Consumer Finance,

Disciplinary Guidelines for Consumer Collection Agencies”, which is hereby incorporated by reference. A copy of the disciplinary guidelines is 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. In determining an appropriate penalty within the range of penalties prescribed in this rule the guidelines for each occurrence violation as based upon the violation citation number, the Office shall consider the circumstances set forth in subsection (25) (2) and (3). The third column of the guidelines provides a summary of the statutory violations solely for the purpose of ease of reference. Persons subject to the rule should review the full text of the Florida Statute cited in the second column of the guidelines for the complete description of the violation. For the purpose of this rule and the guidelines, the term “citation” means any written notice provided to and received by the registrant that specifies a violation of Chapter 559, F.S., or any rule promulgated under that chapter.

| | Statute | Violation Description Summary | 1st Occurrence | 2nd Occurrence | 3rd & Subsequent Occurrences |
|----|----------------|--|-----------------------------|-----------------------------|------------------------------|
| 1) | 559.56 5(1) | An out-of-state consumer debt collector who collects or attempts to collect consumer debts in this state without first registering in accordance with this part. | Fine: B Cease and Desist | Fine: C Cease and Desist | |
| 2) | 559.72 (1) | Simulate in any manner a law enforcement officer or a representative of any governmental agency. | Fine: A | Fine: B | Fine: C Revocation |
| 3) | 559.72 (2) | Use or threaten force or violence. | Fine: B | Fine: C Revocation | |
| 4) | 559.72 (3) | Tell a debtor who disputes a consumer debt that she or he or any person employing her or him will disclose to another, orally or in writing, directly or indirectly, information affecting the debtor’s reputation for credit worthiness without also informing the debtor that the existence of the dispute will also be disclosed. | Fine: A | Fine: B | Fine: C Revocation |
| 5) | 559.72 (4) | Communicate or threaten to communicate with a debtor’s employer before obtaining final judgment against the debtor. | Fine: A | Fine: B | Fine: C Revocation |
| 6) | 559.72 (5) | Disclose to a person other than the debtor or her or | Fine: A | Fine: B | Fine: C Revocation |

| | | | | | |
|-----|------|--|---------|---------|-----------------------|
| | | his family information affecting the debtor’s reputation, whether or not for credit worthiness, with knowledge or reason to know that the other person does not have a legitimate business need for the information or that the information is false. | | | on |
| 7) | (6) | 559.72 Disclose information concerning the existence of a debt known to be reasonably disputed by the debtor without disclosing that fact or failed to notify within 30 days the details of the dispute to each person to whom disclosure was made. | Fine: A | Fine: B | Fine: C Revocation |
| 8) | (7) | 559.72 Willfully communicate with the debtor or any member of her or his family with such frequency as can reasonably be expected to harass the debtor or her or his family, or willfully engage in other conduct which can reasonably be expected to abuse or harass the debtor or any member of her or his family. | Fine: A | Fine: B | Fine: C Revocation |
| 9) | (8) | 559.72 Use profane, obscene, vulgar, or willfully abusive language in communicating with the debtor or any member of her or his family. | Fine: A | Fine: B | Fine: C Revocation |
| 10) | (9) | 559.72 Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate or assert the existence of some other legal right when such person knows that the right does not exist. | Fine: B | Fine: C | Revocation |
| 11) | (10) | 559.72 Use a communication that simulates in any manner legal or judicial process or that gives the appearance of being authorized, issued or approved by a government, governmental agency, or attorney at law, when it is not. | Fine: A | Fine: B | Fine: C Revocation |
| | | 559.72 Communicate with a | Fine: B | Fine: C | Fine: C |

| | | | | | |
|-----|----------------|--|---------|---------|---------------------------|
| 12) | (11) | debtor under the guise of an attorney by using the stationery of an attorney or forms or instruments that only attorneys are authorized to prepare. | | | on Revocati |
| 13) | 559.72 (12) | Orally communicate with a debtor in a manner that gives the false impression or appearance that such person is or is associated with an attorney. | Fine: A | Fine: B | on Fine: C Revocati |
| 14) | 559.72 (13) | Advertise for sale any debt as a means to enforce payment except under court order or when acting as an assignee for the benefit of a creditor. | Fine: B | Fine: C | ion Revocati |
| 15) | 559.72 (13) | Threaten to advertise for sale any debt as a means to enforce payment except under court order or when acting as an assignee for the benefit of a creditor. | Fine: A | Fine: B | on Fine: C Revocati |
| 16) | 559.72 (14) | Publish or post, or cause to be published or posted before the general public individual names or any list of names of debtors, commonly known as a deadbeat list, for the purpose of enforcing or attempting to enforce collection of consumer debts. | Fine: B | Fine: C | ion Revocati |
| 17) | 559.72 (14) | Threaten to publish or post before the general public individual names or any list of names of debtors, commonly known as a deadbeat list, for the purpose of enforcing or attempting to enforce collection of consumer debts. | Fine: A | Fine: B | on Fine: C Revocati |
| 18) | 559.72 (15) | Refuse to provide adequate identification of herself or himself or her or his employer or other entity whom she or he represents if requested to do so by a debtor from whom she or he is collecting or attempting to collect a consumer debt. | Fine: A | Fine: B | on Fine: C Revocati |
| 19) | 559.72 (16) | Mail any communication to a debtor in an envelope or postcard with words typed, written, or printed on the outside of the | Fine: B | Fine: C | on Fine: C Revocati |

| | | | | | |
|-----|----------------|---|------------------|------------------|---------------------------|
| | | envelope or postcard calculated to embarrass the debtor. | | | |
| 20) | 559.72 (17) | Communicate with the debtor between the hours of 9 p.m. and 8 a.m. in the debtor's time zone without the prior consent of the debtor. | Fine: A | Fine: B | on Fine: C Revocati |
| 21) | 559.72 (18) | Communicate with a debtor if the person knows that the debtor is represented by an attorney with respect to such debt. | Fine: A | Fine: B | on Fine: C Revocati |
| 22) | 559.72 (19) | Cause a debtor to be charged for communications by concealing the true purpose of the communication. | Fine: A | Fine: B | on Fine: C Revocati |
| 23) | 559.72 5(6) | Failure to provide a written response to a consumer complaint within 45 days of written request. | \$150 per day | \$200 per day | \$250 per day |

(24) In accordance with this rule:

(a) Depending on the severity and repetition of specific violations, the Office may impose an administrative fine, suspension of a person, or revocation of a person or any combination thereof;

(b) The Office may impose a cease and desist order, a suspension, or both in conjunction with and in addition to any of the designated sanctions set forth in this rule when appropriate under the circumstances; and

(c) The Office will consider the person's disciplinary history for the past 10 five years in determining an appropriate penalty, and may impose a more severe penalty when the disciplinary history includes past violations.

(2) Consistent with the guidelines contained in Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies, the Office may issue orders to revoke or suspend a registration; orders to impose an administrative fine; orders of prohibition including ceasing and desisting, and injunction; orders of appointment; orders of removal; orders denying applications; and/or Notices of Non-compliance. Also consistent with the guidelines, to determine penalties, the Office may consider the combined effect of violations.

(3)(25) In accordance with Section 559.730, F.S., the Office shall consider the following circumstances in determining an appropriate penalty within the range of penalties prescribed in this rule the guidelines for each violation. The Office also shall consider these circumstances when determining whether a deviation from the range of

sanctions prescribed in the ~~disciplinary~~ guidelines is warranted:

(a) The following circumstances are considered mitigating factors:

1. If the violation rate is less than 5% when compared to the overall sample size reviewed;
2. No prior administrative actions by the Office against the registrant or control person within the past 10 years;
3. If the registrant detected and voluntarily instituted corrective responses or measures to avoid the recurrence of a violation prior to detection and intervention by the Office;
4. If the violation is attributable to an single control person or employee, and if the registrant removed or otherwise disciplined the individual prior to detection or intervention by the Office;
5. If the registrant provided substantial assistance to the Office in its examination or investigation of the underlying misconduct; or
6. Other relevant, case-specific circumstances.

(b) The following circumstances are considered aggravating factors:

1. If the violation rate is more than 95% when compared to the overall sample size reviewed (sample size must be equal to or greater than 25 transactions and cover a date range of more at least 6 months);
2. The potential for harm to the customers or the public is significant;
3. Prior administrative action by the Office against the registrant or an affiliated party of the registrant within the past 5 years;
4. If the registrant's violation was the result of willful misconduct or recklessness;
5. The registrant attempted to conceal the violation or mislead or deceive the Office; or
6. Other relevant, case-specific circumstances.

- ~~(a) The degree of harm to the public;~~
- ~~(b) The disciplinary history of the person;~~
- ~~(c) Whether the person detected and voluntarily instituted corrective responses or measures to avoid the recurrence of a violation prior to detection and intervention by the Office;~~
- ~~(d) Whether the person's violation was the result of willful misconduct or recklessness;~~
- ~~(e) Whether at the time of the violation, the person had developed and implemented reasonable supervisory, operational or technical procedures, or controls to avoid the violation;~~
- ~~(f) Whether the person attempted to conceal the violation or mislead or deceive the Office;~~
- ~~(g) The length of time over which the person engaged in the violations; and~~
- ~~(h) Other control, case specific circumstances.~~

~~(4)(26)~~ The list of violations cited in ~~this rule the guidelines~~ is intended to be comprehensive, but the omission of a violation from the list does not preclude the Office from taking any action authorized by Section 559.730, F.S.

~~(5)(27)~~ The ranges for administrative fines imposed by ~~this rule the guidelines~~ are \$1,000 to \$3,500 for an "A" level fine; \$3,500 to \$7,500 for a "B" level fine; and \$7,500 to \$10,000 for a "C" level fine.

~~(6)~~ The ranges for suspensions imposed by the guidelines are 3 to 10 days for an "A" level suspension; 10 to 20 days for a "B" level suspension; 20 to 30 days for a "C" level suspension; and up to 90 days for a "D" level suspension. A "D" level suspension may be terminated early if registrant cures the violation to the Office's satisfaction.

~~(7)(28)~~ A previous "occurrence" is the same or similar misconduct which was the subject of a Final Order entered by the Office prior to the acts or omissions which are the subject of the current action by the Office.

Rulemaking Authority ~~47-29~~, 559.554, ~~559.727~~, 559.730(7), ~~559.730(3)~~ FS. Law Implemented 559.5556, 559.565(1), 559.72, 559.725(6), 559.727, 559.730 FS. History—New 10-25-11, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Director, Division of Consumer Finance
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

Section III Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

| | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 59C-1.040 | Hospital Inpatient General Psychiatric Services |
| 59C-1.041 | Hospital Inpatient Substance Abuse Services |
| | NOTICE OF CHANGE |

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 2, January 5, 2015 issue of the Florida Administrative Register.

59C-1.040 New Hospital Inpatient Psychiatric Services.

(1) Agency Intent. ~~This rule implements the provisions of Sections 408.032(9), 408.034(3), 408.034(6), 408.036(1)(b) and (c), 395.002(15), and 395.003(4), F.S. It is the intent of the agency to ensure the availability of hospital inpatient general psychiatric services as defined in this rule for children, adolescents and adults in need of these services regardless of their ability to pay. This rule regulates the establishment of new inpatient psychiatric hospitals and new inpatient intensive residential treatment facilities for children and adolescents and specifies which services can be provided by licensed or approved providers of hospital inpatient general psychiatric services.~~

(2) through (2)(d) No change.

(e) ~~“Charity Care.” Is As defined the same as in Section 409.911 (1), F.S., charity care is the portion of hospital charges reported to the Agency for Health Care Administration for which there is no compensation, other than restricted or unrestricted revenues provided to a hospital by local governments or tax districts regardless of the method of payment, for care provided to a patients whose family income for the 12 months preceding the determination is less than or equal to 200 percent of the federal poverty level, unless the amount of hospital charges due from the patient exceeds 25 percent of the annual family income. However, in no case shall the hospital charges for a patient whose family income exceeds four times the federal poverty level for a family of four be considered charity.~~

(2)(f) through (2)(h) No change.

(2)(i) ~~“General Hospital.” Means any facility which meets the provisions of 395.002 (12), F.S. A hospital which provides services to the general population and does not restrict its services to any specified medical or psychiatric illness or to any specified age or gender group of the population, as defined in Section 395.002(10), F.S.~~

(2)(j) through (2)(l) No change.

(2)(m) ~~“Intensive Residential Treatment Program for Children and Adolescents.” An inpatient program which provides intensive residential treatment services for children and adolescents, as described in Section 395.002(15), F.S., including 24 hour care and diagnosis and treatment of patients under the age of 18 having psychiatric disorders. A facility may seek certificate of need approval for an intensive residential treatment program for children and adolescents in order to have the program beds licensed as specialty hospital beds for hospital inpatient general psychiatric services, in accordance with Section 395.003(2)(c), F.S., and Chapter 59A-3, F.A.C. The net need for intensive residential treatment program beds for children and adolescents in facilities seeking to have the beds licensed as specialty hospital beds is included in the net need for hospital inpatient psychiatric beds for~~

children and adolescents calculated under paragraph (4)(f) of this rule.

(2)(n) through (3)(g) No change.

(3)(h) Excluded Hospitals. Hospitals operated by the State of Florida are not regulated under this rule pursuant to Section 408.036 ~~(3)~~(d), (r) and (s), F.S.

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

(4)(c)3. PA equals the estimated population age 18 and over in the district. For applications submitted between January 1 and June 30, PA is the population estimate for January of the preceding year; for applications submitted between July 1 and December 31, PA is the population estimate for July of the preceding year. The population estimate shall be the most recent estimate published by the Office of the Governor and available to the agency at least 6 weeks prior to publication of the fixed bed need pool. The following material is incorporated by reference within this rule: the Florida Population Estimates and Projections by AHCA District 2010 to 2030, released February 2015 September 2013. This publication is available on the Agency website at http://ahca.myflorida.com/MCHQ/CON_FA/Publications/index.shtml and <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX01677>.

(4)(c)4. through (7)(a) No change.

(4)(e) through (7)(a) No change.

(7)(b) Hospital Inpatient Psychiatric Services for Children. As required by Section ~~394.4785~~ 394.4875 (2), F.S., facilities providing hospital inpatient psychiatric services to children must have beds and common areas designated for children which cannot be used by adults. Adolescents may be treated in the units designated for children. Adolescents may only be treated in units designated for adult hospital inpatient psychiatric services if the admitting physician indicates that such placement is medically indicated, or for reasons of safety.

(7)(c) through (8)(i) No change.

(9) Quarterly Reports. Facilities providing licensed hospital inpatient psychiatric services, including facilities with intensive residential treatment program beds for children and adolescents licensed as specialty hospital beds, shall report to the agency or its designee, within 45 days after the end of each calendar quarter, the number of hospital inpatient psychiatric services admissions and patient days by age groups: (patients under age 18 years and adults).

(10) No change.

Rulemaking Authority 408.034(3), (8), 408.15(8) FS. Law Implemented 408.034(3), 408.034(8), 408.035, 408.036(1)(b), (c), 408.039(4)(a) FS. History—New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(o), 10-5.040, Amended 8-24-93, 2-22-95,_____.

59C-1.041 New Hospital Inpatient Substance Abuse Services.

(1) Agency Intent. ~~This rule implements the provisions of Sections 408.032(9), 408.034(3), 408.034(6), 408.036(1)(b) and (c), and Section 395.003(4), F.S.~~ It is the intent of the agency to ensure the availability of hospital inpatient substance abuse services for children, adolescents and adults in need of these services regardless of their ability to pay. This rule regulates the establishment of new inpatient substance abuse hospitals and specifies which services can be provided by licensed or approved providers of hospital inpatient substance abuse services.

(2) through (2)(d) No change.

(2)(e) “Charity Care.” ~~Is As defined the same as in Section 409.911 (1), F.S., charity care is the portion of hospital charges reported to the Agency for Health Care Administration for which there is no compensation, other than restricted or unrestricted revenues provided to a hospital by local governments or tax districts regardless of the method of payment, for care provided to a patients whose family income for the 12 months preceding the determination is less than or equal to 200 percent of the federal poverty level, unless the amount of hospital charges due from the patient exceeds 25 percent of the annual family income. However, in no case shall the hospital charges for a patient whose family income exceeds four times the federal poverty level for a family of four be considered charity.~~

(2)(f) through (2)(h) No change.

(2)(i) “General Hospital.” Means any facility which meets the provision of section 395.002(12), F.S., ~~and which makes its facilities and services available to the general population.~~

(2)(j) through (3)(g) No change.

(3)(h) Excluded Hospitals. Hospitals operated by the State of Florida are not regulated under this rule pursuant to Section 408.036 (3)(d), (r) and (s), F.S.

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

(4)(c)3. PA equals the estimated population age 18 or over in the district. For applications submitted between January 1 and June 30, PA is the population estimate for January of the preceding year; for applications submitted between July 1 and December 31, PA is the population estimate for July of the preceding year. The population

estimate shall be the most recent estimate published by the Office of the Governor and available to the agency at least 6 weeks prior to publication of the fixed bed need pool. The following material is incorporated by reference within this rule: the Florida Population Estimates and Projections by AHCA District 2010 to 2030, released February 2015 ~~September 2013~~. This publication is available on the Agency website at http://ahca.myflorida.com/MCHO/CON_FA/Publications/index.shtml and <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX01677>.

(4)(c)4. through (8)(h) No change.

(9) Quarterly Reports. Facilities providing licensed hospital inpatient substance abuse services shall report to the agency or its designee, within 45 days after the end of each calendar quarter, the number of hospital inpatient substance abuse services admissions and patient days by age groups: (patients under age 18 years and adults).

Rulemaking Authority 408.034(3), (8), 408.15(8) FS. Law Implemented 408.034(3), 408.034(8), 408.035, 408.036(1)(b), (c), 408.039(4)(a) FS. History—New 1-1-77, Amended 11-1-77, 6-5-79, 4-24-80, 2-1-81, 4-1-82, 11-9-82, 2-14-83, 4-7-83, 6-9-83, 6-10-83, 12-12-83, 3-5-84, 5-14-84, 7-16-84, 8-30-84, 10-15-84, 12-25-84, 4-9-85, Formerly 10-5.11, Amended 6-19-86, 11-24-86, 1-25-87, 3-2-87, 3-12-87, 8-11-87, 8-7-88, 8-28-88, 9-12-88, 4-19-89, 10-19-89, 5-30-90, 7-11-90, 8-6-90, 10-10-90, 12-23-90, Formerly 10-5.011(1)(q), 10-5.041, Amended 8-24-93, 2-22-95,_____.

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 31, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2009 FDA Food Code, and subsection 61C-4.010(5), F.A.C., from The Gathering Spot located in Santa Rosa Beach. The above referenced F.A.C. addresses the requirement that each establishment have facilities for manually washing, rinsing

and sanitizing equipment and utensils. They are requesting to share the warewashing sink area with another licensed food service establishment under the same ownership and on the same premises.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received 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 Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

NOTICE IS HEREBY GIVEN that on April 2, 2015, the Board of Clinical Laboratory Personnel received a petition for variance or waiver filed by Julianne Hubert. Petitioner is seeking a variance or waiver of paragraph 64B3-5.003(3)(a), Option 2, F.A.C., which sets forth the education, training/experience and examination requirements for a specialty licensure as a technologist.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne Rodgers, Acting Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 13, 2015, by Gayle Lynn Harris. The Notice of Petition for Variance or Waiver was published in Vol. 41, No. 12, of the January 20, 2015, Florida Administrative Register. The Petitioner sought a variance or waiver of Rule 64B7-32.002, F.A.C., regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on March 11, 2015, by telephone conference call.

The Board's Order, filed on March 26, 2015, denies the petition for a variance or waiver of Rule 64B7-32.002, F.A.C., stating that the Petitioner has not demonstrated that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, christy.robinson@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday April 9, 2015, 6:00 p.m. – 8:00 p.m.

PLACE: Institute for Human and Machine Cognition, Lecture Hall, 15 SE Osceola Avenue, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 433665-1-32-01.

Project Description: State Road (SR) 40 (Silver Springs Boulevard) From US 441/SR 500 to Magnolia Avenue, Marion County.

The purpose of this public information meeting is to receive public input and to gain ideas from the local community about proposed improvement including turn lanes, median improvements, signalization enhancements, and access management improvements on SR 40 between US 441 and Magnolia Avenue.

A copy of the agenda may be obtained by contacting: Todd Alexander, DOT Project Manager, 719 S. Woodland Blvd., Deland, FL 32720, phone: (386)943-5420, email: todd.alexander@dot.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 6 days before the workshop/meeting by contacting: Mark Bertoncini, P.E., at Vanasse Hangen Brustlin Inc., 225 E. Robinson Street, Orlando, FL 32801, phone: (407)839-4006, email: mbertoncini@vhb.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: Todd Alexander, E.I, Consultant Project Manager for the FDOT at (386)943-5420 or via e-mail: todd.alexander@dot.state.fl.us or Mark Bertoncini, P.E., at Vanasse Hangen Brustlin Inc., phone: (407)839-4006, email: mbertoncini@vhb.com.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 17, 2015, 1:30 p.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Nos. 110013-TP and 140029-TP – Request for submission of proposals for relay service, beginning in June 2012, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991, and Request for submission of proposals for relay service, beginning in June 2015, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

This is a meeting of the Telecommunications Access System Act Advisory Committee established pursuant to §427.705, F.S. The meeting is to discuss current relevant issues related to relay such as Federal and State Regulatory updates, FTRI 2015-2016 Proposed Budget, and other Telecommunications Relay Service updates. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Curtis Williams, Office of Telecommunications, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, cjwillia@psc.state.fl.us or at (850)413-6924. A copy of the agenda and meeting materials will also be available on the Commission’s website: www.floridapsc.com on April 3, 2015.

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: Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. 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).

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

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

DATE AND TIME: Thursday, April 16, 2015, 7:00 p.m., WRPC Board of Directors

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The WRPC Board of Directors will meet to conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: the Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323 or website – wrpc.cc.

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

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

The District 5 Local Emergency Planning Committee announces public meetings to which all persons are invited.

DATE AND TIMES: Wednesday, April 15, 2015, 9:30 a.m., Training Subcommittee; 10:30 a.m., Local Emergency Planning Committee

PLACE: Withlacoochee Regional Planning Council, 1241 SW 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman’s report, Committee updates, and other organizational matters regarding the committees.

A copy of the agenda may be obtained by contacting: Michael Arnold at (352)732-1315, ext. 228, or the website – wrpc.cc.

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

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The Local Emergency Planning Committee District VI announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 24, 2015, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Board Room, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Material related to EPCRA Community right-to-know.

A copy of the agenda may be obtained by contacting: Tim Kitchen, (407)262-7772, tkitchen@ecfrpc.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2015, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: to conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 6 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22 or wren@tbrpc.org. 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: Wren Krahl, (727)570-5151, ext. 22 or wren@tbrpc.org.

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, April 10, 2015, 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.

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. 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.

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation of a Board meeting scheduled for April 15, 2015

PLACE: 3600 W. Sovereign Path, Room 166, Lecanto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRWSA regular Board Meeting scheduled for Wednesday, April 15, 2015, has been cancelled. The next regularly scheduled meeting will be held on Wednesday, May 20, 2015 at 3:30 p.m. at the Lecanto Government Center, Room 166, 3600 W. Sovereign Path, Lecanto, Florida.

A copy of the agenda may be obtained by contacting: Nancy H. Smith, 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461, nsmith@wrwsa.org or by calling (352)527-5795.

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: Nancy H. Smith, 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461, nsmith@wrwsa.org or by calling (352)527-5795. 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 Nancy H. Smith, 3600 W. Sovereign Path, Suite 228, Lecanto, FL 34461, nsmith@wrwsa.org or call (352)527-5795.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners - Pilotage Rate Review Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 13, 2015, 10:00 a.m.

PLACE: 1(888)670-3525, participant passcode: 1628623372#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners - Pilotage Rate Review Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 17, 2015, 10:00 a.m.

PLACE: 1(888)670-3525, participant passcode: 1628623372#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Committee Business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, Rate Review Committee, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Pilot Commissioners, Rate Review Committee, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, Rate Review Committee, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:RULE TITLES:

- 65C-13.022 Definitions
- 65C-13.023 Background Screening Requirements
- 65C-13.024 Parent Preparation Pre-service Training
- 65C-13.025 Initial Licensing
- 65C-13.026 Continuing Education
- 65C-13.027 Changes During the Licensed Year

- 65C-13.028 Re-Licensing
 - 65C-13.029 Licensed Out-of-Home Team Member Roles
 - 65C-13.030 Standards for Licensed Out-of-Home Caregivers
 - 65C-13.031 Terms of a License
 - 65C-13.032 Over-Capacity Assessments and Exceptions
 - 65C-13.033 Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements
 - 65C-13.034 Foster Care Referrals and Investigations
 - 65C-13.035 Administrative Actions, Appeals and Closures
- The Department of Children and Families announces a hearing to which all persons are invited.

DATE AND TIME: April 17, 2015, 9:00 a.m. – 11:00 a.m.

PLACE: Attending in person: Florida Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, 3rd Floor, Room 305, Tallahassee, FL 32399-0700, contact: Jodi Abramowitz, (850)717-4189, via conference call: 1(888)670-3525, code: 905 463 9833 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Foster Care Licensing.

A copy of the agenda may be obtained by contacting: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.abramowitz@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jodi Abramowitz, (850)717-4189, Jodi.abramowitz@myflfamilies.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: Jodi Abramowitz, (850)717-4189, Jodi.abramowitz@myflfamilies.com.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 21, 2015, 9:00 a.m.

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Grant Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider presentations by applicants for the Grants for Partnerships in Improving the Safety of Health Care Services (RFA #2014-01).

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 21, 2015, 1:00 p.m.

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 21, 2015, immediately following the Audit Committee Meeting

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider reports from the Association's General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 21, 2015, immediately following the Claims and Underwriting Committee Meeting

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Grant Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 21, 2015, immediately following the Grant Committee Meeting

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Compensation Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The Florida Medical Malpractice Joint Underwriting Association announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 22, 2015, 9:00 a.m.

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Board of Governors of the Florida Medical Malpractice Joint Underwriting Association will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Audit Committee, Claims Committee, Grant Committee, Compensation Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: frankie@fmmjua.org or calling (850)385-8114.

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: frankie@fmmjua.org or calling (850)385-8114. 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: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Loan Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 5, 2015, 10:00 a.m.

PLACE: Florida League of Cities, 301 South Bronough Street, Suite 300, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Loan Council general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at the Florida League of Cities, 301 South Bronough Street, Suite 300, Tallahassee, FL 32301, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Molly Hall, email: mhall@flcities.com or calling (850)222-9684.

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: Molly Hall, email: mhall@flcities.com or calling (850)222-9684. 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 Council 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: Molly Hall, email: mhall@flcities.com or call (850)222-9684.

FLORIDA SPORTS FOUNDATION

The Florida Sports Foundation Grant Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 5, 2015, 10:00 a.m.

PLACE: Conference call: number: 1(888)670-3525, participant code: 656 578 0871 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and recommend funding for grants received by the April 10, 2015 deadline.

A copy of the agenda may be obtained by contacting: Kelsey Smith, Project Manager at ksmith@flasports.com.

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.

PARSONS BRINCKERHOFF

The Florida Department of Transportation, District One announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2015, 5:00 p.m. – 7:00 p.m.

PLACE: Southside Baptist Church, 2035 Magnolia St., Sarasota, FL 34239

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites the community to a public information meeting about proposed safety improvements to the US 41 at Hansen Street intersection. This meeting consists of an open house from 5:00 p.m. to 5:30 p.m., allowing people time to view displays, ask questions, and discuss the work one-on-one with members of the project team. There will be a brief audio-visual presentation about the project at 5:30 p.m. followed by public comment period. Following, the open house will continue until 7:00 p.m.

Financial Project ID No: 434728-1-52-01.

A copy of the agenda may be obtained by contacting: Jamie Schley.

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: Jamie Schley, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, (863)519-2573, jamie.schley@dot.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: Brian Bollas, Project Public Information Officer, at (727)946-1869 or Robin Stublen, FDOT Public Information Officer, at the address listed above or by phone: 1(800)292-3368.

STANLEY CONSULTANTS, INC.

The Florida Department of Transportation (FDOT), District Six, announces an Elected Officials/Agency Kick-Off Meeting to which all persons are invited.

DATE AND TIME: Thursday, April 16, 2015, 2:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Transportation (FDOT) District Six Auditorium, 1000 NW 111th Avenue, Miami, Florida 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, will hold an Elected Officials/Agency Kick-Off meeting regarding the Project Development and Environment (PD&E) Study for State Road (SR) 90/SW 8th Street from SW 92nd Avenue to SW 82nd Avenue in Miami-Dade County. The project identification number is: 433627-1-22-01, Efficient Transportation Decision Making (ETDM) # 9892.

A copy of the agenda may be obtained by contacting: Ms. Maria Perdomo, P.E., Project Manager, Florida Department of Transportation, District Six Consultant Management Office, 1000 NW 111 Ave., Room 6251, Miami, FL 33172, (305)640-7186, email: maria.perdomo@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translations services (free of charge) should contact Mrs. Eman Gomaa at (305)470-5219, in writing at 1000 NW 111 Ave., Miami, FL 33172 or by email: eman.gomaa@dot.state.fl.us at least seven (7) days prior to the meeting. If you have questions about the project or scheduled meeting, contact Ms. Maria Perdomo, P.E., directly at (305)640-7186 or via e-mail: maria.perdomo@dot.state.fl.us or visit the project website at: <http://www.fdotmiamidade.com/sr-90sw-8-st-at-sr-973sw-87-ave.html>.

STANLEY CONSULTANTS, INC.

The Florida Department of Transportation (FDOT), District Six, announces a Public Kick-Off Meeting to which all persons are invited.

DATE AND TIME: Thursday, April 16, 2015, 6:00 p.m. – 8:00 p.m.

PLACE: Florida Department of Transportation (FDOT) District Six Auditorium, 1000 NW 111th Avenue, Miami, Florida 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, will hold a Public Kick-Off meeting regarding the Project Development and Environment (PD&E) Study for State Road (SR) 90/SW 8th Street from SW 92nd Avenue to SW 82nd Avenue in Miami-Dade County. The project identification number is: 433627-1-22-01, Efficient Transportation Decision Making (ETDM) # 9892.

A copy of the agenda may be obtained by contacting: Ms. Maria Perdomo, P.E., Project Manager, Florida Department of Transportation, District Six Consultant Management Office, 1000 NW 111 Ave., Room 6251, Miami, FL 33172, (305)640-7186, email: maria.perdomo@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Mrs. Eman Gomaa at (305)470-5219, in writing at 1000 NW 111 Ave., Miami, FL 33172 or by email: eman.gomaa@dot.state.fl.us at least seven (7) days prior to the meeting. If you have questions about the project or scheduled public meeting, contact Ms. Maria Perdomo, P.E. directly at (305)640-7186 or via email: maria.perdomo@dot.state.fl.us or visit the project website at <http://www.fdotmiamidade.com/sr-90sw-8-st-at-sr-973sw-87-ave.html>.

FLORIDA IS FOR VETERANS INC.

Florida is for Veterans, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2015, 9:00 a.m.

PLACE: Room 28, House Office Building, 402 South Monroe St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business, Update on Entrepreneurship Program Research, Approval of Strategic Plan, Presentations of Market Research Proposals, Selection of Market Research Firms.

A copy of the agenda may be obtained by contacting: Kristen Kerr, (850)462-2074, kerr@veteransflorida.org.

For more information, you may contact: Kristen Kerr, (850)462-2074, kerr@veteransflorida.org.

Section VII

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:RULE TITLES:

- 61-30.801 Standards of Practice, General
- 61-30.802 Standards of Practice, Structure
- 61-30.803 Standards of Practice, Electrical Systems
- 61-30.804 Standards of Practice, HVAC Systems
- 61-30.805 Standards of Practice, Roof Covering
- 61-30.806 Standards of Practice, Plumbing System
- 61-30.807 Standards of Practice, Interior Components
- 61-30.808 Standards of Practice, Fireplaces and Solid Fuel Burning Appliances
- 61-30.809 Standards of Practice, Household Appliances
- 61-30.810 Standards of Practice, Exterior Components
- 61-30.811 Standards of Practice, Site Conditions that Affect the Structure

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation has declined to rule on the petition for declaratory statement filed by Jon D. Tremper on December 11, 2014. The following is a summary of the agency’s declination of the petition:

The petition fails to identify a particular set of circumstances about which a declaratory statement can be issued or how the petitioner is substantially affected. Moreover, the Department declines to issue a statement of general applicability or to initiate rulemaking.

A copy of the Order Declining the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk’s Office, 1940 North Monroe Street, Suite 92, Tallahassee,

Florida 32399-2202, telephone: (850)921-0342, email: AGC.Filing@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that the Board of Massage Therapy has issued an order disposing of the petition for declaratory statement filed by Janet J. Hardy on September 24, 2014. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 188, of the September 26, 2014, Florida Administrative Register. The Petitioner inquired as to whether the practice of myofascial release on the muscles of the pelvic floor is within the scope of practice of massage therapy as defined in Section 480.033, Florida Statutes. The Board considered the instant Petition at a duly-noticed public meeting held on March 11, 2015, by telephone conference call. The Board’s Order, filed on March 25, 2015, issues a declaratory statement that under the specific facts of the petition, myofascial release applied to the muscles of the pelvic floor is within the scope of massage as defined in Section 480.033, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, christy.robinson@flhealth.gov.

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 EDUCATION

Florida School for the Deaf and the Blind

PUBLIC ANNOUNCEMENT FOR SITE CONTRACTOR
TO BID ON MINOR PROJECTS CONTRACTS

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from Site Contractors to bid on minor projects contracts. The firm(s) selected under this contract will be responsible for assigned facility projects in which estimated construction costs of projects under the contract do not exceed \$150,000 annually. This contract will have an initial period of one (1) year with Owner's option to renew for two (2) additional one-year periods. Selection of finalists to bid will be made on the basis of qualifications in accordance with the booklet Instructions to Qualify as a Site Contractor to bid on Minor Projects Contracts dated March 2015. Firm(s) must be properly licensed in the State of Florida at the time of submittal. The selection will be made in accordance with the Selection Criteria and bid.

RESPONSE DUE DATE: Wednesday, April 29, 2015 no later than 3:00 p.m.

INSTRUCTIONS FOR SUBMITTAL: Firms interested in being considered for this project should access: http://www.fldb.k12.fl.us/facilities/Selection_Criteria/Selection_Criteria-Site-Contractor.pdf.

Please direct all questions to Steve Armstrong, Construction Project Manager, (904)827-2363, armstrongs@fsdb.k12.fl.us.

Note: Please ensure a valid email address and a point of contact are included with your qualification packet.

ENTERPRISE FLORIDA, INC.

Enterprise Florida, Inc. - Military and Defense
 To conduct an Economic Impact analysis of Florida's Military and Defense industry. Provide an enhanced statewide picture of the economic impact of all active military installations and defense industry in Florida including the Florida National Guard and the United States Coast Guard.

Develop State, Regional and Local Impact Assessment.

Overall analysis used to calculate the total economic impact by installation, economic sector and geographical area must contain:

- Total payroll (Military and Civilian, National Guard and Coast Guard, by salary level).
- Non-payroll local expenditures (e.g. materials, supplies) by type.
- Total value of all Military, National Guard and Coast Guard contracts (by type of contract).
- Estimated inflows to Defense, National Guard and Coast Guard contractors (domestic and international).
- Value of retiree spending (from Military, Coast Guard and National Guard).
- Value of student trainee payrolls and spending.
- Value of Military Reserve spending flows.
- Value of Military educational and medical spending.
- Estimated value of Military and Defense spending due to technology transfers.

The full request for proposal will be available Friday, April 3, 2015 at: <http://www.enterpriseflorida.com>.

Proposal submission date is no later than 5:00 p.m. EDT, Friday, April 24, 2015.

For more information, contact Camila Hornung, Grants Coordinator for the Florida Defense Support Task Force, Enterprise Florida, Inc. at (850)878-4578 or via email at chornung@eflorida.com.

Section XII
Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Florida Fine Cars, Inc. for the establishment of MOV T vehicles

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 Mobility Ventures, LLC, intends to allow the establishment of Florida Fine Cars, Inc., as a dealership for the sale of automobiles manufactured by Mobility Ventures, LLC (line-make MOV T) at 21151 Northwest 2nd Avenue, Miami Gardens, (Miami-Dade County), Florida 33169, on or after May 5, 2015.

The name and address of the dealer operator(s) and principal investor(s) of Florida Fine Cars, Inc., are dealer operator(s): Chase Sattler, 21151 Northwest 2nd Avenue, Miami Gardens, Florida 33169; principal investor(s): Ramin Farahmand, 21151 Northwest 2nd Avenue, Miami Gardens,

Florida 33169 and Amir Azarpad, 21151 Northwest 2nd Avenue, Miami Gardens, Florida 33169.

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: Greg Proven, Mobility Ventures, LLC, 105 North Niles Avenue, South Bend, Indiana 46617.

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.

Any person whose substantial interest is affected by this action and who timely advised the agency of an error in the action has a right to request an administrative hearing pursuant to Section 120.57, F.S. In order to request a proceeding under Section 120.57, F.S., a request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Room 3431, MS 3, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

| Hospice Program Net Need | | | |
|--------------------------|----------|----------------|----------|
| Service Area | Net Need | Service Area | Net Need |
| District 1 | 0 | Subdistrict 6C | 0 |
| Subdistrict 2A | 0 | Subdistrict 7A | 0 |
| Subdistrict 2B | 0 | Subdistrict 7B | 0 |
| Subdistrict 3A | 0 | Subdistrict 7C | 0 |
| Subdistrict 3B | 0 | Subdistrict 8A | 0 |
| Subdistrict 3C | 0 | Subdistrict 8B | 0 |
| Subdistrict 3D | 0 | Subdistrict 8C | 0 |
| Subdistrict 3E | 0 | Subdistrict 8D | 0 |
| Subdistrict 4A | 0 | Subdistrict 9A | 0 |
| Subdistrict 4B | 0 | Subdistrict 9B | 0 |
| Subdistrict 5A | 0 | Subdistrict 9C | 0 |
| Subdistrict 5B | 1 | District 10 | 0 |
| Subdistrict 6A | 0 | District 11 | 0 |
| Subdistrict 6B | 0 | Total | 1 |

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

NOTICE OF HOSPICE PROGRAM FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-400.602, Florida Statutes (F.S.), and 408.031-408.045, F.S. Fixed need pool projections are for hospice programs planned for July 2016, pursuant to the provisions of Rule 59C-1.0355, Florida Administrative Code. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Building 1, Room 321, MS 28, Tallahassee, Florida 32308, on or before 5:00 p.m., April 20, 2015.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of the publication. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten-day period waives a person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

NOTICE OF PEDIATRIC OPEN HEART SURGERY PROGRAMS AND PEDIATRIC CARDIAC CATHETERIZATION PROGRAMS FIXED NEED POOLS

The Agency for Health Care Administration has projected fixed need pools for pediatric open heart surgery programs and pediatric cardiac catheterization programs for July 2017, pursuant to the provisions of Rules 59C-1.008, 59C-1.032 and 59C-1.033, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Building 1, Room 321, MS 28, Tallahassee, Florida, 32308, on or before 5:00 p.m., April 20, 2015.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the Agency concurs with the error, the fixed need pool numbers will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first

cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of an error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Room 3431, MS 3, Tallahassee, Florida, 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Pediatric Cardiac Catheterization Programs - Pediatric Open Heart Surgery Programs Net Need

| Service Area | Net Need | Service Area | Net Need |
|--------------|----------|--------------|----------|
| 1 | 0 | 4 | 0 |
| 2 | 0 | 5 | 0 |
| 3 | 0 | Total | 0 |

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

NOTICE OF FIXED NEED POOLS FOR COMMUNITY NURSING HOME BEDS

The Agency for Health Care Administration has projected a fixed bed need pool for community nursing home beds for January 2018 pursuant to the provisions of Section 408.034(5), Florida Statutes, and Rules 59C-1.008 and 59C-1.036, F.A.C. Net bed need projections for community nursing home beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, 2727 Mahan Drive, Building 1, Room 321, MS 28, Tallahassee, Florida, 32308, on or before 5:00 p.m. April 20, 2015.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Register. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those

errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the agency clerk at 2727 Mahan Drive, Building 3, Room 3431, MS 3, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Community Nursing Home Bed Need

| | Bed Need |
|---------------|----------|
| District 1 | |
| Subdistrict 1 | 61 |
| Subdistrict 2 | 0 |
| Subdistrict 3 | 0 |
| District 2 | |
| Subdistrict 1 | 41 |
| Subdistrict 2 | 0 |
| Subdistrict 3 | 0 |
| Subdistrict 4 | 0 |
| Subdistrict 5 | 0 |
| District 3 | |
| Subdistrict 1 | 113 |
| Subdistrict 2 | 47 |
| Subdistrict 3 | 34 |
| Subdistrict 4 | 0 |
| Subdistrict 5 | 23 |
| Subdistrict 6 | 5 |
| Subdistrict 7 | 0 |
| District 4 | |
| Subdistrict 1 | 14 |
| Subdistrict 2 | 0 |
| Subdistrict 3 | 0 |
| Subdistrict 4 | 0 |
| District 5 | |
| Subdistrict 1 | 44 |
| Subdistrict 2 | 0 |
| District 6 | |
| Subdistrict 1 | 0 |
| Subdistrict 2 | 0 |
| Subdistrict 3 | 0 |
| Subdistrict 4 | 11 |
| Subdistrict 5 | 0 |
| District 7 | |
| Subdistrict 1 | 0 |
| Subdistrict 2 | 0 |
| Subdistrict 3 | 0 |
| Subdistrict 4 | 33 |
| District 8 | |
| Subdistrict 1 | 0 |
| Subdistrict 2 | 0 |
| Subdistrict 3 | 0 |
| Subdistrict 4 | 0 |

| | | |
|-----------------|---------------|-----|
| | Subdistrict 5 | 0 |
| | Subdistrict 6 | 0 |
| District 9 | | |
| | Subdistrict 1 | 9 |
| | Subdistrict 2 | 9 |
| | Subdistrict 3 | 4 |
| | Subdistrict 4 | 0 |
| | Subdistrict 5 | 0 |
| District 10 | | 0 |
| District 11 | | |
| | Subdistrict 1 | 45 |
| | Subdistrict 2 | 0 |
| Total Statewide | | 493 |

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On April 1, 2015, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the License of Rosa Lisa Strong, L.P.N., License #: PN 1256621. 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 (2014). 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 April 1, 2015, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the License of Sarah Lynn Koonce, L.P.N., License #: PN 5172178. 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 (2014). 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 Lifting Emergency Action

On April 1, 2015, the State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Ramsey Habeeb Saffouri, D.O., License #: OS 6838. The Department orders that the Emergency Suspension of License be lifted.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-042

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY MONROE COUNTY,

FLORIDA, ORDINANCE NO. 003-2015

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 003-2015

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 003-2015 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Monroe County on January 21, 2015, and rendered to the Department on February 17, 2015.

3. The Ordinance amends the Monroe County Land Development Code by modifying Sections 101-1 (Definitions), 130-186 (Minimum Yards), and Section 130-189 (Applicability of Required Yards); these amendments provide for setback requirements in the Conservation and Recreational Vehicle districts, modify setback requirements for the Airport and Park and Refuge District, modifies and clarifies setback requirements for certain other lots, and establishes specific setback for the above referenced districts.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and 380.0552(9), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Florida Statutes.

7. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, and specifically with Objective 102.1, Policy 213.1.2 (In Part).

8. The Ordinance is consistent with the Principles for Guiding Development in § 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principle:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 003-2015 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____
William B. Killingsworth, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY

OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 2nd day of April, 2015.

_____/s/_____
Katie Zimmer, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:
Danny Kolhage, Mayor
Monroe County Board of County Commissioners
530 Whitehead Street, Suite 102
Key West, FL 33040

Christine Hurley, Division Director
Growth Management
Monroe County, Florida
2798 Overseas Highway
Suite 400
Marathon, FL 33050

Amy Heavilin, Clerk
Monroe County, FL
500 Whitehead St.
Key West, FL 33040

CLERKS OF COURT OPERATIONS CORPORATION

Pursuant to Section 121.055, Florida Statutes, the Florida Clerks of Court Operations Corporation (CCOC) provides public notice of the intent to include the following position in the Florida Retirement System’s Senior Management Service Class effective May 1, 2015: Deputy Executive Director.

Additional information may be obtained by writing to the Florida Clerks of Court Operations Corporation, Attn: Lisa Daws, 2560-102 Barrington Circle, Tallahassee, Florida 32308.

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.
