

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.039 Supplemental Educational Services
 in Title I Schools

PURPOSE AND EFFECT: The purpose of the rule development is to amend Form SES 100, Request for Applications for Supplemental Educational Services Providers, for the 2013-2014 school year and to update the definitions to be used for supplemental educational services, based upon 2012 legislative changes to Section 1008.331, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Supplemental Educational Services in Title I Schools.

RULEMAKING AUTHORITY: 1008.331(6) FS.

LAW IMPLEMENTED: 1008.331 FS.

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

DATE AND TIME: October 19, 2012, 9:00 a.m. – 10:00 a.m.

PLACE: Via telephone conference call. Conference call: 1(888)670-3525, Conference Code: 1257356978 then #.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Melvin Herring, Program Director, Bureau of Federal Educational Programs, 325 West Gaines Street, Room 348, Tallahassee, FL 32399, (850)245-0684. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO.: RULE TITLE:
15C-21.001 Application for Certificate of Title

PURPOSE AND EFFECT: The purpose and effect of this rule development is to establish and implement uniform procedures regarding vehicle and vessel titles. The procedures will include the incorporation by reference of an application form for vehicle or vessel certificates of title.

SUBJECT AREA TO BE ADDRESSED: Vessel and Vehicle titles; application form to receive a certificate of title.

RULEMAKING AUTHORITY: 317.0005, 319.17, 320.011, 328.03(8), 328.44, 328.72(17) FS.

LAW IMPLEMENTED: 212.06(10), 212.19, 213.053, 317.0004, 317.0006, 317.0007, 317.0008, 317.0011, 317.0012, 317.0014, 317.0017, 319.14, 319.21, 319.22, 319.225, 319.23, 319.24, 319.27, 319.29, 319.324, 319.33, 319.34, 319.35, 320.001, 328.001, 328.03, 328.07, 328.09, 328.11, 328.13, 328.16, 328.30 FS.

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

DATE AND TIME: October 22, 2012, 9:00 a.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room, B130A, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gail Eppler, 2900 Apalachee Parkway, Room A334, Tallahassee, FL 32399, GailEppler@flhsmv.gov, (850)617-3001. 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: Gail Eppler, 2900 Apalachee Parkway, Room A334, Tallahassee, FL 32399, GailEppler@flhsmv.gov, (850)617-3001

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
20-9.002 Processed Form

PURPOSE AND EFFECT: Amendment clarifying the timetable and process used to update the Conversion Unit chart to better inform the industry of how this information is computed; clarifying the process, deadline for filing and form to be used in the election to pay only one-third of the assessment on imports in order to make the process more clear to the industry.

SUBJECT AREA TO BE ADDRESSED: Clarification of information used in conjunction with assessments on imports and opting out of paying two-thirds of the assessment.

RULEMAKING AUTHORITY: 601.10(1), 601.15(1), (10)(a), 601.155(3), (7) FS.

LAW IMPLEMENTED: 601.15(5), (6), 601.155 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice Wiggins, License & Regulation Specialist, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CITRUS

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 20-108.001 | General Provisions |
| 20-108.002 | Processing of Applications |
| 20-108.004 | Determination of Minimum Bond Required |
| 20-108.006 | Investigation and Determination of Financial Responsibility |
| 20-108.007 | Disposition of Application |
| 20-108.008 | Special Presentations |
| 20-108.009 | Treatment of Persons Protected Under the Bankruptcy Act |

PURPOSE AND EFFECT: Pursuant to industry input, amendments to the citrus fruit dealer licensing process to ensure better protection for the Florida citrus grower.

SUBJECT AREA TO BE ADDRESSED: Citrus Fruit Dealer licensing process and requirements.

RULEMAKING AUTHORITY: 601.10(1),(7), 601.56, 601.57(7), 601.61(1)(a) FS.

LAW IMPLEMENTED: 601.03(8), 601.10(1),(5),(7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice Wiggins, License & Regulation Specialist, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CORRECTIONS

| RULE NOS.: | RULE TITLES: |
|------------|-----------------------------------|
| 33-601.731 | Suspension of Visiting Privileges |
| 33-601.800 | Close Management |
| 33-601.830 | Death Row |

PURPOSE AND EFFECT: The purpose of the proposed rule is to include drugs that are not currently addressed in the rule, to amend Form DC4-643A, and to ensure that forms are properly referenced. The effect of the rule is to allow the Department to suspend an inmate’s visitation privileges when the inmate is found using or in possession of drugs and to prevent visitors from bring the drugs into the institution. Revising Form DC4-643A will assist in better evaluating inmates in close management. Removing effective dates from forms referenced, but not incorporated in the rule will also ensure consistence regarding the property form to use.

SUBJECT AREA TO BE ADDRESSED: Visitation, Close Management, and Death Row.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.47, 944.8031 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.731 Suspension of Visiting Privileges.

(1) Suspension of Inmate Visiting Privileges.

(a) No change.

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

1. through 12. No change.

13. Possessing or using unauthorized drugs, which includes, but is not limited to narcotics, depressants, stimulants, aromatic stimulants, hallucinogens, cannabis, and any other type of intoxicant (excluding intoxicating beverages), or drug paraphernalia or refusing to submit to substance abuse testing;

14. through 15. No change.

(c) through (f) No change.

(2) Suspension of Visitor Visiting Privileges.

(a) A visitor’s visiting privileges shall be indefinitely suspended by the warden or designee when the visitor:

1. Is found in possession of ~~unauthorized drugs an illegal drug, which includes, but is not limited to narcotics, depressants, stimulants, aromatic stimulants, hallucinogens, cannabis and any other type of intoxicant (excluding intoxicating beverages), (controlled substances)~~ or drug paraphernalia when on the property of any department facility, when entering or exiting any department facility, or is found passing, attempting to pass, accepting, or attempting to accept such items to or from an inmate.

2. through 7. No change.

(b) through (c) No change.

(3) through (4) No change.

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

33-601.800 Close Management.

(1) through (2) No change.

(3) Procedures for Placement in Close Management.

(a) through (b) No change.

(c) The classification officer shall complete section I of the Report of Close Management, Form DC6-233C. Form DC6-233C is hereby incorporated by reference ~~in subsection (19) of this rule.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 4-8-04. Upon completion of section I, the classification officer shall forward Form DC6-233C to the classification supervisor. The classification officer shall ensure that the inmate receives a copy of the Report of Close Management, Form DC6-233C, to prepare for the close management review. The inmate will be given a minimum of 48 hours to prepare for the review unless waived by completing a Close Management Waiver, Form DC6-265. Form DC6-265 is hereby incorporated by reference ~~in subsection (19) of this rule.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 2-1-01. The inmate may present information verbally or in writing for consideration by the ICT. The staff member delivering Form DC6-233C to the inmate shall document on Form DC6-233C that the inmate was informed of his or her allotted time to prepare for the review.

(d) Prior to docketing an inmate's case for close management review, the classification supervisor will submit a referral to the senior psychologist for evaluation of the inmate utilizing the Close Management Referral Assessment, Form DC6-128. Form DC6-128 is hereby incorporated by reference ~~in subsection (19) of this rule.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 6-28-10.

(e) through (h) No change.

(4) through (5) No change.

(6) Close Management Facilities.

(a) through (d) No change.

(e) Water Supply to CM Units. All close management cells will be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off when necessary due to misbehavior. Misbehavior is defined as any activity exhibited by an inmate which causes an interruption in the water system and its proper function, such as intentionally clogging a toilet bowl or sink with paper in order to then flood the housing area. It also includes the intentional misuse of the water for such purposes as throwing it on staff or other inmates, or mixing it with another substance for an unauthorized purpose (inmate mixes water with soap or shampoo and applies to the floor or himself or herself to hinder cell extraction). In such event, the inmate will be furnished with an adequate supply of drinking water by other means to prevent dehydration. This action can be taken in addition to formal disciplinary action being taken against the inmate pursuant to established procedures regarding disciplinary action. Any misbehavior from an inmate and subsequent action by security staff will be documented on the Daily Record of Special Housing, Form DC6-229. Form DC6-229 is hereby incorporated by reference ~~in subsection (19) of this rule.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. <https://www.flrules.org/gateway/reference.asp?NO=Ref-00220>. The effective date of the form is 4-6-11.

(g) through (h) No change.(f) Prior to placement of an inmate in a close management cell, the cell will be thoroughly inspected by the housing officer to ensure that it is in proper order. The housing officer shall document the cell's condition on Form DC6-221, Cell Inspection. After such time, the inmate housed in that cell will be responsible for the condition of the cell. Form DC6-221 is hereby incorporated by reference ~~in subsection (19) of this rule.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 12-16-01.

(7) Individualized Service Plan (ISP).

(a) The multi-disciplinary services team will develop an ISP, Form DC4-643A, when deemed necessary by mental health staff. Form DC4-643A is hereby incorporated by reference ~~in subsection (19) of this rule.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is _____.

(b) through (g) No change.

(8) Behavioral Risk Assessment.

(a) The MDST shall determine behavioral risk of each CM team decision inmate by completing the Behavioral Risk Assessment (BRA), Form DC4-729. Form DC4-729 is hereby incorporated by reference ~~in subsection (19) of this rule.~~

Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 4-8-04.

(b) through (f) No change.

(9) through (10) No change.

(11) Programs and Privileges in Close Management Units.

(a) While in a close management unit, an inmate's movement within the institution and contacts with other individuals will be restricted. Privileges will also be limited depending on the specific close management level. If an inmate transfers to a less restrictive level due to satisfactory adjustment, the adjustment period required for any privilege shall be waived. Upon placement in CM, inmates shall receive a copy of the Close Management Housing Unit Instructions, Form NI1-046. Form NI1-046 is hereby incorporated by reference ~~in subsection (19) of this rule~~. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 3-10-05.

(b) through (d) No change.

(12) through (14) No change.

(15) Contact by Staff. The following staff members shall be required to officially inspect and tour the close management unit. All visits by staff shall be documented on the Inspection of Special Housing Record, Form DC6-228. Form DC6-228 is hereby incorporated by reference ~~in Rule 33-602.220, F.A.C.~~ Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 2-12-01. The staff member shall also document his or her visit on the Daily Record of Special Housing, Form DC6-229, if there is any discussion of significance, action or behavior of the inmate, or any other important evidential information which may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

(a) through (i) No change.

(16) No change.

(17) Close Management Records.

(a) through (b) No change.

(c) A Daily Record of Special Housing – Supplemental, Form DC6-229B, shall be completed and attached to the current Form DC6-229 whenever additional written documentation is required concerning an event or incident related to the specific inmate. Form DC6-229B is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 4-27-08.

(d) No change.

(e) A Housing Unit Log, Form DC6-209, shall be maintained in each close management unit. Form DC6-209 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S.

Calhoun St., Tallahassee, FL 32399. The effective date of the form is 4-08-04. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review.

(18) No change.

~~(19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500-~~

~~(a) Form DC6-128, Close Management Referral Assessment, effective date 6-28-10.~~

~~(b) Form DC4-643A, Individualized Service Plan, effective date 8-23-07.~~

~~(c) Form DC6-221, Cell Inspection, effective date 12-16-01.~~

~~(d) Form DC6-228, Inspection of Special Housing Record, effective date 2-12-01.~~

~~(e) Form DC6-229, Daily Record of Special Housing, effective date 4-6-11.~~

~~<https://www.flrules.org/gateway/reference.asp?NO=Ref 0 0220>.~~

~~(f) Form DC6-229B, Daily Record of Special Housing – Supplemental, effective date 4-27-08.~~

~~(g) Form DC6-233C, Report of Close Management, effective date 4-8-04.~~

~~(h) Form DC6-265, Close Management Waiver, effective date 2-1-01.~~

~~(i) Form DC4-729, Behavioral Risk Assessment, effective date 4-8-04.~~

~~(j) Form DC6-209, Housing Unit Log, effective date 4-8-04.~~

~~(k) Form NI1-046, Close Management Housing Unit Instructions, effective date 3-10-05.~~

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07, 4-27-08, 6-28-10, 4-6-11, 7-31-11, 1-4-12, _____.

33-601.830 Death Row.

(1) through (6) No change.

(7) Conditions and Privileges – The following conditions and privileges apply to all death row inmates except Phase I and Phase II inmates.

(a) Clothing – No death row inmate will be issued a belt. “Croc” style shoes will be provided as regulation foot wear. Death row inmates will be distinguished by designated different clothing that must be worn whenever they are out of the death row unit for the purpose of escort or transport. Otherwise, death row inmates shall be provided the same clothing and clothing exchange as the general inmate population unless there are facts to suggest that on an individual basis exceptions are necessary for the welfare of the

inmate or the security of the institution. If an inmate’s clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C. ~~The effective date of the form is 4-6-11.~~ Under no circumstances shall an inmate be left without a means to cover himself or herself.

(b) through (h) No change.

(i) Removal or Denial of Items – Any item may be denied an inmate or removed from a death row cell to prevent the inmate from inflicting injury to himself or others, to prevent the destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security. The senior correctional officer on duty must initially approve the decision to deny or remove clothing, bedding, or any other items from the cell and document the action on Form DC6-229, Daily Record of Special Housing. Removal of any personal property item will also be documented by security staff on Form DC6-220, Inmate Impounded Personal Property List, and signed by the inmate designating what personal items were removed. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C. ~~The effective date of the form is 10-06.~~ Form DC6-220 is incorporated by reference in Rule 33-602.220, F.A.C. The original Form DC6-220 will be placed in the inmate’s property file, and a copy of the form will be given to the inmate for his records. The duty warden shall make a final decision regarding the appropriateness of any removal no later than the next working day. If items are removed from a death row cell pursuant to this paragraph, staff shall re-assess the need for continued restriction every 72 hours thereafter and document the assessment on Form DC6-229. The warden, based on this assessment, will make a final determination on the continued denial or return of the items and document the decision on Form DC6-229. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction is present.

(j) through (n) No change.

(8) through (12) No change.

(13) Form DC6-228, Inspection of Special Housing Record, shall be maintained in each death row unit. Form DC6-228 is incorporated by reference in Rule 33-601.800, F.A.C. ~~The effective date of the form is 2-01.~~ Each staff person shall sign the form when entering and leaving the death row unit. Prior to departure, each staff member shall indicate any specific problems, including any inmate who requires special attention. Upon completion, Form DC6-228 will be maintained in the housing area and forwarded to the correctional officer chief on a weekly basis, where it will be maintained on file pursuant to the current retention schedule.

(14) Form DC6-229, Daily Record of Special Housing, shall be maintained for each inmate in the death row unit for 30 days, after which the form will be forwarded to the warden for review. Once reviewed, these forms will be forwarded to classification to be filed in each inmate’s respective file. Form DC6-229 shall be utilized to document any and all activities, including cell searches, items removed, showers, recreation, haircuts, and shaves. Form DC6-229B, Daily Record of Special Housing – Supplemental, may be used if further writing space is needed. Form DC6-229B is incorporated by reference in Rule 33-601.800, F.A.C. ~~The effective date of the form is 4-27-08.~~ Additionally, staff shall fully and completely document when:

(a) through (j) No change,

(15) Death Warrants – Upon receipt of a death warrant signed by the Governor authorizing execution, the warden or designee will determine the housing location of the inmate. Inmates housed at Union Correctional Institution will be immediately transferred to Florida State Prison. Upon arrival, the warden will inform the inmate of the death warrant, and the inmate shall be allowed to contact his attorney and a family member at state expense. If the inmate is housed at Lowell Correctional Institution, the inmate shall not be transferred to Florida State Prison until Phase II. The warden at Lowell will inform the inmate of the death warrant and allow the inmate to contact her attorney and a family member at state expense.

(a) No change.

(b) Conditions and privileges for Phase I and Phase II inmates.

1. Phase I and Phase II inmates may possess the following state issued property:

a. through r. No change.

s. Form DC1-303, Request for Administrative Remedy or Appeal, and Form DC6-236, Inmate Request, as needed. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C. ~~The effective date of the form is 2-05.~~ Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C. ~~The effective date of the form is 6-12.~~

2. through 8. No change.

(16) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 11-22-10, Amended 9-27-11, 9-24-12, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.203
 RULE TITLE: Control of Contraband

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to have drugs that are not currently addressed in the rule included as contraband items.

SUBJECT AREA TO BE ADDRESSED: Control of Contraband.

RULEMAKING AUTHORITY: 944.09, 945.215 FS.
LAW IMPLEMENTED: 944.47, 945.215 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 WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-602.203 Control of Contraband.
 - (1) through (2) No change.
 - (3) No person, whether he be an inmate or other person, unless authorized by the warden, assistant warden, chief of security or the shift supervisor, shall introduce into or upon the grounds of an institution any of the following articles which are hereby declared to be contraband:
 - (a) No change.
 - (b) Any unauthorized drugs, which includes, but is not limited to narcotics ~~narcotic~~, depressants, stimulants, aromatic stimulants, hallucinogens, cannabis, and any other type of intoxicant (excluding intoxicating beverages), or drug paraphernalia or hypnotic or excitative drug or substance prohibited by law.
 - (c) through (f) No change.
 - (4) through (9) No change.

Rulemaking Authority 944.09, 945.215 FS. Law Implemented 944.47, 945.215 FS. History—New 10-8-76, Amended 2-24-81, 4-18-82, 8-13-84, 2-13-85, 6-2-85, Formerly 33-3.06, Amended 2-9-87, 11-3-87, 8-14-90, 11-21-91, 1-6-94, 5-28-96, 10-26-97, Formerly 33-3.006, Amended 3-2-00, 7-8-03, 11-10-03, 6-28-07, 11-28-11,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

| | |
|-----------|---|
| RULE NO.: | RULE TITLE: |
| 61C-5.006 | Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement |

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt the forms for permits and certificates of operation; update permit, licensure, registration and renewal requirements; and provide a plain language update.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address the permit and certificate of operation application process, fees, and change of ownership.
RULEMAKING AUTHORITY: 399.02, 399.03, 399.07(1), 399.10 FS.

LAW IMPLEMENTED: 399.03, 399.061, 399.07 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399; Michelle.Comingore@dbpr.state.fl.us; (850)488-1133.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Pharmacy

| | |
|--------------|--|
| RULE NO.: | RULE TITLE: |
| 64B16-26.206 | Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates) |

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create a new rule for endorsement candidates that are foreign trained.

SUBJECT AREA TO BE ADDRESSED: Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates).

RULEMAKING AUTHORITY: 465.005, 465.0075 FS.
LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.0075, 465.022 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.1031
 RULE TITLE: Influenza Immunization Certification Program and Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language to include new vaccines and to update the application.

SUBJECT AREA TO BE ADDRESSED: Influenza Immunization Certification Program and Application.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.189 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.1032:
 RULE TITLE: Influenza Immunization Administration Certification Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language and application to be consistent with statutory changes.

SUBJECT AREA TO BE ADDRESSED: Influenza Immunization Administration Certification Application.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.189 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64D-3.046
 RULE TITLE: Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes

PURPOSE AND EFFECT: The purpose of this rule amendment is to include language regarding the availability of vaccinations required for school attendance at no charge at county health departments, to update DH Form 681 (Religious Exemptions for Immunizations), and to revise DH Form 150-615, July 2011 (Immunization Guidelines, Florida Schools, Childcare Facilities and Family Daycare Homes) to reflect an effective date of January 2013. The DH 150-615 changes include minor technical edits.

SUBJECT AREA TO BE ADDRESSED: Subject of this rule amendment includes language regarding free vaccinations for school attendance at county health departments and updates to forms incorporated by reference, which includes DH Form 681 (Religious Exemptions and Immunizations) and minor technical edits to DH150-165 (Immunization Guidelines, Florida Schools, Childcare Facilities and Family Daycare Homes).

RULEMAKING AUTHORITY: 381.003, 381.005, 1003.22 FS.

LAW IMPLEMENTED: 381.003, 381.005, 1003.22 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, October 15, 2012, 10:00 a.m.

PLACE: Florida Department of Health, Prather Building, 2585 Merchants Row Boulevard, Conference Room 115A, Tallahassee, FL 32311

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 four hours before the workshop/meeting by contacting: Susan Lincicome, Program Manager, email address: susan_lincicome@doh.state.fl.us or call her at (850)245-4444, x 2381. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Lincicome, Program Manager, susan_lincicome@doh.state.fl.us, (850)245-4444, x 2381

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-3.046 Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes.

(1) Immunizations required for school attendance shall be available free of charge from county health departments subject to the availability of state funding to cover the costs of vaccine and administration of the vaccine. Parents seeking immunizations for children who are covered by health insurance should contact assigned health care providers within covered health insurance networks to obtain immunizations for school attendance.

~~(2)~~(4) Immunization and Documentation Requirements for School Entry/Attendance:

(a) A student may attend a public or non-public school, grades preschool through 12 or an adult education class if younger than 21, if prior to admittance, attendance or transfer, they present one of the following for inspection for validity by an authorized school official:

1. DH Form 680, Florida Certification of Immunization (July 2010), incorporated by reference, available from Department of Health (DOH) county health departments (CHDs) or physicians' offices; or

2. DH Form 681, Religious Exemptions for Immunizations (English/Spanish/Haitian-Creole) (July 2008) ~~(February 2002)~~, incorporated by reference, available at DOH CHDs, must be signed by the local county health department medical director or designee. The form is available online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref>

(b) Specific immunization requirements by grade which must be documented prior to admittance, attendance or any other initial entrance are detailed in the Immunization Guidelines-Florida Schools, Childcare Facilities and Family Daycare Homes DH Form 150-615 (January 2013) ~~(July 2011)~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00765> incorporated by reference, available online at: www.doh.state.fl.us/disease_ctr/immune/schoolguide.pdf.

1. through 3. No change.

~~(3)~~(2) Documentation Requirements for Schools:

(a) through (c) No change.

~~(4)~~(3) Homeless, Transfers and Juvenile Justice – A temporary exemption to requirements of subsection (1) above not to exceed 30 days may be issued by an authorized school official for any of the following, consistent with the definitions in Section 1003.01, F.S.:

(a) through (d) No change.

~~(5)~~(4) Notwithstanding subsection ~~(3)~~(2), the Department may:

(a) through (b) No change.

~~(6)~~(5) Florida SHOTS (State Health Online Tracking System) Opt Out Provision – Parents or guardians may elect to decline participation in the Florida immunization registry, Florida SHOTS, by submitting a Florida SHOTS Notification and Opt Out Form to the DOH. The form, either a DH Form

1478 (English) (January 2007) or DH Form 1478S (Spanish) (September 2003) or DH Form 1478H (Haitian-Creole) (January 2006), incorporated by reference, is available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The immunization records of children whose parents choose to opt-out will not be shared with other entities that are allowed by law to have access to the children's immunization record via authorized access to Florida SHOTS.

~~(7)~~(6) Florida SHOTS Private Provider Participation – Any health care practitioner licensed in Florida under Chapters 458, 459 or 464, F.S., may request authorization to access Florida SHOTS by filling out a DH Form 1479, Authorized Private Provider User Agreement for Access to Florida SHOTS (January 2007), incorporated by reference, available from the DOH Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 1479 will be returned to the Department of Health for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user's license or registration has expired or has been suspended or revoked.

~~(8)~~(7) Florida SHOTS School and Licensed or Registered Child Care Facility Participation – Any public or nonpublic school, or licensed or registered child care facility may request authorization to access Florida SHOTS by completing a DH Form 2115, Authorized School and Licensed or Registered Child Care Facility User Agreement for Access to Florida SHOTS (January 2007), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 2115 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user's license or registration has expired or has been suspended or revoked.

Rulemaking Authority 381.003(1), (2), 381.005(3), 1003.22 FS. Law Implemented 381.003(1), 381.005(1)(i), 1003.22 FS. History—New 11-20-06, Amended 7-15-07, 7-28-08, 12-29-10, 12-29-11, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:
65C-37.001

RULE TITLES:
Compliance with Certification for Persons Providing Child Welfare Services

- 65C-37.002 Approval Process for Third Party Credentialing Entities
- 65C-37.003 Core Competencies
- 65C-37.004 Approval Process for Pre-Service Curriculum

PURPOSE AND EFFECT: This rule outlines the procedures that the Department and contracted agencies will use to ensure timely certification of child welfare professionals and timely renewal of certification as a condition of employment; the approval process for entities that apply to be a third-party credentialing entity; child welfare core competencies; and the approval process for pre-service training curriculum.

SUBJECT AREA TO BE ADDRESSED: Child Welfare Training and Certification.

RULEMAKING AUTHORITY: 39.012, 39.021 FS.

LAW IMPLEMENTED: 39.001, 402.40 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 WEEKLY.

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: Eleese Davis, Chief of Quality Assurance at (850)717-4650. 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: Sallie Bond, Chief of Child Welfare Policy at (850)717-4657

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Finance

- RULE NO.: 69V-160.034
- RULE TITLE: Failure to Demonstrate Financial Responsibility Defined

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to clarify that the Office may rely on an applicant's general history when determining if the applicant is financially responsible.

SUBJECT AREA TO BE ADDRESSED: Florida Consumer Finance Act, Financial Responsibility.

RULEMAKING AUTHORITY: 516.22(1), 516.23(3) FS.

LAW IMPLEMENTED: 516.07(1) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: French Brown at (850)410-9544

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69V-160.034 Failure to Demonstrate Financial Responsibility Defined.

As used in Section 516.07(1)(c), F.S., failure to demonstrate "financial responsibility" means having a ~~credit~~ history that reflects any of the following: unpaid liens, judgments, repossessions, foreclosures or an otherwise general history of non-payment of legal debts, or having filed a petition for bankruptcy under the federal Bankruptcy Code.

Rulemaking Authority 516.22(1), 516.23(3) FS. Law Implemented 516.07(1) FS. History—New 10-1-95, Formerly 3D-160.034, Amended _____.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

- RULE NO.: 73B-11.015
- RULE TITLE: Continued Claims for Benefits

PURPOSE AND EFFECT: This amendment will implement the work registration and initial skills review requirements of Chapter 443, F.S.

SUBJECT AREA TO BE ADDRESSED: Reemployment Assistance Continued Claims.

RULEMAKING AUTHORITY: 443.091(1)(a) and (c), 443.1317(1)(b), 443.151(2)(b) FS.

LAW IMPLEMENTED: 443.091(1), 443.111(1), 443.151(2) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Peter Penrod, Assistant General Counsel, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 110, Tallahassee, Florida 32399-4120, (850) 245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.00821
 RULE TITLE: Florida Educational Leadership Examination

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt new competencies and skills for the Florida Educational Leadership Examination (FELE). The effect of these changes will be updated competencies and skills for the FELE, updated language related to test delivery format, modification of language related to disabilities accommodations, and the addition of language related to setting transitional passing scores.

SUMMARY: The rule is proposed for amendment to adopt the Competencies and Skills Required for Certification in Educational Leadership in Florida, Fourth Edition, updated language related to test delivery format, modification of language related to disabilities accommodations, and establishment guidelines for setting transitional passing scores.

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 SERC was triggered under Section 120.541(1), Florida Statutes, and; 2) based on past experiences with the FELE rule and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes.

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: 1012.56(9) FS.

LAW IMPLEMENTED: 1012.56 FS.

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

DATE AND TIME: November 6, 2012, 9:00 a.m.

PLACE: Boca Raton High School, 1501 NW 15th Ct., Boca Raton, FL.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) **Scope.** This rule governs the written examination for certification in Educational Leadership. Additional requirements for certification in Educational Leadership are specified in Rule 6A-4.0082, F.A.C.

(2) **Description of the examination and competencies to be demonstrated.**

(a) The Florida Educational Leadership Examination shall be developed by the Commissioner of Education.

(b) Before January 1, ~~2014~~ 2009, the written examination shall contain multiple-choice questions and a performance assessment associated with the Florida Principal Leadership Standards specified in Rule 6A-5.080, F.A.C., effective May 24, 2005, in the areas of:

1. ~~Instructional Leadership, School communications. This subtest shall contain an essay and multiple-choice questions in communications.~~

2. ~~Operational Leadership, and School management. This subtest shall contain multiple-choice questions covering management, leadership, and personnel.~~

3. ~~School Leadership School operations. This subtest shall contain multiple-choice questions covering law, finance, curriculum, and technology.~~

(c) Beginning January 1, ~~2014~~ 2009, the written examination shall contain multiple-choice questions and a performance assessment associated with the Florida Principal Leadership Standards specified in Rule 6A-5.080, F.A.C., effective December 20, 2011, in the areas of:

1. ~~Leadership for Student Learning, Instructional Leadership.~~

2. ~~Organizational Development, and Operational Leadership.~~

3. ~~Systems School Leadership.~~

(d) Before January 1, ~~2014~~ 2009, the competencies to be demonstrated by means of a written examination are contained in the publication "Competencies and Skills Required for Certification in Educational Leadership in Florida, Third Edition 2008 ~~Second Edition 2002,~~" (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01709>) which is hereby incorporated by reference and made a part of this rule. Copies of this publication may be obtained from the Department's website at <http://www.fldoe.org/asp/fele/felecomp.asp> of Education, Office of Assessment, 325 West Gaines Street, Tallahassee, Florida 32399, at a price to be established by the Commissioner not to exceed actual cost.

(e) Beginning January 1, ~~2014~~ 2009, the competencies to be demonstrated by means of a written examination are contained in the publication "Competencies and Skills Required for Certification in Education Leadership in Florida, Fourth Edition 2012 Third Edition 2008," (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01708>) which is hereby incorporated by reference and made a part of this rule. Copies of this publication may be obtained from the Department's ~~website~~ at <http://www.fldoe.org/asp/fele/felecomp.asp> of Education, Office of Assessment, 325 West Gaines Street, Tallahassee, Florida 32399, at a price to be established by the Commissioner not to exceed actual cost.

(3) Administration of the examination.

(a) The examination shall be administered by a test administration agency or agencies under contract with the Florida Department of Education.

(b) The examination shall be administered at least two (2) times each year. ~~The Commissioner of Education shall establish the examination dates each year, which may include additional test administrations.~~

(c) The examination shall be administered at sites ~~centers~~ designated by the Commissioner of Education.

(d) An examinee may retake a failed examination provided at least thirty (30) calendar days have elapsed since the previous administration of the failed examination.

(4) Registration, ~~late registration,~~ and refunds.

(a) Registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. To register to take the examination, an applicant shall submit a completed application to the test administration agency. ~~The completed application shall be received by the test administration agency at least fifty (50) days preceding the examination date.~~

~~1. A completed application shall consist of the following:~~

~~1. a. A completed application Form CG-20-04, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form CG-20-04 is hereby incorporated by reference and made a part of this rule to become effective September 1, 2009. This form may be obtained without cost from the Office of Assessment Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or online via the Florida Teacher Certification Examinations/Florida Educational Leadership Examination Program website ~~Web site~~ at <http://www.fldoe.org/asp/fele/default.asp>.~~

~~2. b. Before September 1, 2009, an eighty five (85) dollar first-time registration fee and a one hundred (100) dollar fee for each retake registration. Beginning with the effective date of this rule, Δ a two hundred fifteen (215) dollar fee for each first-time registration or ~~and~~ a two hundred twenty-five (225) dollar fee for each retake registration.~~

~~e. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)1.b., F.A.C., for certification applicants taking a supplemental examination.~~

~~2. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A-4.00821(4)(b), F.A.C.~~

(b) Late registration for the examination shall be for the initial examination or for one (1) or more subtests not previously passed. An applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examination by ~~completing the requirements listed in subparagraph 6A-4.00821(4)(a)1., F.A.C., and submitting a thirty (30) dollar late charge. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registration shall be accepted on a space available basis.~~

~~(b)(e) Refunds. Fees may~~ shall be refunded provided written requests for refunds are received by the test administration agency at least twenty-four (24) hours ~~thirty (30) days~~ preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(5) Admission. The test administration agency shall provide each applicant with an admission ticket specifying the examination site, date, center and ~~the time of the examination.~~ The admission ticket and other identification are required for entrance into the examination site center. The other identification shall be specified on the admission ticket. An applicant who arrives after the examination has begun shall not be admitted until the start of the next subtest of the examination.

(6) Examinee with a disability, handicapped. An applicant who is unable to complete the examination under standard testing conditions because of a disability handicap may request special arrangements. Such a request shall be made when the examination application is submitted. Lack of proficiency in the English language alone shall not be acceptable as a justifiable reason for requesting a reader or extra time for an examinee. Special arrangements shall be provided for applicants with disabilities handicapping conditions.

(a) Persons requesting special arrangements must be certified as having a disability by a licensed psychologist or physician. Such documentation shall have been completed within the previous three (3) years and must be received on official letterhead stationery. In the absence of such certification, the applicant may submit documentation of accommodations provided for a disability during the applicant's baccalaureate or graduate degree program. Any documentation submitted must describe the disability and the accommodations made necessary by the disability.

(b) Appropriate special arrangements for testing shall be provided, where necessary, to afford an individual with a disability an equal opportunity to participate. In determining the type of special arrangement to be provided, primary consideration shall be given to the requests of the individual with the disability. However, if it can be demonstrated that special arrangements that are equally effective as those requested are available at less cost or are more readily available, the Department may provide the less expensive or more readily available means of special arrangements for testing.

(c) In no case shall the modifications authorized herein be interpreted or construed as an authorization to provide a person with assistance in determining the answer to any examination item.

(d) Nothing in this rule shall be construed to require an individual with a disability to accept an accommodation, aid, service, opportunity, or benefit provided under this rule which the individual chooses not to accept.

(e) This rule does not require the Department to provide individuals with disabilities with personal devices, such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use for study; or services of a personal nature including assistance in eating, toiletry, or dressing.

(f) Test accommodation appeals procedure. An examinee who is denied test accommodations may appeal the denial to the Commissioner of Education. Such appeal may necessitate testing at a later date.

(7) Scoring of the examination.

(a) If the State Board of Education revises the competencies and skills for an examination and the revisions require the State Board of Education to modify the passing scores, until the State Board adopts the modifications by rule, the Commissioner shall use calculations for scoring the assessment which adjust scores on the revised examination for statistical equivalence to scores on the former examination.

(b)(a) Prior to July 1, 1988, a score earned on the Florida Educational Leadership Examination shall be considered a passing score and shall be valid for Educational Leadership certification application for a period of two (2) years from the test administration date. Applicants for the Educational Leadership certificate shall be required to present a score report to the Florida Department of Education when applying for the certificate.

(c)(b) Beginning July 1, 1988, through through December 31, 2008, a passing score for each subtest of the Florida Educational Leadership Examination shall be:

1. School Communications. Examinee scores for the school communications subtest shall be reported as an average scaled score combining the scaled score from the essay test and the scaled score from the multiple-choice questions. The passing score shall be the scaled score equivalent to the

combination of the essay total raw score of four (4) and a multiple-choice total raw score of fifteen (15) on the November, 1987 administration of the subtest.

2. School Management. Examinee scores for the school management subtest shall be reported as a scaled score. The passing score shall be the scaled score equivalent to a total raw score of sixty-nine (69) on the November, 1987 administration of the subtest.

3. School Operations. Examinee scores for the school operations subtest shall be reported as a scaled score. The passing score shall be the scaled score equivalent to a total raw score of ninety-one (91) on the November, 1987 administration of the subtest.

(d)(e) The subtest score scales for administrations of the examination from July 1, 1988, through December 31, 2008, shall be equated to the November, 1987 subtest administration.

(e)(d) Effective January 1, 2009, a passing score for each subtest of the Florida Education Leadership Examination (Instructional Leadership, Operational Leadership, and School Leadership) shall be:

1. Instructional Leadership. Examinee scores for the instructional leadership subtest shall be reported as a scaled score. The passing score shall be a scaled score of two hundred (200).

2. Operational Leadership. Examinee scores for the operational leadership subtest shall be reported as a scaled score. The passing score shall be a scaled score of two hundred (200).

3. School Leadership. Examinee scores for the school leadership subtest shall be reported as a scaled score which is the combination of the scaled score from the written performance assessment and the scaled score from the multiple-choice questions. The written performance assessment shall be weighted thirty (30) percent and the multiple-choice questions shall be weighted seventy (70) percent when determining the combined scaled score. The passing score shall be a combined scaled score of two hundred (200).

(8) Written Performance Assessment.

(a) Raters Judges. The test scoring agency shall appoint persons to score judge the written performance assessment of the school leadership subtest who have demonstrated through prior experience unusual success as educational leaders, instructional leaders, or school building administrators.

(b) Chief Raters Referees. The chief raters referees shall be raters judges who have demonstrated through prior experience unusual success as educational leaders, instructional leaders, or school building administrators and have demonstrated success as raters.

(9) Score reports.

(a) A properly authenticated score report is defined as the original score report issued directly by the test administration agency without any qualification, reservation, or irregularity.

(b) The examinee shall be sent ~~an two (2)~~ authenticated score reports. In addition, a score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report at the time of registration on form CG-20-04, Registration Application: Certification Examinations for Florida Educators.

(c) Official documentation of scores earned on each subtest of the examination for an Educational Leadership certificate shall be the original authenticated score report or a duplicate authenticated score report as described in paragraphs 6A-4.00821(9)(a) and (e), F.A.C.

(d) After July 1, 1988, scores shall be reported as Pass or Fail for each subtest. The Commissioner of Education may provide additional score information to the examinee.

(e) An examinee may obtain a duplicate authenticated score report for a test administration by filing a written request and a fee. A fee is required for each score report that is requested. The fee shall be that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education.

(10) Review.

(a) Requests for Score Manual Scoring and Verification. An examinee who fails one (1) or more subtests of the examination may file a written request with the test administration agency ~~for manual scoring of the multiple-choice section of a subtest which was failed. A written request may also be made to verify the scores for the failed subtest(s), including performance assessments, computer based tests and performance components~~ to ensure that the subtest(s) were scored scores assigned were recorded accurately. The request shall be filed no later than thirty (30) days after the date the score report was ~~released mailed~~ by the test administration agency. The fee for score manual scoring, verification, or both, of one (1) or more subtests shall be that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education. The test administration agency shall notify the examinee of the results of the request within thirty (30) days of receipt of the request and fee.

(b) Score Verification Sessions. An examinee who fails one (1) or more subtests of the examination may review only those incorrect test items contained within each subtest that was failed and bring to the Florida Department of Education's attention any scoring errors which may result in a passing score. The procedures for test review are as follows:

2. A processing fee is required for each score verification session. The fee shall be the amount necessary for the test administration agency to perform the services agreed in the contract between the agency and the Florida Department of

Education.1. The examinee shall register for a score verification session within thirty (30) days of the date the score report was ~~released mailed~~ by the test administration agency. At least thirty (30) days shall have elapsed from the administration of the failed examination before an examinee may attend a score verification session.

3. The examinee shall be provided an admission ticket that contains the location, date and time for the examinee's score verification session.

4. During the score verification session, the examinee shall file with the Florida Department of Education via the test administration agency a statement of specific scoring errors which may result in a passing score.

5. The Florida Department of Education shall review test items, verify examination keys, and consult with field-specific subject matter experts as needed.

6. The Commissioner of Education shall notify the individual of the action on the statement of scoring errors no later than thirty (30) days from receipt of the statement.

7. An examinee may retake a failed subtest that was reviewed provided at least thirty (30) days have elapsed since the date of the review. If an examinee takes any a subtest, including computer based administrations, that was reviewed within thirty (30) days of the test date, the subtest will be invalidated.

Rulemaking Authority 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 12-25-86, Amended 1-11-89, 5-19-98, 10-6-99, 7-17-00, 7-16-01, 3-24-02, 10-17-02, 3-24-03, 7-21-03, 6-22-04, 5-19-08, 7-21-08, 9-6-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jane Fletcher, Interim Deputy Commissioner, Accountability, Research, and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 14, 2012

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.:
6M-8.500

RULE TITLE:
VPK Specialized Instructional Services

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the authority of Florida's Office of Early Learning (OEL) to adopt procedures for implementation of the VPK Specialized Instructional Services Program.

SUMMARY: The proposed rule will establish requirements related to the process of determining child eligibility, registering, and enrolling students in the VPK Specialized Instructional Services Program, and making payments to Specialized Instructional Services (SIS) Providers for services.

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 been prepared by the agency.

It is estimated that approximately 1,458 students will participate in the SIS program type addressed under this rule. It is also estimated that providers participating in this program will expend approximately 45 minutes per student in complying with this rule. At an average of \$9.00 per hour for employee time, the total financial impact is estimated to be \$9,841 statewide, per year.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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

RULEMAKING AUTHORITY: 1002.75(3)(d), 1002.75(3)(e) FS.

LAW IMPLEMENTED: 1002.66 FS.

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

DATE AND TIME: October 23, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32301, or via WebEx which may be accessed at the website: http://www.floridaearlylearning.com/EarlyLearning/OEL_Program_ProposedRulesNotices.html

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ed Hoover at (850)717-8550. 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: Stephanie Savestanan, Policy Director, Florida's Office of Early Learning, 250 Marriott Dr. Tallahassee, Florida 32399, (850)717-8550

THE FULL TEXT OF THE PROPOSED RULE IS:

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

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

(2) Child Eligibility.

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

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

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

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

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

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

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

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

(c) Upon determining that a child is eligible to participate in a VPK SIS program type, the appropriate coalition staff shall complete the "Early Learning Coalition Use Only" section of Form OEL-VPK 01S, as indicated in grey to document the child's eligibility. Additionally, the coalition shall complete sections I. and II. in Part A and items 1. through 8. in Part B of Form OEL-VPK 02S, dated August 2012, which is hereby incorporated by reference with instructions and may be

obtained as described in Rule 6M-8.900, F.A.C. The coalition shall provide a copy of the form, with the appropriate sections completed, to the child's parent.

(3) Provider Selection

(a) The parent shall select a SIS provider or providers which offer services consistent with the student's current IEP from providers approved by the DOE under Rule 6A-6.03033, F.A.C., to offer SIS in the coalition service area.

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

(4) Student Enrollment.

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

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

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

(5) Scheduling Services.

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

(b) After scheduling all SIS on Form OEL-VPK 02S, Part B, the parent shall submit the completed form to the early learning coalition for review.

(c) The early learning coalition shall review the Form OEL-VPK 02S, Part B, to determine the student's available funding amount.

1. New enrollment. VPK School-Year full time equivalent funding amount (FTE) shall be made available to a student enrolling under this rule.

2. Reenrollment for good cause. Notwithstanding the funding described in 1. above, if a student is reenrolled for good cause under Rule 6M-8.210, F.A.C., into the SIS program type from a School-Year or Summer program type, the funding available to the student shall be equal to the student's FTE for

the program type in which the student was previously enrolled minus any amount previously paid for such services rendered to the student.

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

1. If the scheduled services would exceed the student's available VPK funding, the coalition shall notify the parent, in writing, of the service that is projected to exceed the student's available VPK funding. The coalition shall not authorize payment for that service, shall strike through that service on the Form OEL-VPK 02S, Part B, and include a comment on the form that full payment for the service is not authorized and that if the service is provided, the student's parent agrees to be responsible for the remainder of the unreimbursed cost for that service.

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

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

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

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

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

(6) Provider Payment.

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

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

may then follow its normal business practices regarding charges for missed appointments or late arrivals. A coalition shall reimburse the SIS provider in the calendar month following the month in which an invoice for reimbursement is received by the coalition.

(c) SIS providers shall not invoice coalitions for services which have been paid for by other sources. If the coalition is made aware that payment from other sources has been rendered for services included on the Form OEL-VPK 02S, Part B, the coalition shall make reasonable efforts to recover any duplicate payment from the SIS provider.

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

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

Rulemaking Authority 1002.75(3)(d), 1002.75(3)(e) FS. Law Implemented 1002.66 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Stephanie Savestanan

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Mel Jurado, Director, Florida's Office of Early Learning

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2012 Vol. 38/No. 05

DEPARTMENT OF CORRECTIONS

RULE NOS.: RULE TITLES:
33-210.101 Routine Mail
33-210.102 Legal Documents and Legal Mail

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is clarifying the amount of enclosures an inmate may receive and possess and to promote uniformity with the handling of outgoing legal mail.

SUMMARY: The rule is amended to specify the mailing and possession limits associated with enclosures in routine incoming mail and to ensure that the department's date stamps for outgoing legal mail are complete and uniform throughout the State.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-210.101 Routine Mail.

(1) No change.

(2) Inmates will be permitted to receive only the following types of materials through routine mail:

(a) through (c) No change.

~~(d) Self-addressed stamped envelopes. These items do not count toward the 15 page limitation for additional materials, but cannot exceed the equivalent of 20 (1 oz.) first class stamps.~~

(d)(e) Up to ten each of the following: unused Unused greeting cards (no larger than 8" x 10") with matching envelopes, stationery or other blank writing paper (lined or unlined), or envelopes (stamped or unstamped). These items do not count toward the 15 page limitation for additional materials, but cannot exceed 10 each in number. Card stock, sketch paper, and other types of craft paper may not be included.

(e)(f) U.S. postage stamps. The value of the stamps cannot exceed the equivalent of 20 (1 oz.) first class stamps. These items do not count toward the 15 page limitation for additional materials. Inmates shall not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C. Due care shall be exercised in processing mail; however, the department shall not be responsible for any postage stamps sent through the mail.

(3) through (22) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, 7-2-09, 5-9-10, _____.

33-210.102 Legal Documents and Legal Mail.

(1) through (7) No change.

(8) Processing of Legal Mail.

(a) through (f) No change.

(g) Inmates shall present all outgoing legal mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is legal mail, bears that inmate’s return address and signature, and that it contains no unauthorized items. Only the address may be read to determine whether it is properly addressed to a person or entity identified in subsection (2) of this rule. If the outgoing mail contains unauthorized items or is not legal mail, the inmate shall be subject to disciplinary action. If the outgoing mail is legal mail and it contains no unauthorized items, the mail collection representative shall stamp the document(s) to be mailed and the inmate’s copy, if provided by the inmate; The date stamp shall be in the following format: “Provided to (name of institution) on (day, month and year blank to insert date) for mailing, by (officer’s initials).” The mail collection representative shall then have the inmate initial the document(s) next to the stamp and have the inmate seal the envelope in the mail collection representative’s presence. For confinement areas, the staff member who picks up the legal mail each day shall stamp the documents, have the inmate place his or her initials next to the stamp, and have the inmate seal the envelope in the staff member’s presence. The use of mail drop boxes for outgoing legal mail is prohibited.

(h) No change.

(9) through (15) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.11 FS. History—New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended 5-5-02, 12-4-02, 5-11-03, 8-25-03, 9-20-04, 12-23-07, 4-23-09, 2-23-10, 10-21-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Upchurch, Director, Office of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 13, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 14, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-302.110
 RULE TITLE: Written Monthly Reports

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to clarify when and what an individual on community supervision must report regarding their circumstances.

SUMMARY: The proposed rule is amended to change the way in which individuals on community supervision must report their circumstances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 33-302.110, F.A.C., follows. See Florida Administrative Code for present text.)

33-302.110 Reporting Requirements ~~Written Monthly Reports~~

(1) The offender shall report as instructed by the officer. Factors that are considered when determining the frequency and manner of reporting shall include:

(a) Special conditions imposed by the court or Florida Parole Commission;

(b) Type of supervision;

(c) Supervision status;

(d) Random urinalysis testing;

(e) Meetings to discuss non-compliance with conditions of supervision; and

(f) Meetings to review schedules or documentation required.

(2) When the offender reports, he/she shall provide full and truthful information relating to activities for the previous month including phone/email changes, residence/employment changes, progress made on special conditions, and actions taken to address goals as specified on Form DC3-2026, Supervision Report. Form DC3-2026 is hereby incorporated by reference. Copies of this form may be obtained from the Form Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is _____.

(3) Notwithstanding subsection (1), the offender shall immediately report the following via verbal communication with the officer or supervisor:

(a) Planned changes in residence or notice of eviction from residence;

(b) Changes in employment status;

(c) Changes in student status;

(d) Any contact with law enforcement.

(e) Any problems, questions or concerns with supervision requirements.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 8-1-01, Amended 11-4-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jenny Nimer, Assistant Secretary, Office of Community Corrections

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:

RULE TITLE:

40D-2.091

Publications Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of this rulemaking will be to amend Rule 40D-2.091, F.A.C., and Section 3.1 of the Southwest Florida Water Management District's Water Use Permitting Basis of Review to require permit applicants to utilize specific information, to be requested from and provided by a reuse utility, in an evaluation of the environmental, economic and technical feasibility of the use of reclaimed water to meet all or a portion of the applicant's needs.

SUMMARY: This rulemaking incorporates an updated version of the District's Water Use Permit Basis of Review and requires permit applicants to request specific information from a reuse utility to be considered as part of an applicant's reuse feasibility evaluation.

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: This rulemaking will not result in increased costs to small businesses or other regulated entities as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require a Statement of Estimated Regulatory Costs or legislative ratification. The proposed amendments are being made pursuant to a legislative mandate in Section 373.250, 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: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1-800-423-1476 (FL only), ext. 4702; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sonya White, Office of General Counsel, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2011030)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-2.091 Publications and Forms Incorporated by Reference.

(1) The following publications are hereby incorporated by reference into this chapter, and are available from the District's website at www.WaterMatters.org or from the District upon request:

(a) Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications (also referred to as the WUP Basis of Review) (____)(12-12-11).

(b) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, 6-16-11, 12-12-11, _____.

Water Use Permit Basis of Review

Section 3.1 – Reuse Feasibility ~~Investigation~~ Evaluation

Section 373.250, F.S., requires permit applicants to undertake an evaluation of the environmental, economic, and technical feasibility of the use of reclaimed water to meet all or a portion of their needs. The use of reclaimed water (reuse) shall be required unless it is demonstrated by the applicant that its use is not environmentally, economically, or technically feasible. The feasibility evaluation shall include the location of reclaimed water sources relative to the location of use, the

quantity and timing of reclaimed water availability, costs associated with obtaining the reclaimed water, the suitability of reclaimed water for the intended use, and an implementation schedule for reclaimed water availability.

The District will publish and maintain a map on its website, that can be accessed at <http://www8.swfwmd.state.fl.us/ReclaimedWaterMapView>, of areas in which reclaimed water is available or proposed to become available within a five (5) year period. Applications for withdrawals located in an area in which reclaimed water is or may become available within five (5) years from the date of application shall include written documentation from the reuse utility serving the area indicating whether reclaimed water is available or proposed to become available within the requested permit term. The reuse utility shall also provide the following information to be used by the applicant in its feasibility evaluation:

1) The location of the nearest reclaimed water distribution line connection point relative to the applicant's property boundary.

a) If there is no reclaimed water distribution line connection point adjacent to the property boundary, then:

i) An estimate of the distance in feet from the applicant's property boundary to the nearest potential reclaimed water distribution line connection point.

ii) An estimate of the date the reuse utility anticipates the reclaimed water distribution line connection will be available at the applicant's property boundary.

b) If reclaimed water is available at the property boundary, then:

i) The minimum daily quantity in gallons of reclaimed water supply available from the nearest potential reclaimed water distribution line connection point, as well as expected average monthly supply quantities.

ii) The reliability of the potential reclaimed water supply quantities (i.e., on-demand 24/7, or bulk interruptible diurnal or seasonal, length of supply agreement, or other basis).

iii) The typical operating pressures at which the reuse utility will provide reclaimed water at the nearest reclaimed water distribution line connection point to the applicant's property, including any typical seasonal or other fluctuations in the operating pressure.

iv) The water quality parameters of the reclaimed water for the constituents that the applicant has identified as pertinent to the intended use.

2) All costs associated with the applicant's use of reclaimed water:

a) The reclaimed water rate(s) the reuse utility would charge the applicant (e.g., the cost per/1000 gallons) and any other periodic, fixed, or minimum charges for use of reclaimed water by the applicant.

b) The reclaimed water availability charges the reuse utility would charge the applicant in lieu of connection to the reclaimed water distribution system.

c) Other one-time charges for the connection to the reclaimed water distribution system.

d) Whether the reuse utility provides funding assistance to offset the costs to connect to the reclaimed water distribution system or assists potential customers in converting their operations to use reclaimed water.

3) Any additional information the reuse utility considers necessary for the applicant to complete its feasibility evaluation.

Reuse utilities shall provide a written response to requests for documentation by permit applicants no later than thirty (30) days after receipt of the request. If a reuse utility fails to respond to a request for documentation within thirty (30) days, the applicant shall furnish the District with a copy of its request, proof of receipt by the reuse utility, and a statement attesting that the reuse utility failed to provide the requested information. Upon the failure of a reuse utility to respond to a request for documentation, the applicant shall complete the feasibility evaluation utilizing the best available information.

Investigation of the feasibility of the use of reclaimed water (reuse) shall be required for all applicants for and permittees with permits for a standard annual average daily water demand of 100,000 gpd or greater, and reuse shall be required where economically, environmentally and technically feasible. The feasibility investigation shall include an analysis of reclaimed sources for the area including the location of these sources relative to the location of use, the quantity and timing of reclaimed water availability, costs associated with obtaining the reclaimed water, the suitability of reclaimed water for the intended use, and an implementation schedule for reuse. Infeasibility shall be supported with a detailed explanation. For those Water Use Permit applicants and permittees also required to undertake reuse feasibility studies investigate reuse pursuant to Section 403.064, F.S., the reuse feasibility study investigation shall be in accordance with Section 403.064, F.S., and any rules promulgated thereunder. Reclaimed water suppliers whose reclaimed water is 100% beneficially reused, reclaimed water users whose water use is 100% reclaimed water, and permittees with a reuse plan already accepted by the District, shall not be required to conduct a reuse feasibility study.

All Individual and General Water Use Permit applicants for water uses where reclaimed water is appropriate to meet some or all of the applicant's demand shall provide documentation from the local wastewater entity that holds a water use permit indicating whether reclaimed water is available or is planned to be available within the requested permit term. Permittees generating reclaimed water shall respond to such requests by permit applicants in a timely manner. If reclaimed water is available, or is planned to be available within the requested

permit term, the local wastewater entity that holds a water use permit shall provide a cost estimate for connection to the permit applicant. If reclaimed water is planned to be available within the requested permit term, the local wastewater entity that holds a water use permit shall provide an estimate of when the reclaimed water will become available. If the wastewater generator does not hold a valid water use permit and does not supply the requested information, the applicant shall be required to prepare a cost estimate for connection.

~~Revised 12-30-08, 4-27-10-~~

~~Permittees capable of using reclaimed water will be required to accept it when it becomes available, provided that the quantity and quality are acceptable for the intended use, as determined by the District. If the reclaimed water generator provides the reuse connection, acceptance is required, provided that the quantity and quality of the reclaimed water are acceptable for the intended use, as determined by the District. If the permittee must pay for all or a part of the cost of connection to the reclaimed water source, the permittee may present an economic feasibility report to the District demonstrating whether connection is feasible.~~

~~Small General Water Use Permit applicants who have not incorporated AWS will be required to confirm that there are no Alternative Water Supply sources that are technically, economically and environmentally feasible to use as a water source for the applicant's intended use. Small General Water Use Permits will be conditioned to require that the permittee notify the District of any future connection to an Alternative Water Supply source, and the permit will be modified to require the permittee to use the Alternative Water Supply to the greatest extent practicable. Revised 12-30-08, 4-27-10-~~

~~1-1-03, Revised 12-30-08.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE:
Christopher Pettit, Staff Attorney, Southwest Florida Water Management District~~

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

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 28, 2012~~

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-21.005
RULE TITLE: Reporting of Continuing Education Hours

PURPOSE AND EFFECT: The Board proposes the rule repeal based upon changes to Section 455.2179, F.S., effective July 1, 2012.

SUMMARY: Based upon changes to Section 455.2179, effective July 1, 2012, the rule will be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 481.215(5), 481.2055 FS.

LAW IMPLEMENTED: 481.215(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-21.005 Reporting of Continuing Education Hours.

Rulemaking Specific Authority 481.215(5), 481.2055 FS. Law Implemented 481.215(5) FS. History--New 11-29-90, Formerly 21B-21.005, Amended 5-4-97, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Architecture and Interior Design

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

| | |
|------------|---|
| RULE NO.: | RULE TITLE: |
| 61J2-3.015 | Notices of Satisfactory Course Completion |

PURPOSE AND EFFECT: The rule amendments are to correct a grammatical error and to allow applicants to apply for licensure without requiring submission of a course completion report.

SUMMARY: The amendment to subsection (1) eliminates the requirement of providing a course completion report at the time of application, and corrects a grammatical error.

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.

During discussion of this rule at its meeting, the Commission, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Commission has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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

RULEMAKING AUTHORITY: 455.2123, 475.05 FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.015 Notices of Satisfactory Course Completion.

(1) Applicants for initial licensure as a broker or sales associate must provide the course completion report ~~with the application or~~ at the individual's scheduled examination as proof that they have satisfactorily completed the applicable Commission prescribed course.

(2) through (6) No change.

Rulemaking Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.15, Amended 10-13-88, 12-29-91, 6-7-92, 6-28-93, Formerly 21V-3.015, Amended 9-11-94, 12-30-97, 1-18-00, 10-15-00, 11-16-09, 10-13-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2012

NOTICE OF INTENT TO ADOPT A RULE
PURSUANT TO SECTION 403.8055, FLORIDA STATUTES

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-204.800
RULE TITLE: Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments (OGC12-0864) is to update the department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Parts 50, 51, 52, 58, 60, 61, 62, 63, 72, 75, and 81 to incorporate requirements of the department's federally approved and delegated air pollution programs.

RULEMAKING AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055, FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Ms. Patricia E. Comer, Office of General Counsel, Department of Environmental Protection, MS 35, 3900 Commonwealth Boulevard, Tallahassee Florida 32399-3000, e-mail patricia.comer@dep.state.fl.us.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-3000. THE OBJECTION SHALL SPECIFY THE

PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) Title 40, Code of Federal Regulations, Part 50, National Primary and Secondary Ambient Air Quality Standards.

(a) No change.

(b) The following appendices of 40 C.F.R. Part 50, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 50, Appendix A-1, Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method), promulgated June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>).

~~2. 40 C.F.R. Part 50, Appendix A-2 A, Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method); amended June 22, 2010 at 75 FR 35520.~~

~~2. 40 C.F.R. Part 50, Appendix A-1, Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method), promulgated June 22, 2010, at 75 FR 35520~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>).

3. through 20. No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) No change.

(b) The following appendices of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Appendix M, Recommended Test Methods for State Implementation Plans; amended September 21, 2006, at 71 FR 55119; amended May 29, 2008, at 73 FR 30775; amended December 21, 2010, at 75 FR 80118 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00746>); amended September 13, 2010, at 75 FR 55636.

2. through 4. No change.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, revised as of July 1, 2003, or later as specifically indicated, are adopted and incorporated by reference:

(a) No change.

(b) 40 C.F.R. Part 52, Subpart K, Florida, amended July 22, 2003, at 68 FR 43312; amended August 11, 2003, at 68 FR 47468; amended February 13, 2004, at 69 FR 7127; amended March 29, 2004, at 69 FR 16167; amended June 17, 2004, at 69 FR 33860; amended April 28, 2006, at 71 FR 25327; amended November 28, 2006, at 71 FR 68743; amended October 12, 2007, at 72 FR 58016; amended September 16, 2008, at 73 FR 53378; amended June 1, 2009, at 74 FR 26103; amended May 27, 2010, at 75 FR 29671; amended April 12, 2011, at 76 FR 20239.

(4) through (5) No change.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) The following subparts of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 58, Subpart B, Monitoring Network, amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126.

3. through 6. No change.

(b) The following appendices of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Appendix A, Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126.

2. No change.

3. 40 C.F.R. 58, Appendix D, Network Design Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended December 27, 2010, at 75 FR 81126.

4. through 5. No change.

(7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Subpart D, Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971; amended January 20, 2011, at 76 FR 3517.

2. 40 C.F.R. Part 60, Subpart Da, Electric Utility Steam Generators for Which Construction is Commenced After September 18, 1978; amended January 20, 2011, at 76 FR 3517; except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.47Da.

3. 40 C.F.R. Part 60, Subpart Db, Industrial-Commercial-Institutional Steam Generating Units; amended January 20, 2011, at 76 FR 3517; except that the Secretary is not the Administrator for purposes of authorities cited at 40 C.F.R. § 60.40b(g).

4. 40 C.F.R. Part 60, Subpart Dc, Small Industrial-Commercial-Institutional Steam Generating Unit; amended January 20, 2011, at 76 FR 3517; except that the Secretary is not the Administrator for purposes of authorities cited at 40 C.F.R. § 60.40c(b).

5. through 7. No change.

8. 40 C.F.R. Part 60, Subpart Ec, Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996; amended October 6, 2009, at 74 FR 51368; amended April 4, 2011, at 76 FR 18407; except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.56c(j). At 40 C.F.R. § 60.50c(m), the “applicable compliance date of the requirements of subpart Ce” shall be the later of June 1, 2012, or such date as established pursuant to the provisions of sub-subparagraph 62-204.800(9)(g)9.d., F.A.C.

9. through 13. No change.

14. 40 C.F.R. Part 60, Subpart Ja, Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007; amended February 25, 2011, at 76 FR 10524; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 60.109a(b).

15. through 78. No change.

79. 40 C.F.R. Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954; except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4201, 60.4202, 60.4203, 60.4210 and 60.4215 and 60.4216.

80. 40 C.F.R. Part 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954; except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4231, 60.4232, 60.4238, 60.4239, ~~60.4239~~, 60.4240, 60.4241, 60.4242, and 60.4247.

81. No change.

82. 40 C.F.R. Part 60, Subpart LLLL, Standards of Performance for New Sewage Sludge Incineration Units; promulgated March 21, 2011, at 76 FR 15372; except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4785(c).

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2009; amended October 6, 2009, at 74 FR 51368; amended September 13, 2010, at 75 FR 55636, amended January 18, 2012, at 77 FR 2456; are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4, 40 C.F.R. § 60.8(b)(2) and (3), 40 C.F.R. § 60.11(e)(7) and (8), 40 C.F.R. § 60.13(g), (i) and (j)(2), and 40 C.F.R. § 60.16.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. through 2. No change.

3. 40 C.F.R. Part 60, Appendix A-3, Test Methods 4 through 5I; amended September 13, 2010, at 75 FR 55636.

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; amended September 13, 2010, at 75 FR 55636.

5. 40 C.F.R. Part 60, Appendix A-5, Test Methods 11 through 15A; amended September 13, 2010, at 75 FR 55636.

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; amended September 13, 2010, at 75 FR 55636.

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; amended September 13, 2010, at 75 FR 55636, amended January 18, 2012, at 77 FR 2456; except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; amended September 13, 2010, at 75 FR 55636.

9. through 12. No change.

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) through (f) No change.

(g) Hospital/Medical/Infectious Waste Incinerators. 40 C.F.R. Part 60, Subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste

Incinerators, revised as of July 1, 2009; amended October 6, 2009, at 74 FR 51368; amended April 4, 2011, at 76 FR 18407; is hereby adopted and incorporated by reference, subject to the following provisions:

1. through 11. No change.

(10) Title 40, Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants.(h) Designated Facility Plan. Florida's state plan for implementing the Emission Guidelines, as approved by the Administrator pursuant to Section 111(d) of the Clean Air Act and identified at 40 C.F.R. Part 62, Subpart K, revised as of July 1, 2009; amended December 30, 2010, at 75 FR 82269; amended April 25, 2011, at 79 FR 22822; amended December 27, 2011, at 76 FR 80777; amended February 9, 2012, at 77 FR 6681; is adopted and incorporated by reference.

(a) through (c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 61, Subpart A, revised as of July 1, 2001, amended May 16, 2007, at 72 FR 27437; amended September 13, 2010, at 75 FR 55636; are adopted and incorporated by reference; except for 40 C.F.R. § 61.08 and except that the Secretary is not the Administrator for the purposes of 40 C.F.R. § 61.04, 40 C.F.R. ~~§61.11~~ ~~6-§1-11~~, and 40 C.F.R. § 61.18. In lieu of the process set forth in 40 C.F.R. § 61.08, the Department will follow the permit processing procedures of Rule 62-4.055, F.A.C.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 61, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 61, Appendix B, Test Methods, except Method 111 for Polonium 210, Method 114 for Radionuclides and Method 115 for Radon-222; amended September 13, 2010, at 75 FR 55636.

3. No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. through 13. No change.

14. 40 C.F.R. Part 63, Subpart U, Group I Polymers and Resins; amended April 21, 2011, at 76 FR 22566; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.507(c)(1) through (4).

15. No change.

16. 40 C.F.R. Part 63, Subpart X, Secondary Lead Smelters; amended January 5, 2012, at 77 FR 556; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.551(c)(1) through (4).

17. 40 C.F.R. Part 63, Subpart Y, Marine Tank Vessel Loading Operations; amended April 21, 2011, at 76 FR 22566; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.568(c)(1) through (4).

18. through 19. No change.

20. 40 C.F.R. Part 63, Subpart CC, Petroleum Refineries; amended June 30, 2010, at 75 FR 37730; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.655(c)(1) through (4).

21. through 24. No change.

25. 40 C.F.R. Part 63, Subpart II, Shipbuilding and Ship Repair (Surface Coating); amended November 21, 2011, at 76 FR 72050; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.789(c)(1) through (4).

26. 40 C.F.R. Part 63, Subpart JJ, Wood Furniture Manufacturing Operations; amended November 21, 2011, at 76 FR 72050; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.808(c)(1) through (5).

27. 40 C.F.R. Part 63, Subpart KK, Printing and Publishing Industry; amended April 21, 2011, at 76 FR 22566; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.831(c)(1) through (4).

28. through 43. No change.

44. 40 C.F.R. Part 63, Subpart GGG, Pharmaceuticals Production; amended April 21, 2011, at 76 FR 22566; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. 63.1261(c)(1) through (4).

45. through 54. No change.

55. 40 C.F.R. Part 63, Subpart TTT, Primary Lead Smelting; amended November 15, 2011, at 76 FR 70834; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1550(c)(1) through (4).

56. through 81. No change.

82. 40 C.F.R. Part 63, Subpart ZZZZ, Stationary Reciprocating Internal Combustion Engines; amended March 3, 2010, at 75 FR 9648; amended June 30, 2010, at 75 FR 37732; amended August 20, 2010, at 75 FR 51570; amended March 9, 2011, at 76 FR 12863; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.6670(c)(1) through (5).

83. through 116. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; amended September 13, 2010, at 75 FR 55636; amended January 5, 2012, at 77 FR 556; except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 63.5(e), 40 C.F.R. § 63.5(f), 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.6(h)(9), 40 C.F.R. § 63.6(j), 40 C.F.R. § 63.13, and 40 C.F.R. § 63.14.

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; amended September 13, 2010, at 75 FR 55636.

2. through 5. No change.

(12) through (15) No change.

(16) Title 40, Code of Federal Regulations, Part 72, Permits Regulation.

(a) The following subparts of 40 C.F.R. Part 72, revised as of July 1, 2005, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 72, Subpart A, Acid Rain Program General Provisions; amended April 28, 2006, at 71 FR 25327; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

2. through 9. No change.

(b) No change.

(17) through (18) No change.

(19) Title 40, Code of Federal Regulations, Part 75, Continuous Emission Monitoring.

(a) The following subparts of 40 C.F.R. Part 75, revised as of July 1, 2005, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 75, Subpart A, General; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288; amended August 12, 2011, at 76 FR 50129; amended January 18, 2012, at 77 FR 2456.

2. 40 C.F.R. Part 75, Subpart B, Monitoring Provisions; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288; amended April 4, 2011, at 76 FR 18415.

3. 40 C.F.R. Part 75, Subpart C, Operation and Maintenance Requirements; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

4. 40 C.F.R. Part 75, Subpart D, Missing Data Substitution Procedures; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

5. 40 C.F.R. Part 75, Subpart E, Alternative Monitoring Systems; amended March 28, 2011, at 76 FR 17288.

6. 40 C.F.R. Part 75, Subpart F, Recordkeeping Requirements; amended January 24, 2008, at 73 FR 4311; amended September 7, 2007, at 72 FR 51493; amended March 28, 2011, at 76 FR 17288.

7. 40 C.F.R. Part 75, Subpart G, Reporting Requirements; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

8. No change.

9. 40 C.F.R. Part 75, Subpart I, Hg Mass Emission Provisions; amended January 24, 2008, at 73 FR 4311; amended September 7, 2007, at 72 FR 51493; amended March 28, 2011, at 76 FR 17288.

(b) The following appendices of 40 C.F.R. Part 75, revised as of July 1, 2005, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Specifications and Test Procedures; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311; amended November 4, 2008, at 73 FR 65554; amended March 28, 2011, at 76 FR 17288.

2. Appendix B, Quality Assurance and Quality Control Procedures; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

3. No change.

4. Appendix D, Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units; amended January 24, 2008, at 73 FR 4311; amended August 12, 2011, at 76 FR 50129; amended January 18, 2012, at 77 FR 2456.

5. Appendix E, Optional NO_x Emissions Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

6. Appendix F, Conversion Procedures; amended January 24, 2008, at 73 FR 4311; amended February 13, 2008, at 73 FR 8408; amended September 7, 2007, at 72 FR 51493; amended March 28, 2011, at 76 FR 17288; amended January 18, 2012, at 77 FR 2456.

7. through 10. No change.

11. Appendix K, Quality Assurance and Operating Procedures for Sorbent Trap Monitoring Systems; amended September 7, 2007, at 72 FR 51493; amended January 24, 2008, at 73 FR 4311; amended March 28, 2011, at 76 FR 17288.

(20) through (22) No change.

(23) Title 40, Code of Federal Regulations, Part 81, Designation of Areas for Air Quality Planning Purposes.

(a) No change.

(b) 40 C.F.R. Part 81, Subpart C, Section 107 Attainment Status Designations, § 81.310, revised as of July 1, 2009; amended November 22, 2010, at 75 FR 71033; amended November 22, 2011, at 75 FR 72097; amended February 17, 2012, at 77 FR 9532; is adopted and incorporated by reference.

(c) No change.

(24) through (27) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.007
 RULE TITLE: Standards of Practice

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify the definition of surgery/procedure with regard to the appropriate standards of practice.

SUMMARY: The proposed rule amendments clarify the definition of surgery/procedure as it relates to the appropriate standards of practice.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 458.331(1)(v) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.007 Standards of Practice.

The Board of Medicine interprets the standard of care requirement of Section 458.331(1)(t), F.S., and the delegation of duties restrictions of Section 458.331(1)(w), F.S., with regard to surgery as follows:

(1) No change.

(2) This rule is intended to prevent wrong site, wrong side, wrong patient and wrong surgeries/procedures by requiring the team to pause prior to the initiation of the surgery/procedure to confirm the side, site, patient identity, and surgery/procedure.

(a) Definition of Surgery/Procedure. As used herein, "surgery/procedure" means the removal, incision or curettage of tissue or an organ, insertion of natural or artificial implants, electro-convulsive therapy, endoscopic procedure or other procedure requiring the administration of anesthesia or an anesthetic agent. Minor surgeries/procedures such as excision of skin lesions, moles, warts, cysts, lipomas and repair of lacerations or surgery limited to the skin and subcutaneous tissue performed under topical or local anesthesia not involving drug-induced alteration of consciousness other than minimal pre-operative tranquilization of the patient are exempt from the following requirements. Paracentesis, thoracentesis, arthrocentesis, ocular surgery, liposuction, lipoplasty, and MOHS, are not minor surgeries/procedures.

(b) through (c) No change.

(3) through (4) No change.

Rulemaking Authority 458.309 FS. Law Implemented 458.331(1)(v) FS. History--New 11-28-91, Formerly 21M-20.015, 21M-27.007, 61F6-27.007, 59R-9.007, Amended 2-18-04, 9-18-05, 4-25-06, 5-6-08,_____

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2012

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009

RULE TITLE: Standard of Care for Office Surgery

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the appropriate medications and supplies to be utilized on the crash cart in certain office surgery settings.

SUMMARY: The proposed rule amendment sets forth the appropriate medications and supplies to be utilized on the crash cart in certain office surgery settings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

- (1) through (3) No change.
- (4) Level II Office Surgery.
 - (a) No change.
 - (b) Standards for Level II Office Surgery.
 - 1. through 2. No change.
 - 3. Equipment and Supplies Required.
 - a. Full and current crash cart at the location the anesthetizing is being carried out. The crash cart must include, at a minimum, the following resuscitative medications:
 - I. through XVI. No change.
 - XVII. ~~A beta blocker Propranolol 1 mg x 1~~
 - XVIII. through XXI. No change.
 - b. A Benzodiazepine must be stocked, but not on the crash cart.
 - ~~e. Suction devices, endotracheal tubes, laryngoscopes, etc.~~
 - ~~c.d.~~ Positive pressure ventilation device (e.g. Ambu) plus oxygen supply.
 - ~~d. End tidal CO2 detection device.~~
 - ~~e. Double tourniquet for the Bier block procedure.~~
 - ~~e.f.~~ Monitors for blood pressure/EKG/Oxygen saturation.
 - ~~f.g.~~ Emergency intubation equipment, which shall at a minimum include suction devices, endotracheal tubes, laryngoscopes, oropharyngeal airways, nasopharyngeal airways and bag valve mask apparatus that are patient-size specific.
 - ~~g.h.~~ Defibrillator or an Automated External Defibrillator unit (AED).
 - ~~i. Adequate operating room lighting.~~
 - ~~h.j.~~ Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours.
 - ~~i.k. Sterilization~~ Appropriate sterilization equipment.
 - ~~j.l.~~ IV solution and IV equipment.
- 4. No change.
- (5) through (6) No change.

Rulemaking Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(v), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, 10-23-05, 10-10-06, 4-18-07, 9-3-07, 3-25-10, 8-6-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2012

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NOS. RULE TITLES:
 64B18-11.001 Application for Licensure.
 64B18-11.001 Application for Licensure
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised application form for licensure.

SUMMARY: The revised application for licensure will be incorporated into the 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 461.005 FS.
 LAW IMPLEMENTED: 456.017(1)(c), 456.048, 461.006, 456.0276 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

(1) Any person desiring to be licensed as a podiatric physician shall apply to the Board of Podiatric Medicine. The application shall be made on the Application for Podiatric Examination & Initial Licensure Form DH-MQA 1138 (revised ~~0704~~/12), hereby adopted and incorporated by reference, that can be obtained from

<http://www.flrules.org/Gateway/reference.asp?No=Ref-01354> and the Board of Podiatric Medicine's website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>.

(2) No change.

Rulemaking Authority 461.005 FS. Law Implemented 456.017(1)(c), 456.048, 461.006, 456.0276 FS. History—New 1-29-80, Amended 12-9-82, Formerly 21T-11.01, Amended 10-14-86, 1-26-88, 6-20-88, 7-3-89, 6-24-92, Formerly 21T-11.001, Amended 7-6-94, Formerly 61F12-11.001, Amended 1-1-96, 7-15-96, Formerly 59Z-11.001, Amended 9-3-98, 2-8-00, 4-22-08, 6-17-09, 2-11-10, 7-23-12,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2012

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-16.006
RULE TITLE: Registration Requirements of Podiatric Residents

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised Podiatric Resident Registration form.

SUMMARY: The revised Podiatric Resident Registration form will be incorporated into the 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 461.005, 461.014(4) FS.

LAW IMPLEMENTED: 461.014(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-16.006 Registration Requirements of Podiatric Residents.

(1) Every podiatric resident participating in a residency program in a hospital in this state shall register with the Board within sixty (60) days of the date of commencement of residency using the Podiatric Resident Registration Form DH-MQA 1139 (revised 7/2012 8/2010), <https://www.flrules.org/gateway/reference.asp?NO=Ref-00701>, hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine's website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>.

(2) No change.

Rulemaking Authority 461.005, 461.014(4) FS. Law Implemented 461.014(3) FS. History—New 11-24-80, Formerly 21T-16.06, 21T-16.006, 61F12-16.006, Amended 1-4-96, Formerly 59Z-16.006, Amended 6-17-09, 11-10-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2012

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-17.001
RULE TITLE: Continuing Education Required for License Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify that at least two of the 40 required continuing education courses be on the subject of prevention of medical errors; to provide continuing education credit for active or former Board members participating in annual service on a Probable Cause Panel; to provide continuing education credit for service as a volunteer expert witness; to clarify that the required HIV/AIDS continuing education course must be approved by the Board.

SUMMARY: The number of hours of required continuing education courses on medical errors will be clarified; continuing education credit will be provided for active or former Board members participating in annual service on a Probable Cause Panel; continuing education credit for service as a volunteer expert witness will be provided; required HIV/AIDS continuing education must be approved by the Board.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013(6), 456.033, 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 461.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-17.001 Continuing Education Required for License Renewal.

- (1) No change.
- (2) All licensees who seek to renew the active status of their licensure must demonstrate that they have completed, during the previous two years, at least forty (40) hours of continuing education.
- (a) through (b) No change.

(c) At least two (2) of the forty (40) hours must be on the subject of prevention of medical errors.

~~(d)(e)~~ No change.

~~(e)(d)~~ No change.

(f) Active board members, for each full or partial biennium served on the Board, or former Board members participating in annual service on a Probable Cause Panel, shall receive thirteen hours of continuing education credit per biennium that may be used to satisfy the required hours for laws and rules, risk management, prevention of medical errors or other general continuing education requirements.

(3)(a) For the purpose of this rule, risk management is defined as the identification, investigation, analysis, and evaluation of risks, and the selection of the most advantageous method of correcting, reducing or eliminating identifiable risks.

(b) The continuing education requirement in risk management may be obtained by complying with paragraphs 1.-3., below, upon attendance of one (1) day of a regularly scheduled Board meeting which includes disciplinary proceedings:

1. The licensee must sign in with the Executive Director Administrator of the Board before the meeting begins.

2. No change.

3. The licensee must sign out with the Executive Director Administrator of the Board at the end of the meeting day.

(4) No change.

(5) Any volunteer expert witness who is providing expert witness opinions for cases being reviewed pursuant to Chapter 461, F.S., shall receive five (5) hours of credit in the area of risk management for each case reviewed up to a maximum of ten (10) hours per biennium. In this regard, volunteer expert witnesses are encouraged to perform a review of podiatric, medical, legal, and/or ethical literature, as appropriate to the case being reviewed. An application for waiver under subsection (5) will be denied if it fails to comply with subsection (5). If the Board votes to deny the application for waiver, the Board will issue a Notice of Intention to Deny Waiver, and the provisions of Section 120.57, Florida Statutes, shall govern the procedure to be followed thereafter.

(6) through (9) No change.

(10) No later than upon first renewal, all licensees must demonstrate completion of a continuing education course approved by the Board on the topic of HIV/AIDS.

Rulemaking Specific Authority 456.013(6), 456.033, 461.005, 461.007(3) FS. Law Implemented 456.013(6), 456.033, 461.007 FS. History—New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended 4-25-00, 9-27-01, 11-27-05, 1-29-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Podiatric Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 27, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: August 31, 2012

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-17.003
RULE TITLE: Continuing Education Programs Not Requiring Pre-Approval from the Board

PURPOSE AND EFFECT: he Board proposes the rule amendment to remove language that provided the HIV/AIDS education course did not require pre-approval from the Board.

SUMMARY: HIV/AIDS education course will now required pre-approval from the Board.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013, 456.033(7), 461.005, 461.007 FS.

LAW IMPLEMENTED: 456.013(6), 456.033(1), 461.007 FS.

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

DATE AND TIME:

PLACE:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-17.003 Continuing Education Programs Not Requiring Pre-Approval from the Board.

(1) through (3) No change.

~~(4) HIV/AIDS Educational Course. A podiatric physician who attends an HIV/AIDS course that consists of education on the modes of transmission, infection control, procedures, treatment, clinical management and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome, with emphasis on appropriate behavior and attitude change, shall be credited with one (1) hour of continuing education credit for each hour of the program up to a maximum of three (3) hours during the biennium. Such course shall also include information on current Florida law and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 384.25, F.S. A podiatric physician who takes advantage of this provision and whose continuing education is audited must provide certification from the provider of the program which specifies the areas covered by the program and which demonstrates that the podiatric physician has attended the requisite number of hours thereof.~~

Rulemaking Authority 456.013, 456.033(7), 461.005, 461.007 FS. Law Implemented 456.013, 456.033(1), 461.007 FS. History—New 11-24-80, Formerly 21T-17.03, Amended 10-14-86, 2-22-87, 5-16-89, 6-19-90, Formerly 21T-17.003, Amended 7-6-94, Formerly 61F12-17.003, Amended 12-19-94, 1-1-96, 6-12-96, Formerly 59Z-17.003, Amended 8-8-99, 9-20-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2012

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-24.001 RULE TITLE: Initial Certification for Podiatric X-Ray Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the revised application for certified podiatric x-ray assistant.

SUMMARY: The revised application for certified podiatric x-ray assistant will be incorporated into the 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 461.005, 461.0135 FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 461.003(2), 461.0135 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-24.001 Initial Certification for Podiatric X-Ray Assistants.

(1) Each applicant for initial certification as a podiatric x-ray assistant shall submit an application, on form DH-MQA 1026, entitled, "Application for Certified Podiatric X-ray Assistant," <https://www.flrules.org/gateway/reference.asp?NO=Ref00778>, which is hereby incorporated by

reference, effective ~~7/2012~~ ~~8/2010~~, copies of which may be obtained from the Board of Podiatric Medicine's website http://www.doh.state.fl.us/mqa/podiatry/po_applications.html and shall include:

- (a) through (b) No change.
- (2) through (3) No change.

Rulemaking Authority 461.005, 461.0135 FS. Law Implemented 456.013(2), 456.025(1), 461.003(2), 461.0135 FS. History—New 2-16-00, Amended 8-31-08, 12-25-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2012

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.001 RULE TITLE: Licensure Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify language for the requirements for licensure and to update form DOH-AT-001, "Board of Athletic Training State of Florida Examination Application for Licensure" revised 5/12, pursuant to Statutory change.

SUMMARY: The rule amendment will modify language for the requirements for licensure and to update form DOH-AT-001, "Board of Athletic Training State of Florida Examination Application for Licensure" revised 5/12, pursuant to statutory change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.013(7), (9), 468.705, 468.707 FS.

LAW IMPLEMENTED: 456.013(7), 468.707 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B33-2.001 Licensure Requirements

All candidates for licensure shall pay the application fee and shall submit to the Department a completed DOH form DOH-AT-001 entitled "BOARD OF ATHLETIC TRAINING STATE OF FLORIDA EXAMINATION APPLICATION FOR LICENSURE" (Revised 05/12 ~~8-09~~) incorporated herein by reference. The application can be obtained by writing the Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. The application is also available from the Board's website address as follows: http://www.doh.state.fl.us/mqa/athtrain/at_lic_req.html.

(1) Each applicant for licensure shall meet the following requirements:

- (a) No change.
- (b) The applicant shall submit proof of passing the Board of Certification Entry Level Certification examination, which is hereby approved by the Board, and proof of certification by the Board of Certification.

(c) The applicant shall submit proof of current certification in cardiovascular pulmonary resuscitation with an automated external defibrillator at the professional rescue level from the American Heart Association, the American Red Cross, American Safety and Health Institute, the National Safety Council, or an entity approved by the Board as equivalent.

(2) No change.

Rulemaking Authority 456.013(7), ~~(9)~~, 468.705, 468.707 FS. Law Implemented 456.013(7), 468.707 FS. History—New 5-29-96, Formerly 61-25.002, 64B30-25.002, Amended 8-22-00, 5-9-02, 3-6-07, 8-12-08, 5-27-09, 5-27-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Athletic Training

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-2.0010 RULE TITLE: Educational Facilities

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 15, April 13, 2012 issue of the Florida Administrative Weekly.

Forms OEF 400 and 410 were amended to remove the phrase "under the penalty of perjury" from the certification required to certify to the accuracy of the information provided in the application.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: 6M-4.700 RULE TITLE: Child Performance Standards

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 37, September 14, 2012 issue of the Florida Administrative Weekly.

The full text of the proposed rule, as revised from the notice of change published on 9/14/2012, is:

6M-4.700 Child Performance Standards.

(1) Florida's Office of Early Learning hereby adopts the *Florida Early Learning and Developmental Standards: Birth to Five*, Form OEL-SR 30, dated September 2012, as the child performance standards for use in the School Readiness program.

(2) The *Florida Early Learning and Developmental Standards: Birth to Five*, [Form OEL-SR 30](#), dated ~~September August~~ 2012, is hereby incorporated by reference. For Four-Year-Old Standards, the "Florida Early Learning and Developmental Standards for Four-Year-Olds (2011), <http://www.fldoe.org/earlylearning/pdf/feldsfyo.pdf>", which is incorporated by reference into rule ~~6A 1.099823, F.A.C.~~, is hereby incorporated by reference into ~~Form OEL-SR 30~~. Documents incorporated by reference may be obtained from Florida's Office of Early Learning at the following address:

250 Marriott Drive, Tallahassee, Florida 32399, (866) 357-3239, TTY/Florida Relay 711, and at the Internet website: <http://www.floridaearlylearning.com>.

Rulemaking Authority 411.01(4)(e) FS. Law Implemented 411.01(4)(d)3.d., 411.01(4)(d)8., 411.01(4)(j), 411.01(5)(c)1.a., 411.01(5)(d)4.e., FS. History—New _____

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
20-50.003 When Seedless Grapefruit Shall be Deemed Mature

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38 No. 34, August 24, 2012 issue of the Florida Administrative Weekly.

20-50.002~~3~~ When Seedless Grapefruit Shall be Deemed Mature.

(1) Except for the period January 1 through July 31, seedless grapefruit meeting minimum color break, ratio, and juice content requirements of rule 20-50.001 ~~20-52~~, F.A.C. shall be deemed mature when the total soluble solids (Brix) of the juice to anhydrous citric acid is not less than 7 percent.

(2) Except for the period April 15 through July 31, seedless grapefruit meeting ~~the~~ minimum color break, soluble solids, and juice content requirements of rule 20-50.001 ~~20-52~~, F.A.C. shall be deemed mature when the ratio of soluble solids to anhydrous citric acid is not less than six to one.

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-82.002: When Grapefruit for Processing into Juice and Juice Products Deemed Mature
20-82.003 Grapefruit for Processing into Grapefruit Sections and Salads Deemed Mature
20-82.004 Adjustment of Minimum Total Soluble Solids Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 34, August 24, 2012 issue of the Florida Administrative Weekly.

As a result of JAPC comments:
Rule 20-82.001 was withdrawn, requiring the renumbering of the remaining rules as follows: 20-82.001~~2~~ and 20-82.002~~3~~

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION should have included the following language: 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 maturity standards currently in statute will sunset on January 1, 2013 and these rules will become effective on this date. The industry will continue using the same standards as those relied upon for over 60 years in statute. Although the rules are new, the standards are not; therefore, the industry will not incur any additional regulatory costs nor will there be any adverse impact on small business.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
61C-5.006 Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 25, June 22, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.: RULE TITLES:
61J2-24.001 Disciplinary Guidelines
61J2-24.002 Citation Authority

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 33, August 17, 2012 issue of the Florida Administrative Weekly.

These changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

- 61J2-24.001 Disciplinary Guidelines.
- (1) through (3)(a) No change.

| VIOLATION | PENALTY RANGE | |
|--|---|---|
| | FIRST VIOLATION | SECOND AND SUBSEQUENT VIOLATIONS |
| (a) through (z) No change. | | |
| (aa) Section 475.42(1)(e), F.S. A violation of any order or rule of the Commission | (aa) \$250 to \$1,000 administrative fine and 30-day suspension to 5-year suspension | (aa) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (aa) (bb) Section 475.42(1) (f) (g) , F.S. Makes false affidavit or affirmation or false testimony before the Commission | (aa) (bb) \$250 to \$1,000 administrative fine and suspension to revocation | (aa) (bb) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (bb) (ee) Section 475.42(1) (g) (h) , F.S. Fails to comply with subpoena | (bb) (ee) \$250 to \$1,000 administrative fine and suspension | (bb) (ee) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (cc) (dd) Section 475.42(1) (h) (+) , F.S. Obstructs or hinders the enforcement of Chapter 475, F.S. | (cc) (dd) \$250 to \$1,000 administrative fine and suspension to revocation | (cc) (dd) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (dd) (ee) Section 475.42(1) (i) (+) , F.S. No broker or sales associate shall place upon the public records any false, void or unauthorized information that affects the title or encumbers any real property | (dd) (ee) \$250 to \$2,500 administrative fine and suspension to revocation | (dd) (ee) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (ee) (#) Section 475.42(1) (j) (+) , F.S. Failed to register trade name with the Commission | (ee) (#) \$250 to \$1,000 administrative fine | (ee) (#) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (ff) (gg) Section 475.42(1) (k) (+) , F.S. No person shall knowingly conceal information relating to violations of Chapter 475, F.S. | (ff) (gg) \$250 to \$1,000 administrative fine and suspension | (ff) (gg) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (gg) (hh) Section 475.42(1) (l) (+) , F.S. Fails to have a current license as a broker or sales associate while listing or selling one or more timeshare periods per year | (gg) (hh) \$250 to \$1,000 administrative fine and suspension | (gg) (hh) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (hh) (+) Section 475.42(1) (m) (+) , F.S. Licensee fails to disclose all material aspects of the resale of timeshare period or timeshare plan and the rights and obligations of both buyer or seller | (hh) (+) \$250 to \$1,000 administrative fine and suspension | (hh) (+) \$1,000 to \$5,000 administrative fine and suspension to revocation |

| | | |
|---|---|--|
| (ii)(jj) Section 475.42(1) (n) (o) , F.S. Publication of false or misleading information; promotion of sales, leases and rentals | (ii)(jj) \$250 to \$1,000 administrative fine and suspension to revocation | (ii)(jj) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (jj) (kk) Section 475.451, F.S. School teaching real estate practice fails to obtain a permit from the department and does not abide by regulations of Chapter 475, F.S., and rules adopted by the Commission | (jj)(kk) \$250 to \$1,000 administrative fine and suspension | (jj)(kk) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (kk)(ll) Section 475.453, F.S. Broker or sales associate participates in any rental information transaction that fails to follow the guidelines adopted by the Commission and Chapter 475, F.S. | (kk)(ll) \$250 to \$1,000 administrative fine and suspension | (kk)(ll) \$1,000 to \$5,000 administrative fine and 90-day suspension to revocation |
| (ll)(mm) Section 475.5015, F.S. Failure to keep and make available to the department such books, accounts, and records as will enable the department to determine whether the broker is in compliance with the provisions of this Chapter 475, F.S. | (ll)(mm) \$250 to \$1,000 administrative fine and suspension to revocation | (ll)(mm) \$1,000 to \$5,000 administrative fine and 90-day suspension to revocation |
| (mm)(nn) Section 455.227(1)(s), F.S. Failing to comply with the educational course requirements for domestic violence | (mm)(nn) \$250 to \$1,000 administrative fine and suspension to revocation | (mm)(nn) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (nn)(oo) Section 455.227(1)(t), F.S. Failing to report in writing to the Commission within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. | (nn)(oo) \$250 to \$1,000 administrative fine and suspension to revocation | (nn)(oo) \$1,000 to \$5,000 administrative fine and suspension to revocation |
| (oo)(pp) Section 455.227(1)(u), F.S. Termination from a treatment program for impaired practitioners as described in Section 456.076 for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee or failing to successfully complete a drug or alcohol treatment program | (oo)(pp) \$250 to \$1,000 administrative fine and suspension to revocation | (oo)(pp) \$1,000 to \$5,000 administrative fine and suspension to revocation |

61J2-24.002 Citation Authority.

(1) Pursuant to Section 455.224, F.S. (~~1999~~), the Commission sets forth violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a violation for which there is no substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the fine or other conditions to be imposed.

(2) The following violations with accompanying fine or other conditions may be disposed of by citation:

| VIOLATION | FINE |
|--|---------------------|
| (a) through (b) No change. | |
| (e) Section 475.175(2), F.S. and subsection 61J2-17.012(2), F.A.C. failed to provide a course roster to the Division for each course | \$100.00 |
| (c)(d) Section 475.175(2), F.S. and Rule 61J2-3.015, F.A.C. – failed to provide a course completion report to a student | \$100.00 |
| (d)(e) Section 475.22(1), F.S. and Rule 61J2-10.022, F.A.C. – failed to maintain the required office as prescribed | \$500.00 |
| (e)(f) Section 475.22(1), F.S. and Rule 61J2-10.024, F.A.C. – failed to maintain the required office entrance sign | \$100.00 |
| (f)(g) Section 475.22(2), F.S. – failed to register an out of state Florida broker’s office | \$500.00 |
| (g)(h) Section 475.24, F.S., Rule 61J2-8.003 and 61J2-10.023, F.A.C. – failed to register a location as a branch office | \$200.00 |
| (h)(i) Section 475.25(1)(k), F.S. and subsection 61J2-14.010(1), F.A.C. – failed to immediately deposit trust funds provided the deposit is not more than 3 days late | \$200.00 |
| (i)(j) Section 475.25(1)(q), F.S. – failed to give the appropriate disclosure or notice at the appropriate time under the provisions of Section 475.2755 or 475.278, F.S., (A citation may only be given for a first time violation.) | \$300.00 |
| (j)(k) Section 475.25(1)(r), F.S. – failed to include the required information in a listing agreement; failed to give a copy to a principal within 24 hours; contains a self renewal clause | \$200.00 |
| (k)(l) Section 475.42(1)(b), F.S. – sales associate operating as a sales associate without a registered employer due to failure to renew or properly register | \$500.00 |
| (l)(m) Section 475.42(1) (i) (j), F.S. – having a lis pendens placed by an attorney (Citation may be Issued only if no other violation is present) | \$500.00 |

| | |
|---|---------------------|
| (m)(n) Section 475.42(1)(j)(k), F.S. and Rule 61J2-10.034, F.A.C. – operated as a broker under a tradename without causing the trade name to be noted in the records of the Commission | \$500.00 |
| (n)(o) Section 475.451(3), F.S. – failed to obtain a multiple permit | \$500.00 |
| (o)(p) Section 475.4511(2), F.S. – advertised false, inaccurate, misleading, or exaggerated information | \$500.00 |
| (p)(q) Paragraph 61J2-3.009(4)(d), F.A.C. – failed to have a distance education course instructor available per published schedule | \$300.00 |
| (q)(r) Subsection 61J2-3.0089(5)(a), F.A.C. – failed to inform students of course standards and requirements | \$100.00 |
| (r)(s) Subsection 61J2-3.015(2), F.A.C. – failed to provide a course completion report to a student; if a licensee, as the result of an audit/inspection, failed to provide a course completion report to the DBPR | \$200.00 |
| (s)(t) Rule 61J2-5.016, F.A.C. – sales associate or broker associate serving as an officer or director of a registered brokerage corporation | \$200.00 |
| (t)(u) Subsection 61J2-5.019(1), F.A.C. – failed to ensure that the corporation or partnership is properly registered; failed to ensure each officer, director and sales associate is properly licensed | \$500.00 |
| (u)(v) Rule 61J2-10.025, F.A.C. – advertised in a manner in which a reasonable person would not know one is dealing with a real estate licensee or brokerage; failed to include the registered name of the brokerage firm in the advertisement; failed to use the licensee’s last name as registered with the Commission in an advertisement | \$500.00 |
| (v)(w) Rule 61J2-10.027, F.A.C. – used the name or identification of an association or organization when the licensee was not in good standing or otherwise not entitled to use same | \$100.00 |
| (w)(x) Subsection 61J2-10.032(1), F.A.C. – broker failed to notify the Commission within the prescribed 15 business days but does so within 25 business days; or, if a Notice of Noncompliance has been issued pursuant to Rule 61J2-24.003, F.A.C., and not timely complied with, failed to notify the Commission within 45 days but does so within 55 days | \$100.00 |
| (x)(y) Subsection 61J2-10.032(1) and (2), F.A.C. – broker failed to institute a settlement procedure within the prescribed 30 business days but does so within 40 business days; or, if a Notice of Noncompliance has been issued pursuant to Rule 61J2-24.003, F.A.C., and not timely complied with, failed to institute a settlement procedure within 60 days but does so within 70 days | \$100.00 |

~~(y)(z)~~ Subsection 61J2-10.032(2), F.A.C. – broker failed to notify the Commission that the dispute settled or went to court, or of the final accounting and disbursement within the prescribed 10 business days but broker does so within 20 business days; or, if a Notice of Noncompliance has been issued pursuant to Rule 61J2-24.003, F.A.C., and not timely complied with, failed to notify the Commission that the dispute settled or went to court, or of the final accounting and disbursement within 40 days but does so within 50 days
\$100.00

~~(z)(aa)~~ Rule 61J2-10.038, F.A.C. – failed to timely notify the DBPR of the current mailing address or any change in the current mailing address
\$500.00

~~(aa)(bb)~~ Paragraph 61J2-14.008(2)(b), F.A.C. – Second offense failure to indicate the name, address and telephone number of the title company or attorney on the contract
\$200.00.

~~(bb)(ee)~~ Paragraph 61J2-14.008(2)(b), F.A.C. – Second offense failure to provide Seller’s broker, or Seller if not presented by a broker, within ten (10) business days of the date the Licensee’s broker made the written request for verification of the deposit with either a copy of the written verification, or if no verification is received by Licensee’s broker, written notice that Licensee’s broker did not receive verification of the deposit
\$500.00

~~(cc)(dd)~~ Subsection 61J2-14.012 4-(2), F.A.C. – failed to properly reconcile an escrow account when the account balances
\$500.00

~~(dd)(ee)~~ Subsection 61J2-14.0142(1), F.A.C. – failed to secure the written permission of all interested parties prior to placing trust funds in an interest bearing escrow account
\$300.00

~~(ee)(ff)~~ Subsection 61J2-14.014(2), F.A.C.– failed to stop interest from accruing prior to disbursement
\$100.00

~~(ff)(gg)~~ Subsection 61J2-17.013(1), F.A.C. – guaranteed that a pupil would pass an examination
\$500.00

~~(gg)(hh)~~ Failure to register a school location
\$500.00

~~(hh)(ii)~~ Rule 61J2-17.014, F.A.C. – improper use of a guest lecturer
\$100.00

~~(ii)(jj)~~ Rule 61J2-17.015, F.A.C. – failed to post the required language regarding recruitment for employment; recruiting for employment opportunities during class time
\$300.00

(3) through (5) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NO.:

63H-1.005

RULE TITLE:

Authorized Mechanical Restraints

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 38, September 21, 2012 issue of the Florida Administrative Weekly. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon review of the proposed changes to this rule, the department has determined that the amendment will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.:

64B12-9.0015

RULE TITLE:

Application for Examination and Licensure

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 5, February 3, 2012 issue of the Florida Administrative Weekly.

The changes are in response to concerns by the Joint Administrative Committee in a letter dated February 14, 2012, to correct rule language, and to update the revision date of form DH-MQA 1065. The application has been modified to include qualifying questions as mandated by statutory changes to Chapter 456.035, Florida Statutes. The changes will also include correcting the Rule Development publication date.

64B12-9.0015(1), line 2 shall read as: "...examination on Form DH-MQA 1065, Application for Licensure Examination, (revised 7/12), hereby adopted..."

64B12-90015(4) (d) shall read as: "Successful completion of a two hour live technical practice continuing education course on fitting and adjusting provided by a Board approved provider."

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW is corrected from November 4, 2011 to read correctly as January 20, 2012.

Form DH-MQA 1065, Application for Licensure Examination (revised 7/12), shall modify page 1, Section III, Eligibility Data, to clarify the text for the method by which an applicant qualifies for the Opticianry Examination.

Page 2, Section IV, Applicant History – Professional, has been updated to delete question 4.b.

Page 4, Section VIII, Applicant History, has been modified to include qualifying questions so that the application is in compliance with changes to Chapter 456.035, Florida Statutes. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.601
 RULE TITLE: Standards for Approval of Courses and Providers

NOTICE OF PUBLIC HEARING

The Board of Pharmacy announces a hearing regarding the above rule, as noticed in Vol. 37, No. 47, November 23, 2011 Florida Administrative Weekly.

DATE AND TIME: Tuesday, October 9, 2012, 10:00 a.m., or as soon thereafter as can be heard.

PLACE: Holiday Inn & Suites, 2725 Graves Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed text of Rule 64B16-26.601, F.A.C., and changes to the provider approval application.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.206
 RULE TITLE: Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.001
 RULE TITLE: Licensure Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly has been withdrawn.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: 67-59.001, 67-59.005, 67-59.010, 67-59.020, 67-59.030, 67-59.040, 67-59.050, 67-59.060, 67-59.070
 RULE TITLES: Purpose, Definitions, Programs, Eligibility for UMAP or UMAP/MLRP, Eligibility for MLRP Only Application, Form of Assistance, Partial Payment, Quarterly Reviews

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 33, August 17, 2012 issue of the Florida Administrative Weekly.

The full Board of Directors approved the rules noticed in the August 17, 2012 issued of the Florida Administrative Weekly. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There is no cost to the applicant to fill out the Hardest Hit Fund application. The amount of time they expend to complete the form and any economic impact on filers is nominal. Any costs of administering the program are absorbed by Florida Housing.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: 69L-7.501
 RULE TITLE: Florida Workers' Compensation Reimbursement Manual for Hospitals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38 No. 27, July 6, 2012 issue of the Florida Administrative Weekly has been withdrawn.

Section IV Emergency Rules



DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-60
 RULE TITLE: Instant Game Number 1164, HOT CHILI TRIPLER

SUMMARY: This emergency rule describes Instant Game Number 1164, "HOT CHILI TRIPLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

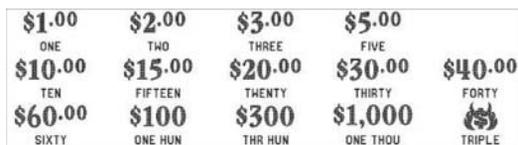
53ER12-60 Instant Game Number 1164, HOT CHILI TRIPLER.

(1) Name of Game. Instant Game Number 1164, "HOT CHILI TRIPLER."

(2) Price. HOT CHILI TRIPLER lottery tickets sell for \$1.00 per ticket.

(3) HOT CHILI TRIPLER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning HOT CHILI TRIPLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, Florida Administrative Code.

(4) The play/prize symbols and play/prize symbol captions are as follows:



(5) The legend is as follows:

PLAY AREA

(6) Determination of Prizewinners.

(a) A ticket having three like play/prize amount symbols and corresponding play/ prize amount symbol captions in the "PLAY AREA" shall entitle the claimant to that prize. A ticket having two like play/prize amount symbols and corresponding

play/ prize amount symbol captions and a " TRIPLE " symbol and corresponding caption in the "PLAY AREA" shall entitle the claimant to triple that prize.

(b) The prizes are: \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$60.00, \$100, \$300, and \$1,000.

(7) The estimated odds of winning, value and number of prizes in Instant Game Number 1164 are as follows:

| GAME PLAY | WIN | ESTIMATED ODDS OF 1 IN | NUMBER OF WINNERS IN 64 POOLS OF 240,000 TICKETS PER POOL |
|-----------------------------|---------|------------------------|---|
| \$1 | \$1 | 10.71 | 1,433,600 |
| \$2 | \$2 | 15.00 | 1,024,000 |
| \$1 (FLAMING DOLLAR SIGN) | \$3 | 60.00 | 256,000 |
| \$3 | \$3 | 100.00 | 153,600 |
| \$5 | \$5 | 150.00 | 102,400 |
| \$10 | \$10 | 150.00 | 102,400 |
| \$5 (FLAMING DOLLAR SIGN) | \$15 | 500.00 | 30,720 |
| \$15 | \$15 | 750.00 | 20,480 |
| \$20 | \$20 | 300.00 | 51,200 |
| \$10 (FLAMING DOLLAR SIGN) | \$30 | 2,400.00 | 6,400 |
| \$30 | \$30 | 2,400.00 | 6,400 |
| \$40 | \$40 | 4,000.00 | 3,840 |
| \$20 (FLAMING DOLLAR SIGN) | \$60 | 8,000.00 | 1,920 |
| \$60 | \$60 | 8,000.00 | 1,920 |
| \$100 | \$100 | 4,800.00 | 3,200 |
| \$100 (FLAMING DOLLAR SIGN) | \$300 | 40,000.00 | 384 |
| \$300 | \$300 | 40,000.00 | 384 |
| \$1,000 | \$1,000 | 60,000.00 | 256 |

(8) The estimated overall odds of winning some prize in Instant Game Number 1164 are 1 in 4.80. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Instant Game Number 1164, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) Payment of prizes for HOT CHILI TRIPLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-21-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-61
 RULE TITLE: Instant Game Number 1165, LUCKY DOLLARS

SUMMARY: This emergency rule describes Instant Game Number 1165, “LUCKY DOLLARS” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

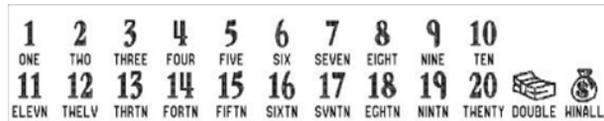
53ER12-61 Instant Game Number 1165, LUCKY DOLLARS.

(1) Name of Game. Instant Game Number 1165, “LUCKY DOLLARS.”

(2) Price. LUCKY DOLLARS lottery tickets sell for \$2.00 per ticket.

(3) LUCKY DOLLARS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY DOLLARS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, Florida Administrative Code.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:

| | | | | |
|-----------------------------|-------------------------------|--------------------------------|---------------------------------|------------------------------------|
| \$1.00 ONE | \$2.00 TWO | \$4.00 FOUR | \$5.00 FIVE | \$10.00 TEN |
| \$20.00 TWENTY | \$25.00 TWENTY FIVE | \$30.00 THIRTY | \$40.00 FORTY | \$100 ONE HUNDRED |
| \$200 TWO HUNDRED | \$400 FOUR HUNDRED | \$1,000 ONE THOUSAND | \$5,000 FIVE THOUSAND | \$30,000 THIRTY THOUSAND |

(7) The legends are as follows:

WINNING YOUR NUMBERS PRIZE NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches either play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol.



A ticket having a “DOUBLE” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to double the corresponding prize shown for that symbol. A



ticket having a “MINALL” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$40.00, \$100, \$200, \$400, \$1,000, \$5,000, and \$30,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1165 are as follows:

| ESTIMATE D ODDS OF | NUMBER OF WINNERS IN 84 POOLS OF 180,000 TICKETS PER POOL |
|--------------------------------|---|
| GAME PLAY WIN | |
| \$2 \$2 | 1,512,000 |
| \$1 x 4 \$4 | 302,400 |
| (\$1 x 2) + \$2 \$4 | 302,400 |
| \$2 (STACK OF BILLS) \$4 | 302,400 |
| \$4 \$4 | 302,400 |
| \$1 x 5 \$5 | 40,320 |
| \$1 + \$2 (STACK OF BILLS) \$5 | 40,320 |
| (\$2 x 2) + \$1 \$5 | 40,320 |
| \$1 + \$4 \$5 | 40,320 |
| \$5 \$5 | 40,320 |
| \$1 x 10 (MONEYBAG) \$10 | 60,480 |
| \$1 x 10 \$10 | 60,480 |
| \$2 x 5 \$10 | 60,480 |
| \$5 (STACK OF BILLS) \$10 | 60,480 |
| \$10 \$10 | 60,480 |

| | | | |
|---|----------|--------------|--------|
| \$2 x 10 (MONEYBAG) | \$20 | 750.00 | 20.160 |
| \$4 x 5 | \$20 | 750.00 | 20.160 |
| \$5 x 4 | \$20 | 750.00 | 20.160 |
| \$10 (STACK OF BILLS) | \$20 | 750.00 | 20.160 |
| \$20 | \$20 | 750.00 | 20.160 |
| \$1 + (\$2 x 7) + (\$5 x 2) (MONEYBAG) | \$25 | 1,200.00 | 12.600 |
| \$1 + (\$2 x 7) + \$5 (STACK OF BILLS) | \$25 | 1,200.00 | 12.600 |
| (\$2 x 5) + (\$5 x 3) | \$25 | 1,200.00 | 12.600 |
| \$5 x 5 | \$25 | 1,200.00 | 12.600 |
| \$25 | \$25 | 1,200.00 | 12.600 |
| (\$2 x 5) + (\$4 x 5) (MONEYBAG) | \$30 | 1,800.00 | 8.400 |
| \$5 x 6 | \$30 | 1,800.00 | 8.400 |
| \$10 x 3 | \$30 | 2,250.00 | 6.720 |
| \$10 + \$10 (STACK OF BILLS) | \$30 | 1,800.00 | 8.400 |
| \$30 | \$30 | 2,250.00 | 6.720 |
| \$4 x 10 (MONEYBAG) | \$40 | 4,500.00 | 3.360 |
| (\$4 x 5) + (\$5 x 4) | \$40 | 4,500.00 | 3.360 |
| \$10 x 4 | \$40 | 4,500.00 | 3.360 |
| \$20 (STACK OF BILLS) | \$40 | 4,500.00 | 3.360 |
| \$40 | \$40 | 4,500.00 | 3.360 |
| \$10 x 10 (MONEYBAG) | \$100 | 3,600.00 | 4.200 |
| \$10 x 10 | \$100 | 3,600.00 | 4.200 |
| \$20 (STACK OF BILLS) + \$30 (STACK OF BILLS) | \$100 | 3,600.00 | 4.200 |
| \$25 x 4 | \$100 | 4,500.00 | 3.360 |
| \$100 | \$100 | 4,500.00 | 3.360 |
| \$40 x 10 (MONEYBAG) | \$400 | 30,000.00 | 504 |
| (\$40 x 5) + (\$100 x 2) | \$400 | 45,000.00 | 336 |
| \$100 x 4 | \$400 | 45,000.00 | 336 |
| \$100 (STACK OF BILLS) x 2 | \$400 | 36,000.00 | 420 |
| \$400 | \$400 | 45,000.00 | 336 |
| \$100 x 10 (MONEYBAG) | \$1,000 | 90,000.00 | 168 |
| \$100 x 10 | \$1,000 | 180,000.00 | 84 |
| \$200 x 5 | \$1,000 | 180,000.00 | 84 |
| \$200 + \$400 (STACK OF BILLS) | \$1,000 | 90,000.00 | 168 |
| \$1,000 | \$1,000 | 180,000.00 | 84 |
| \$5,000 | \$5,000 | 756,000.00 | 20 |
| \$30,000 | \$30,000 | 1,512,000.00 | 10 |

(10) The estimated overall odds of winning some prize in Instant Game Number 1165 are 1 in 4.36. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1165, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for LUCKY DOLLARS lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-21-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-62
 RULE TITLE: Instant Game Number 1166, WILD 7's

SUMMARY: This emergency rule describes Instant Game Number 1166, "WILD 7's" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-62 Instant Game Number 1166, WILD 7's.

(1) Name of Game. Instant Game Number 1166, "WILD 7's."

(2) Price. WILD 7's lottery tickets sell for \$5.00 per ticket.

(3) WILD 7's lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WILD 7's lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, Florida Administrative Code.

| | | | |
|--|-----------|--------------|-----|
| \$30 (RED 7) + (\$10 x 5) | \$200 | 12,000.00 | 680 |
| \$50 x 4 | \$200 | 12,000.00 | 680 |
| \$100 (BLACK 7) | \$200 | 12,000.00 | 680 |
| \$200 | \$200 | 12,000.00 | 680 |
| (\$30 x 8) + (\$40 x 4) (WILD) | \$400 | 20,000.00 | 408 |
| \$40 (RED 7) + \$50 x 4 | \$400 | 20,000.00 | 408 |
| \$100 x 4 | \$400 | 20,000.00 | 408 |
| \$200 (BLACK 7) | \$400 | 20,000.00 | 408 |
| \$400 | \$400 | 20,000.00 | 408 |
| (\$100 x 8) + (\$50 x 4) (WILD) | \$1,000 | 60,000.00 | 136 |
| (\$100 x 6) + (\$200 x 2) | \$1,000 | 60,000.00 | 136 |
| (\$100 (BLACK 7) x 5) | \$1,000 | 60,000.00 | 136 |
| \$200 + \$400 (BLACK 7) | \$1,000 | 60,000.00 | 136 |
| \$1,000 | \$1,000 | 60,000.00 | 136 |
| (\$100 x 8) + (\$200 x 2) + (\$400 x 2) (WILD) | \$2,000 | 60,000.00 | 136 |
| \$1,000 (BLACK 7) | \$2,000 | 60,000.00 | 136 |
| \$2,000 | \$2,000 | 60,000.00 | 136 |
| \$10,000 | \$10,000 | 120,000.00 | 68 |
| \$250,000 | \$250,000 | 1,360,000.00 | 6 |

(11) The estimated overall odds of winning some prize in Instant Game Number 1166 are 1 in 3.99. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1166, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for WILD 7's lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-21-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-63
 RULE TITLE: Instant Game Number 1167, MILLIONAIRE

SUMMARY: This emergency rule describes Instant Game Number 1167, "MILLIONAIRE," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-63 Instant Game Number 1167, MILLIONAIRE.

(1) Name of Game. Instant Game Number 1167, "MILLIONAIRE."

(2) Price. MILLIONAIRE lottery tickets sell for \$25.00 per ticket.

(3) MILLIONAIRE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MILLIONAIRE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, Florida Administrative Code.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

| | | | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| ONE | TWO | THREE | FOUR | FIVE | SIX | SEVEN | EIGHT | NINE | TEN |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| ELEVN | TWELV | THRTN | FORTN | FIFTN | SIXTN | SVNTN | EGHTN | NINTN | TWENTY |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| THYONE | THYTWO | THYTHR | THYFOR | THYFIV | THYSIX | THYSVN | THYEGT | THYNIN | THYTRTY |
| 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 10X |
| THYONE | THYTWO | THYTHR | THYFOR | THYFIV | THYSIX | THYSVN | THYEGT | THYNIN | DOUBLE 10TIMES 25TIMES |

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

| | | | | | | | | | |
|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| ONE | TWO | THREE | FOUR | FIVE | SIX | SEVEN | EIGHT | NINE | TEN |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| ELEVN | TWELV | THRTN | FORTN | FIFTN | SIXTN | SVNTN | EGHTN | NINTN | TWENTY |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| THYONE | THYTWO | THYTHR | THYFOR | THYFIV | THYSIX | THYSVN | THYEGT | THYNIN | THYTRTY |
| 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | |
| THYONE | THYTWO | THYTHR | THYFOR | THYFIV | THYSIX | THYSVN | THYEGT | THYNIN | |

(6) The prize play symbols and play symbol captions are as follows:

| | | | | | | | | | |
|---------|----------|----------|----------|-----------|----------|----------|----------------|---------------|------------|
| \$2.00 | \$5.00 | \$10.00 | \$20.00 | \$25.00 | \$30.00 | \$40.00 | \$50.00 | \$100 | \$150 |
| TWO | FIVE | TEN | TWENTY | THY FIVE | THIRTY | FORTY | FIFTY | ONE HUN | ONEHUN FTY |
| \$200 | \$400 | \$500 | \$1,000 | \$5,000 | \$20,000 | \$50,000 | \$100,000 | \$5,000,000 | |
| TWO HUN | FOUR HUN | FIVE HUN | ONE THOU | FIVE THOU | THY THOU | FTY THOU | SIXTY/1R/201RS | 250K/1R/201RS | |

(7) The legends are as follows:

| | |
|-----------------|--------------|
| WINNING NUMBERS | YOUR NUMBERS |
|-----------------|--------------|

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a  symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to double the prize shown for that symbol. A ticket having a  symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to ten times

the prize shown for that symbol. A ticket having a  symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to twenty-five times the prize shown for that symbol.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$40.00, \$50.00, \$100, \$150, \$200, \$400, \$500, \$1,000,

\$1,000,000 **\$5,000,000**
 \$5,000, \$20,000, \$50,000, 50K/YR/20YRS and 250K/YR/20YRS

(9) \$1,000,000 and \$5,000,000 Prize Payment Options.

(a) A winner of a \$1,000,000 or \$ 5,000,000 prize may choose one of two payment options for receiving his or her prize. Payment options are “Cash Option” or “Annual Payment.” At the time the \$1,000,000 or \$5,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner’s chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in a single cash payment.

1. A winner of a \$1,000,000 prize shall receive a cash payment of the amount of cash required to purchase U.S. Government Securities that would fund \$1,000,000 paid over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the \$1,000,000 prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream will be the amount of the Cash Option prize.

2. A winner of a \$5,000,000 prize shall receive a cash payment of the amount of cash required to purchase U.S. Government Securities that would fund \$5,000,000 paid over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the \$5,000,000 prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream will be the amount of the Cash Option prize.

(c) Annual Payment prizes will be paid in twenty (20) equal annual installments of \$50,000 per year each payment for the \$1,000,000 prize and \$250,000 per year each payment for the \$5,000,000 prize, less applicable federal withholding taxes.

(10) The estimated odds of winning, value and number of prizes in Instant Game Number 1167 are as follows:

| GAME PLAY | VALUE | ESTIMATED ODDS OF 1 IN | NUMBER OF WINNERS IN 126 POOLS OF 120,000 TICKETS PER POOL |
|---------------------------------|-------|------------------------|--|
| \$5 + \$10 (BILL) | \$25 | 20.00 | 756,000 |
| \$5 + (\$10 x 2) | \$25 | 20.00 | 756,000 |
| \$25 | \$25 | 20.00 | 756,000 |
| \$10 + \$10 (BILL) | \$30 | 40.00 | 378,000 |
| \$5 + \$25 | \$30 | 40.00 | 378,000 |
| \$30 | \$30 | 40.00 | 378,000 |
| \$20 (BILL) | \$40 | 50.00 | 302,400 |
| \$20 x 2 | \$40 | 100.00 | 151,200 |
| \$10 + \$30 | \$40 | 100.00 | 151,200 |
| \$40 | \$40 | 100.00 | 151,200 |
| \$2 (25 BURST) | \$50 | 200.00 | 75,600 |
| \$10 x 5 | \$50 | 200.00 | 75,600 |
| (\$10 x 2) + \$30 | \$50 | 200.00 | 75,600 |
| \$25 (BILL) | \$50 | 200.00 | 75,600 |
| \$50 | \$50 | 200.00 | 75,600 |
| \$2 (25 BURST) + \$2 (25 BURST) | \$100 | 120.00 | 126,000 |
| \$10 (10X) | \$100 | 240.00 | 63,000 |
| \$10 x 10 | \$100 | 240.00 | 63,000 |
| (\$30 x 2) + \$40 | \$100 | 240.00 | 63,000 |
| \$25 x 4 | \$100 | 240.00 | 63,000 |
| \$50 (BILL) | \$100 | 240.00 | 63,000 |
| \$100 | \$100 | 240.00 | 63,000 |
| (\$5 x 20) + (\$10 x 5) | \$150 | 1,000.00 | 15,120 |
| \$5 (25 BURST) + \$25 | \$150 | 1,000.00 | 15,120 |
| \$10 (10X) + \$50 | \$150 | 1,000.00 | 15,120 |
| \$30 x 5 | \$150 | 1,000.00 | 15,120 |
| \$50 (BILL) + \$50 | \$150 | 1,000.00 | 15,120 |
| \$150 | \$150 | 1,000.00 | 15,120 |
| (\$5 x 20) + \$50 (BILL) | \$200 | 1,500.00 | 10,080 |
| \$2 (25 BURST) + (\$25 x 6) | \$200 | 1,500.00 | 10,080 |
| \$20 (10X) | \$200 | 1,500.00 | 10,080 |
| (\$30 x 5) + \$50 | \$200 | 2,000.00 | 7,560 |
| \$100 (BILL) | \$200 | 2,000.00 | 7,560 |
| \$200 | \$200 | 2,000.00 | 7,560 |
| (\$25 x 10) + (\$10 x 15) | \$400 | 2,400.00 | 6,300 |
| \$10 (25 BURST) + (\$30 x 5) | \$400 | 2,400.00 | 6,300 |
| \$40 (10X) | \$400 | 3,000.00 | 5,040 |

| | | | |
|---------------------------------|-----------|--------------|-------|
| \$100 x 4 | \$400 | 3,000.00 | 5.040 |
| \$200 (BILL) | \$400 | 3,000.00 | 5.040 |
| \$400 | \$400 | 3,000.00 | 5.040 |
| \$20 x 25 | \$500 | 2,000.00 | 7.560 |
| \$20 (25 BURST) | \$500 | 1,600.00 | 9.450 |
| \$40 (10X) + (\$50 x 2) | \$500 | 2,400.00 | 6.300 |
| \$100 x 5 | \$500 | 2,400.00 | 6.300 |
| \$200 (BILL) + \$100 | \$500 | 2,400.00 | 6.300 |
| \$40 x 25 | \$1,000 | 8,000.00 | 1.890 |
| \$40 (25 BURST) | \$1,000 | 8,000.00 | 1.890 |
| \$100 (10X) | \$1,000 | 8,000.00 | 1.890 |
| \$200 x 5 | \$1,000 | 8,000.00 | 1.890 |
| \$500 (BILL) | \$1,000 | 8,000.00 | 1.890 |
| \$1,000 | \$1,000 | 8,000.00 | 1.890 |
| \$500 (10X) | \$5,000 | 60,000.00 | 252 |
| \$5,000 | \$5,000 | 120,000.00 | 126 |
| \$500 (25 BURST) + (\$500 x 15) | \$20,000 | 604,800.00 | 25 |
| \$20,000 | \$20,000 | 604,800.00 | 25 |
| \$50,000 | \$50,000 | 1,512,000.00 | 10 |
| \$1,000,000 | Prize | 687,272.73 | 22 |
| (\$50K/yr/20yrs) | | | |
| \$5,000,000 | Top Prize | 5,040,000.00 | 3 |
| (\$250K/yr/20yrs) | | | |

(11) The estimated overall odds of winning some prize in Instant Game Number 1167 are 1 in 2.87. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1167, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for MILLIONAIRE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-21-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-64
 RULE TITLE: Instant Game Number 1168, PLATINUM CROSSWORD

SUMMARY: This emergency rule describes Instant Game Number 1168, “PLATINUM CROSSWORD,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-64 Instant Game Number 1168, PLATINUM CROSSWORD.

(1) Name of Game. Instant Game Number 1168, “PLATINUM CROSSWORD.”

(2) Price. PLATINUM CROSSWORD lottery tickets sell for \$3.00 per ticket.

(3) “PLATINUM CROSSWORD” lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning PLATINUM CROSSWORD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER12-17, Florida Administrative Code.

(4) The “YOUR LETTERS” play symbols are as follows:



(5) The CROSSWORD PUZZLE play symbols are as follows:



(6) The legends are as follows:

YOUR LETTERS BONUS

(7) The “BONUS” play symbols and play symbol captions are as follows:



(8) The prizes are: \$3, \$6, \$10, \$20, \$30, \$50, \$100, \$1,000 and \$50,000.

(9) Determination of Prizewinners.

(a) The holder of a ticket whose letters (play symbols) in the “YOUR LETTERS” play area match the letters (play symbols) in the CROSSWORD PUZZLE to form at least two

(2) different complete words wins the corresponding prize in the “PRIZE LEGEND” for the total number of words matched. (b) A “word” must contain at least three (3) letters. A “word” cannot be formed by linking letters diagonally or by reading the letters from the bottom to top or right to left. Letters combined to form a “word” must appear in an unbroken horizontal or vertical string of letters in the CROSSWORD PUZZLE that is not interrupted by a blank space and contains every single letter square between two blank spaces. Every letter in the unbroken string must be revealed in “YOUR LETTERS” and be included to form a “word.” The possible complete words are shown in the CROSSWORD PUZZLE. Each possible complete word consists of three or more letters and occupies an entire word space. All of the letters in a possible complete word must be matched in order to complete the word. The three letters that appear in the “YOUR LETTERS” box under the scratch-off coating on the ticket that are smaller in size than the 18 “YOUR LETTERS”, are not play symbols to be used in playing the game.



(c) A ticket having a “” symbol and corresponding play symbol caption in the “BONUS” play area shall entitle the



claimant to a prize of \$10. A ticket having two “” symbols and corresponding play symbol captions in the “BONUS” play area shall entitle the claimant to a prize of \$20.



A ticket having five “” symbols and corresponding play symbol captions in the “BONUS” play area shall entitle the claimant to a prize of \$100.

(10) The estimated odds of winning, value and number of prizes in Instant Game Number 1168 are as follows:

| | | ESTIMATED | NUMBER OF |
|---------------------------------|------|--------------|--|
| Reveal 2 or more complete words | WIN | ODDS OF 1 IN | WINNERS IN 100 POOLS OF 180,000 TICKETS PER POOL |
| 2 Words | \$3 | 10.00 | 1,800,000 |
| 3 Words | \$6 | 12.50 | 1,440,000 |
| 4 Words | \$10 | 50.00 | 360,000 |
| \$10 w/ BAR | \$10 | 50.00 | 360,000 |
| 5 Words | \$20 | 250.00 | 72,000 |
| 4 Words + \$10 w/BAR | \$20 | 250.00 | 72,000 |
| \$20 w/ 2 BARS | \$20 | 500.00 | 36,000 |
| 6 Words | \$30 | 180.00 | 100,000 |
| 6 Words + \$20 w/ 2 BARS | \$50 | 600.00 | 30,000 |
| 7 Words | \$50 | 400.00 | 45,000 |

| | | | |
|-----------------|----------|------------|--------|
| 8 Words | \$100 | 900.00 | 20,000 |
| \$100 w/ 5 BARS | \$100 | 900.00 | 20,000 |
| 9 Words | \$1,000 | 18,000.00 | 1,000 |
| 10 Words | \$50,000 | 900,000.00 | 20 |

(11) The estimated overall odds of winning some prize in Instant Game Number 1168 are 1 in 4.13. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1168, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for PLATINUM CROSSWORD lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-21-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 9-21-12

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-65
RULE TITLE: 25th Anniversary MILLIONAIRE Second Chance Promotion

SUMMARY: The Department of the Lottery will conduct the 25th Anniversary MILLIONAIRE Second Chance Promotion between September 25, 2012, and December 11, 2012, in which five second chance drawings will be held and special prizes will be awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-65 25th Anniversary MILLIONAIRE Second Chance Promotion.

(1) Beginning September 25, 2012, through December 11, 2012, the Florida Lottery will conduct the 25th Anniversary MILLIONAIRE Second Chance Promotion in which players can enter their non-winning MILLIONAIRE Florida Lottery Scratch-Off tickets on the Florida Lottery website for a chance

to win: a trip package to the Florida Lottery’s 25th Anniversary Celebration where the winner will also win a minimum of \$250,000 in cash; \$25,000 in cash; or a coupon good for a free MILLIONAIRE Florida Lottery Scratch-Off ticket. Winning MILLIONAIRE tickets cannot be used for entry in the 25th Anniversary MILLIONAIRE Second Chance Promotion.

(2) Five 25th Anniversary MILLIONAIRE second chance drawings will be held between October 10, 2012, and December 12, 2012, from entries entered by midnight the night before each drawing. The drawing schedule is:

| <u>Drawing</u> | <u>Entry Period</u> | <u>Drawing Date</u> |
|----------------|---|--------------------------|
| <u>1</u> | <u>September 25, 2012 – October 9, 2012</u> | <u>October 10, 2012</u> |
| <u>2</u> | <u>October 10, 2012 – October 23, 2012</u> | <u>October 24, 2012</u> |
| <u>3</u> | <u>October 24, 2012 – November 6, 2012</u> | <u>November 7, 2012</u> |
| <u>4</u> | <u>November 7, 2012- November 20, 2012</u> | <u>November 21, 2012</u> |
| <u>5</u> | <u>November 21, 2012- December 11, 2012</u> | <u>December 12, 2012</u> |

(3) In each of the 25th Anniversary MILLIONAIRE second chance drawings, one first prize winner will win a trip package to the Florida Lottery’s 25th Anniversary Celebration where the winner will also win a minimum of \$250,000, five second prize winners will each win \$25,000 and five hundred third prize winners will each win a coupon good for a free Florida Lottery MILLIONAIRE Scratch-Off ticket.

(4) To enter a non-winning MILLIONAIRE Scratch-Off ticket into one of the second chance drawings, players must enter on the Florida Lottery’s website at www.flalottery.com. On the home page of the Lottery’s website, players can click on the 25th Anniversary MILLIONAIRE-banner and follow the directions. Players will be prompted to log-in or register. The 24-digit ticket serial number (4-digit game number and 20-digit ticket number) is located at the bottom on the front of a MILLIONAIRE-Scratch-Off ticket under the latex covering. Players are to scratch off the latex covering to reveal the number and enter the entire 24-digit ticket serial number in the designated ticket entry area on the website.

(5) Players may enter as many times as they wish during the contest period; however, each valid ticket number may only be used one time, for one entry into one second chance drawing. Tickets should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning MILLIONAIRE tickets received in the mail by the Florida Lottery will not be entered into the drawing and will not be returned. The odds of winning are dependent upon the number of entries entered.

(6) In each of the five drawings, the first valid entry drawn will win the first prize, the second through sixth valid entries drawn will win a second prize, and the seventh through five hundred and sixth entries drawn will win a third prize. The second through sixth valid entries drawn will be used as needed in the order in which they were drawn to select an alternate first prize winner in the event the first prize cannot be awarded. Alternate winners will not be selected for second or third prizes.

(7) Notification.

The prize winners in each second chance drawing will be posted on www.flalottery.com on the day of the drawing.

(a) First Prize Winners. The Florida Lottery will attempt to notify each first prize winner by telephone, U.S. mail or e-mail using the contact information provided in the winner’s registration data no later than twenty-four hours after the winners are posted on the Florida Lottery’s website. If the Florida Lottery is unable to have telephone contact with a first prize winner within five business days of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. If the Florida Lottery is unable to contact the alternate winner within three business days, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This notification process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. Notification attempts will not be made after January 4, 2013. If the Lottery is unable to contact an alternate, the first prize will not be awarded. An alternate winner who has claimed a second prize at the time of notification will be awarded the first prize trip package and the difference in cash between the second prize and the total cash amount of the first prize (\$500 in cash plus the amount the winner wins at the 25th Anniversary Celebration). A second prize winner will become the alternate winner of the first prize only if the Lottery has successfully contacted the second prize winner concerning the second prize within the five day notification period. If the Lottery has not had contact with the second prize winner within the five day period, the first alternate for the first prize will be the next valid entry drawn in the drawing.

(b) The Florida Lottery will attempt to notify each second prize winner by telephone, U.S. mail or e-mail using the contact information provided in the winner’s registration data no later than twenty-four hours after the winners are posted on the Florida Lottery’s website. If the Florida Lottery is unable to have telephone contact with a second prize winner within five business days of the date of the drawing, the winner will forfeit his or her right to claim the prize and the second prize will not be awarded.

(c) The Florida Lottery will e-mail each third prize winner (using the e-mail address provided in the winner's registration data) instructions on how to print from the Florida Lottery's website the coupon good for a free Florida Lottery MILLIONAIRE Scratch-Off ticket no later than five business days after the winners are posted on the website. Florida Lottery coupons must be redeemed in person at a Florida Lottery retailer or Florida Lottery district office by February 10, 2013. Coupons cannot be redeemed by mail.

(d) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(8) How to claim a prize.

(a) First Prize. To claim a first prize in a second chance drawing, the player must submit to the Florida Lottery the original valid non-winning MILLIONAIRE ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry ticket along with a completed Winner Claim Form DOL 173-2, revised 02/11, or Spanish Winner Claim Form DOL 173-2S, revised 02/11, appropriate identification, and a completed Release and Authorization form DOL-474, effective 10/08, or Spanish Release and Authorization form DOL-474S, effective 9/11. Forms DOL-173-2, DOL-173-2S, DOL-474 and DOL-474S are hereby incorporated by reference and can be obtained from any Lottery office, from the Lottery's website, www.flalottery.com, or by writing to: Florida Lottery, Customer Service Division, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required forms must be received by the Florida Lottery no later than four business days after the winner is notified by the Florida Lottery that he or she is a winner. If the Florida Lottery has not received the required forms by the fourth day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described in paragraph (7)(a) above.

(b) Second Prize Winners. To claim a second prize in a second chance drawing, the player must submit to the Florida Lottery the original valid non-winning MILLIONAIRE ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry ticket along with a completed Winner Claim form and appropriate identification. The required forms must be received by the Florida Lottery no later than four business days after the winner is notified by the Florida Lottery that he or she is a winner. If the Florida Lottery has not received the required forms by the fourth day after notification, the winner will forfeit his or her right to claim the prize.

(c) Third prize winners are not required to submit the non-winning ticket bearing the entry number selected in the drawing or a claim form in order to claim the coupon prize.

(9) Award of First Prizes.

(a) Upon the Florida Lottery's receipt of a first prize winner's required documentation, the Lottery will award a prize of a trip package to the Florida Lottery's 25th Anniversary Celebration for the opportunity to win a cash prize as one of five finalists in the 25th Anniversary MILLIONAIRE Million Dollar Giveaway described in paragraph (9)(b) below. The winner will be provided a certificate describing the Florida Lottery's 25th Anniversary Celebration trip package along with the necessary information to make reservations to fulfill the prize.

The trip package will include:

1. Round trip airfare (coach fare) for two persons and baggage fees (one bag/ per person/each way) from any U.S. regional or international airport with regularly scheduled commercial service to the Florida city in which the event will be held, provided said city is at least 100 miles from the departure airport;

2. Three day/two nights' 4-star hotel accommodations for two persons;

3. Ground transportation between the airport and the hotel, and between the hotel and the Florida Lottery's 25th Anniversary Celebration venue; and

4. \$500 in cash.

A first prize does not include travel (except as specified above), parking fees, baggage fees (except as specified above), any items not expressly specified, meals or per diem for meals, incidentals, tips, and personal expenses such as telephone calls, valet service or laundry, etc., or revision, rebooking, transfer or cancellation fees that may be charged by the airline, hotel or other suppliers. Air travel will not be included in the prize if the airport closest to the winner's city of residence is within 100 miles of the city in which the 25th Anniversary Celebration will be held. No monetary compensation will be given to the winner in lieu of airfare if air travel from the winner's city of residence is not required. In such case, the value of the prize for tax reporting will be reduced by the estimated value of the airfare. The \$500 in cash will be mailed to the winner on or about January 3, 2013.

(b) 25th Anniversary MILLIONAIRE Million Dollar Giveaway. On January 12, 2013, the five first prize winners selected in the five 25th Anniversary MILLIONAIRE Second Chance Promotion drawings will participate in the 25th Anniversary MILLIONAIRE Million Dollar Giveaway ("Giveaway"), in which the winner of the \$1,000,000 prize will be determined. Each of the five finalists will scratch off an oversized symbol to reveal his or her prize of either \$1,000,000 or \$250,000. A total of five cash prizes will be awarded; one \$1,000,000 prize and four \$250,000 prizes. The Florida Lottery will withhold from the cash portion of the prizes federal tax withholding on the total value of the first prize (trip package plus Giveaway cash). The actual value of a first prize is

dependent upon the location of the winner in relation to the location of the 25th Anniversary Celebration venue and the cash amount won in the Giveaway.

(c) The first prize trip is not transferable or assignable without the express written consent of the Lottery. If the prizewinner advises the Lottery at least three days prior to the event that he or she is unable to attend the 25th Anniversary Celebration weekend, the first prize winner may designate a proxy to use the travel/hotel portion of the first prize in his or her stead and participate in the Giveaway; in such event, the first prize winner shall receive the cash prize won by the proxy and the first prize trip package and cash won by the proxy in the Giveaway will be taxable to the first prize winner.

(d) In the event that a first prize winner is unable to attend the 25th Anniversary Celebration weekend due to unforeseen circumstances, and there is insufficient time (less than three business days prior to the event) to designate a person to attend the weekend in his or her stead, the trip package portion of the prize, excluding the \$500 in cash, shall be forfeited; however, the entire value of the trip package shall remain taxable to the first prize winner. The Lottery will appoint a proxy to participate in the Giveaway for the first prize winner. Any prize won by the proxy shall be received by and taxable to the first prize winner.

(e) If a first prize winner is traveling via air and fails to appear at the designated time and place of departure, the airfare portion of the prize shall be forfeited and the first prize winner shall be responsible for making alternative arrangements to travel to the 25th Anniversary Celebration weekend at his or her own expense. The value of the forfeited airfare shall remain taxable to the first prize winner.

(f) If a first prize winner fails to arrive at the Giveaway venue for his or her scheduled participation in the Giveaway event, the first prize winner forfeits the right to personally participate in the Giveaway; however, a proxy appointed by the Lottery shall participate in the first prize winner's place and the cash prize won by the proxy shall be awarded and taxable to the first prize winner.

(10) Award of Second Prizes. Upon the Florida Lottery's receipt of a second prize winner's required documentation, the Lottery will award a prize of \$25,000, less applicable tax withholding.

(11) Award of Third Prizes. Third prizes shall be awarded as set forth in paragraph (7)(c), above.

(12) Except as specifically mentioned herein, all federal, state and/or local taxes or other fees on the prizes won in the 25th Anniversary MILLIONAIRE Second Chance Promotion will be the responsibility of the winner.

(13) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder.

Prizes shall be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(14) State Owed Debt.

(a) The first prize winner will be analyzed twice for State Owed Debt. The first analysis will occur at the time the first prize is claimed. If the winner of a first prize is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with section 24.115, Florida Statutes. If the debt is an amount of less than the cash portion of the trip package prize (\$500), the non-cash portion of the prize and the cash portion of the prize less the amount owed shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the prize, the winner's entire cash portion of the prize will be applied toward the outstanding debt as provided in section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize. The second analysis will occur after the 25th Anniversary Celebration weekend has concluded and each winning amount has been revealed at the Giveaway. If the winner is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with section 24.115, Florida Statutes.

(b) If the winner of a second prize is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with Section 24.115, Florida Statutes.

(15) No cash will be awarded in lieu of non-cash prizes.

(16) Players must be at least 18 years of age. Persons prohibited by section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(17) By entering the 25th Anniversary MILLIONAIRE Second Chance Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(18) 25th Anniversary MILLIONAIRE second chance drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's website at www.flalottery.com.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 9-24-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 24, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-46.001: Utilities Installation or Adjustment

NOTICE IS HEREBY GIVEN that on September 24, 2012, the Department of Transportation, received a petition for waiver from Jacksonville Electric Authority (JEA). JEA is purportedly requesting a waiver of the requirement of mitigation for tree removal in Section 4.5.2 "Restoration of Landscape" of the Utilities Accommodation Manual, incorporated by reference in Rule 14-46.001, F.A.C., for the installation of a proposed electric transmission line on SR 134 in Duval County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Patricia A. Parsons, Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, trish.parsons@dot.state.fl.us.

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 September 19, 2012, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, Paragraph 61C-4.010(1), Florida Administrative Code, and Paragraph 61C-4.010(6), Florida Administrative Code from Ray's Catering located in Largo. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

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

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

NOTICE IS HEREBY GIVEN that on September 19, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Jacksonville Bank Building. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, and 2.7.4, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations, and door restrictors which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-307).

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

NOTICE IS HEREBY GIVEN that on September 19, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Fairways Two at Pinebrook Owners Association, Inc. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-308).

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

NOTICE IS HEREBY GIVEN that on September 19, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Corporate Plaza. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4, 3.10.4(t), 3.3.2, as adopted by 61C-5.001(1), Florida Administrative Code and FS 399.035 that requires upgrading the elevators with firefighters' emergency operations, door restrictors, in-car stop switch, platform guards and ADA accessible, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-309).

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

NOTICE IS HEREBY GIVEN that on September 20, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Vincent's Medical Center, Seton Hall. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-310).

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

NOTICE IS HEREBY GIVEN that on September 20, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Vincent's Medical Center, Utility Bldg. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-311).

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

NOTICE IS HEREBY GIVEN that on September 24, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Orange Park Medical Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, 2009 Section 2.8.5.1, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators air conditioning equipment placement which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-313).

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

NOTICE IS HEREBY GIVEN that on September 21, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Project Optimus. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-312).

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

NOTICE IS HEREBY GIVEN that on September 24, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Shands Medical Office Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-314).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 26, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Winegard ES, Bldg 3, filed August 31, 2012, and advertised on September 14, 2012 in Vol. 38, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.24.2.1, and 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-285).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 26, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Pointe Towers Condominium, filed August 27, 2012, and advertised on September 14, 2012 in Vol. 38, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.10.4(t), 3.3.2, 2.7.4, 3.11.1, 2.2.3, 3.4.5, 3.9.1, 3.10.3, and 4.7.8 ASME A17.3, 1996 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations, keyed stop switch, restricted door openings, platform guards, car illumination, normal terminal stopping devices, top-of-car operating devices, car emergency signaling devices, and emergency operation and signaling devices until July 1, 2015 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-281).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 26, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Transportation & Parking Services, filed August 31, 2012, and advertised on September 14, 2012 in Vol. 38, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until February 28, 2013 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-287).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 26, 2012 the Division

issued an order. The Final Order was in response to a Petition for an emergency Variance from Lakeland Regional Medical Center, filed August 17, 2012, and advertised on August 31, 2012 in Vol. 38, No. 35, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.8.1, and 2.8.2 ASME A17.1b, 2009 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code from the requirement of equipment allowed and electrical equipment not used directly in connection to the operation of the elevator because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-270).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 26, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Monroe Park Tower, filed August 30, 2012, and advertised on September 14, 2012 in Vol. 38, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until October 31, 2015 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-283).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

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

On September 26, 2012, the Department issued a Final Order that was in response to a Petition for Variance from Tampa Greyhound Track, filed August 29, 2012, and advertised on September 14, 2012 in Vol. 38, No. 37, of the Florida Administrative Weekly. No comments were received in

response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-282).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-610.462: Reliability and Operator Staffing

NOTICE IS HEREBY GIVEN that on September 19, 2012, the Department of Environmental Protection, received a petition for variance under Section 120.542, Florida Statutes, from the requirements of subsection 62-610.462(3), F.A.C. The petitioner KW Resort Utilities, Corp, (6630 Front St., Key West, Fl 33040) seeks relief from the minimum staffing requirements for a wastewater facility in that rule that mandates staffing by a Class C operator 6 hours per day, 7 days per week. The petitioner is requesting a temporary variance from those minimum staffing requirements during the duration of their permit which expires on February 19, 2017. During that time they request that the staffing requirement be reduced to 6 hours a day for 5 days a week with a weekend visit. The petition has been assigned OGC File No. 12-1506. Public comment must be received by the person below no later than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gary Maier, South District Department of Environmental Protection, P.O. Box 2549, Fort Myers, Florida 33902; gary.maier@dep.state.fl.us; 239-344-5664.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-640.700: Requirements for Land Application of Class AA, A, and B Biosolids

NOTICE IS HEREBY GIVEN that on September 10, 2012, the Department of Environmental Protection, received a petition for for a variance under Section 120.542, Florida Statutes, from the requirements of subsection 62-640.700(6)(b), F.A.C. The petitioner Jon Wimpy, President, Appalachian Material Service, Inc., seeks relief from the requirement in that rule so that the Class A and B biosolids treated by alkaline addition and land applied at their JMC Biosolids Land Application Site (located on Alturas-Babson Park Cutoff and East of Lake

Buffum Road) would not have to comply with the best management practice of incorporation or injection or have the application area be located at a distance of one-quarter mile from the property line. The petitioner would additionally not have to receive written consent from the affected adjacent property owners so that the setback distance could be decreased to the requirements of Rule 62-640.700(8)(b)2, F.A.C. The petitioner is requesting a permanent variance from the one-quarter mile setback distance and the requirement to receive written consent from the affected adjacent property owners for land application of biosolids treated by alkaline addition, without use of injection or incorporation. The petition has been assigned OGC File No. 12-1486. Any interested person or agency may submit written comments on the petition for a variance or waiver within 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jeff Hilton, Department of Environmental Protection, Domestic Wastewater Section, Southwest District, 13051 N Telecom Parkway, Temple Terrace, FL 33637-0926; jeff.hilton@dep.state.fl.us; (813)632-7600.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: RULE TITLE:

62B-33.0051: Coastal Armoring and Related Structures

The Department of Environmental Protection, Bureau of Beaches and Coastal Systems hereby gives notice:

that it issued an order on August 28, 2012 granting a variance request by Keith and Carol Sirockman. The variance petition was received June 27, 2011. Notice of receipt of this petition was published in the Florida Administrative Weekly on July 22, 2011. On May 31, 2012 the Petitioners submitted additional information in support of the variance request. The petition requested a variance from the conditions under Rule 62B-33.0051(1)(a)1. and 2., F.A.C., for authorization of construction of a coastal armoring structure on property located at 67 Lands End Drive, Destin, FL. The petition also requested a variance from Subsections 62B-33.001(18) and (63), F.A.C. that define "eligible structures" and "vulnerable" respectively. No public comment was received. The Order, file number OK-398 V, granted the Petition for a variance from Rule 62B-33.0051(1)(a)1. and 2., and 62B-33.002(18) and (63), F.A.C., because the Petitioners, Keith and Carol Sirockman, demonstrated that a strict application of the rule would result in substantial hardship to Petitioners or would affect Petitioners differently than other similarly situated applicants. Further, the Petitioners demonstrated that it fulfilled the requirements of the underlying statute by other means.

A copy of the Order or additional information may be obtained by contacting: Kamie Carney, Department of Environmental Protection, MS #300, 3900 Commonwealth Blvd., Florida 32399, (850)488-7708, kamie.carney@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.021: Additional Education Requirements for Reexamination

The Board of Dentistry hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 2, 2012, by Javier Lopez, Esquire, on behalf of Stephanie Gonzalez. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 29, of the July 20, 2012, Florida Administrative Weekly. Petitioner sought a waiver or variance of Rule 64B5-2.021(1), F.A.C., entitled "Additional Education Requirements for Reexamination". The Board considered the instant Petition at a duly-noticed public meeting, held August 17, 2012, in Orlando, Florida.

The Board's Order, filed September 5, 2012, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 466.006, Florida Statutes, would be met by granting a variance or waiver from Rule 64B5-2.0135(1), F.A.C. The Board further found that Petitioner established that the Board's full application of the aforementioned rules to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting:

Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.0135: Dental Hygiene Examination

The Board of Dentistry hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on June 29, 2012, by Chasity H. O'Steen, Esquire, on behalf of Victoria A. Gutierrez. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 29, of the July 20, 2012, Florida Administrative Weekly. Petitioner sought a waiver or variance of Rule 64B5-2.0135(1), F.A.C., entitled "Dental Hygiene Examination". The Board considered the instant Petition at a duly-noticed public meeting, held August 17, 2012, in Orlando, Florida.

The Board's Order, filed September 5, 2012, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 466.007, Florida Statutes, would be met by granting a variance or waiver from Rule 64B5-2.0135(1), F.A.C.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.021: Additional Education Requirements for Reexamination

The Board of Dentistry hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 2, 2012, by Javier Lopez, Esquire, on behalf of Stephanie Gonzalez. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 29, of the July 20, 2012, Florida Administrative Weekly. Petitioner sought a waiver or variance of Rule 64B5-2.021(1), F.A.C., entitled "Additional Education Requirements for Reexamination". The Board considered the instant Petition at a duly-noticed public meeting, held August 17, 2012, in Orlando, Florida.

The Board's Order, filed September 5, 2012, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 466.006, Florida Statutes, would be met by granting a variance or waiver from Rule 64B5-2.021(1), F.A.C. The Board further found that Petitioner established that the Board's full application of the aforementioned rules to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting:

Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-2.001: Definitions

Notice is hereby given that the Petition for Waiver or Variance filed by Sridhar R. Mothkur, M.D., from Rule 64B8-2.001, F.A.C., has been withdrawn, upon request of the Petitioner. The Notice of Petition was published in Vol. 38, No. 12, of the March 23, 2012, issue of the FAW. The person to be contacted

regarding this Petition is: Joy A. Tootle, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-2.001: Definitions

NOTICE IS HEREBY GIVEN that on September 25, 2012, the Board of Medicine, received a petition for waiver or variance filed by Vinu A. Patel, M.D., from Rule 64B8-2.001, F.A.C., with regard to the requirement for the FLEX examination to be completed in one administration of the examination. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice:

that on May 1, 2012, an Order was filed on the Petition for Waiver. The Petition for Waiver or Variance was filed by Aruna Dash, M.D. on January 30, 2012, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Volume 38, No. 10, of the Florida Administrative Weekly, on March 9, 2012. The Board, at its meeting held on April 14, 2012 voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that she has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting:

the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice:

that on May 1, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Norman D. Bell, M.D. on February 16, 2012, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the

requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Volume 38, No. 9, of the Florida Administrative Weekly, on March 2, 2012. The Board, at its meeting held on April 14, 2012 voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

The Board of Medicine hereby gives notice:

that on May 1, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Hector R. Soto Adames, M.D. on February 13, 2012, seeking a waiver from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the applicant’s licensure application. The Notice was published in Volume 38, No. 8, of the Florida Administrative Weekly, on February 24, 2012. The Board, at its meeting held on April 14, 2012 voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting:

the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.010: Diplomas

The Board of Medicine hereby gives notice that on May 1, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by David F. Sciortino, M.D. on February 23, 2012, seeking a waiver from Rule 64B8-4.010, F.A.C., with regard to the requirement for a copy of Petitioner’s medical school diploma. The Notice was published in Volume 38, No. 10, of the Florida Administrative Weekly, on March 9, 2012. The Board, at its meeting held on April 14, 2012 voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a

substantial hardship; that application of the rule would violate the principles of fairness; and that he has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.018: International Medical Graduates; Qualification Requirements

NOTICE IS HEREBY GIVEN that on September 25, 2012, the Board of Medicine, received a petition for waiver or variance filed by Erin M. Werner, M.D., from Rule 64B8-4.018, F.A.C., with regard to core clerkships. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-4.110: Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist Licensure

The Board of Orthotists and Prosthetists hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 21, 2012, by Richard A. Drazin. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 09, of the March 2, 2012, Florida Administrative Weekly. Petitioner sought a waiver or variance of Rule 64B14-4.110(1)(a), F.A.C., entitled "Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist Licensure," which requires successful completion of the 32-hours Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination. The Board considered the instant Petition at a duly-noticed public meeting, held March 30, 2012, in Tallahassee, Florida.

The Board's Order, filed on April 4, 2012, granted the petition finding that Petitioner had complied with Section 120.542(2), Florida Statutes, and Chapter 28-104, Florida Administrative Code, and demonstrated that the application of the rule would create a substantial hardship or would violate principles of fairness. Additionally, the Petitioner has established through his extensive education, that the underlying purpose of Section 468.803(5)(c)2., Florida Statutes (2011)(mandating for licensure a minimum of forty hours of training in orthotics education as approved by the board), has been met.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding.

A copy of the Board's order may be obtained by contacting Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists, at the above address, or telephone (850) 245-4355.

DEPARTMENT OF HEALTH

Council of Medical Physicists

NOTICE IS HEREBY GIVEN that on September 17, 2012, the the Department of Health, Advisory Council on Medical Physicists, received a petition for Emergency Temporary Three Year Waiver of Florida Administrative Code Rule Number 64B23-2.001, Qualifications for Licensure, sub section (2) waiver of official documentation of board certification.

Petitioner's Name and address: Carlos H. Carbini, Condominios Villa del Mar Oeste 8-F, 4735 Ave. Isle Verde, Carolina, PR 00979.

Rule No.:64B23-2.001 (2)

Nature of the rule for which variance or waiver is sought: The rule is a Department rule that implements section 483.901 (6) F.S. by requiring a Board Certification certificate to be provided to the Department as part of an application for licensure as a medical physicist.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Advisory Council of Medical Physicists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.004: Food Protection

NOTICE IS HEREBY GIVEN that on September 12, 2012, the Department of Health, received a petition for Variance from Rule 64E-11.004(2), Florida Administrative Code (FAC), for HIEN TRAN, of Kyoto Japanese Sushi and Grill, 4000 Central Florida Blvd Ste. J, Orlando, FL 32816. This rule requires that all potentially hazardous food to be kept at 41 degrees Fahrenheit or below and 140 degrees Fahrenheit or above, except during necessary periods of preparation and service. Comments on this petition should be filed with Althea Gaines, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida, 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sharon Sautler, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida, 32399-1710 or by calling (850)245-4277.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
RULE NO.: RULE TITLE:
73C-23.0041: Application Process and Administrative Requirements

NOTICE IS HEREBY GIVEN that on September 12, 2012, the Department of Economic Opportunity, received a petition for waiver from the Martin County Board of County Commissioners. It has been assigned case number DEO-12-120.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Rule 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$750,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
RULE NO.: RULE TITLE:
73C-23.0041: Application Process and Administrative Requirements

NOTICE IS HEREBY GIVEN that on August 28, 2012, the Department Economic Opportunity, received a petition for waiver from the Hernando County Board of County Commissioners. It has been assigned the case number DEO-12-121.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Rule 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the \$750,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
RULE NO.: RULE TITLE:
73C-23.0041: Application Process and Administrative Requirements

NOTICE IS HEREBY GIVEN that on September 24, 2012, the Department of Economic Opportunity, received a petition for from the City of St. Marks. It has been assigned the case number DEO-12-122.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Rule 73C-23.0041(10), F.A.C. Requesting a waiver of the requirement that a Community Development Block Grant application may not be revised after submission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE
Division of Historical Resources
The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2012, 11:30 a.m.
PLACE: Mission San Luis, 2100 W Tennessee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors have called a special meeting to discuss personnel items.

A copy of the agenda may be obtained by contacting: Cookie.Stevens@dos.myflorida.com or 850-245-6388.

DEPARTMENT OF STATE
Division of Cultural Affairs
The Florida Division of Cultural Affairs and the Florida Council on Arts and Culture announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2012 at 9:00 a.m.
PLACE: Division of Cultural Affairs, 329 N. Meridian Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore at 850.245.6490 or by email at Rachelle.Ashmore@DOS.MyFlorida.com, or via the Division's website: www.florida-arts.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 48 hours before the workshop/meeting by contacting: Maureen McKloski at 850.249.6475 or at Maureen.McKloski@DOS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachelle Ashmore at Rachelle.Ashmore@DOS.MyFlorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Department of State, Division of Cultural Affairs, announces grant panel meetings, to which all persons are invited to participate.

DATE AND TIME: November 15, 2012, 9:00 a.m. – 5:00 p.m. or until conclusion of business

PLACE: This meeting will be held via teleconference. Please visit <http://www.florida-arts.org/documents/panels/teleconference.instructions.cfm>, for more instructions.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications for the 2012-2013 Fast Track grant program.

Meeting is subject to change or cancellation; please call to confirm the meeting date and time.

A copy of the meeting agenda may be obtained by contacting the Division of Cultural Affairs at (850)245-6470 or by visiting our website www.florida-arts.org/calendar. Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review. To request accommodations or services, contact the division at least 48 hours prior to the above stated schedule at (850)245-6470 or email Maureen.McKloski@dos.myflorida.com. You may also contact the Division by calling Florida Relay at 711.

For more information, please contact the Division of Cultural Affairs, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399 or 850/245-6470.

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

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

DATE AND TIME: October 23-25, 2012, 9:00 a.m. until the Commission Adjourns

PLACE: Office of Attorney General – Ft Lauderdale Office, 110 Towers, 110 SE 6th Street (8th and 10th Floors) Video Conference Rooms, Ft. Lauderdale, Florida 33301-5000. by video teleconference, and at the Office of the Attorney General 107 W. Gaines St., Suite 224, Tallahassee, FL 32399-1050 by video teleconference.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Elections Commission will be conducting a meeting to conduct a formal hearing before the commission.

A copy of the agenda may be obtained by contacting: Donna Ann Malphurs, Commission Clerk at (850)922-4539, donna.malphurs@myfloridalegal.com, or by visiting the website at www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Ann Malphurs, Commission Clerk at (850)922-4539, donna.malphurs@myfloridalegal.com, or by visiting the website at www.fec.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: Donna Ann Malphurs, Commission Clerk at (850)922-4539, donna.malphurs@myfloridalegal.com, or by visiting the website at www.fec.state.fl.us.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 3, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Line (888) 808-6959

Conference Code (8502459823)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council

Executive Committee Business

A copy of the agenda may be obtained by contacting: Roy Cosgrove (850)245-3317 or roy.cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: . 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: Roy Cosgrove (850) 245-3317 or roy.cosgrove@vr.fldoe.org

DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education held an emergency meeting by conference call.

DATE AND TIME: September 25, 2012, 8:00 a.m.
 PLACE: Conference Call: 1-866-372-5781, Conference ID 32451122.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 This meeting was noticed on the agency's web site and to the media through the agency's state-wide media distribution list. The purpose of the emergency conference call was to consider extending the deadline for applications for the position of Commissioner of Education beyond the September 27, 2012, scheduled end date. The Commissioner of Education is the chief education officer for the state whose duties include advising the State Board of Education on all matters pertaining to the education of all public school students in Florida. The need to timely complete the search for the Commissioner of Education created an immediate danger to public welfare. As such, an emergency meeting was necessary to address the extension.

The action of the Board was to unanimously extend the deadline for applications for the position of Commissioner of Education to November 30, 2012 and to approve the following timeline: December 1, 2012, Ray and Associates will contact each member individually to discuss the recommendation of the finalists and all activities previously scheduled to begin on October 2, 2012, will begin on December 1, 2012; December 4, 2012, the names of the finalists will be made public; The activities scheduled for October 9, 2012, shall begin on December 9, 2012; December 11, 2012, finalists will be interviewed by the Board in a public meeting in Tampa; and December 12, 2012, the Board will vote to choose the next Commissioner of Education.

A copy of the audio archive may be obtained by contacting: Department of Education's website at: <http://www.fldoe.org/board/meetings/>.

For more information, you may contact: Lynn Abbott, Agency Clerk, Department of Education at (850)245-9661 or e-mail: lynn.abbott@fldoe.org.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal and Juvenile Justice Information Systems (CJIS) Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 25, 2012, at 9:00 a.m.
 PLACE: Florida Department of Law Enforcement Headquarters, 2331 Phillips Road, Tallahassee, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Various topics related to the criminal justice community. Topics include, but not limited to, the Council's strategic plan, discussion of the computerized criminal history initiative, biometric identification and other projects occurring with state and national criminal justice agencies.

A copy of the agenda may be obtained by contacting: Rachel Truxell, (850) 410-7116 or racheltruxell@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Truxell, (850)410-7116 or racheltruxell@fdle.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).

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: 2012: October 11 & 25, November 8 & 26, December 6 & 20 and January 3, 2013 – 10:00 a.m. (EST)-Until Conclusion of Business

PLACE: Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 FTC General Business

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850) 414-4316.

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: Lisa O. Stone at (850) 414-4316. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450 or phone (850) 414-4105.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: October 16, 2012, 8:00 A.M. (EST) – Until Conclusion of Business

PLACE: Orlando Orange County Expressway Authority (OOCEA) Headquarters Boardroom, 4974 ORL Tower Road, Orlando, Florida 32807.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Cost Savings Study of the Expressway Authorities and General FTC Business.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399 or by phone at (850)414-4105.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, November 1, 2012

Open House: 5:30 p.m.

Presentation: 6:30 p.m.

PLACE: Port Orange Adult Activity Center, 4790 S. Ridgewood Avenue, Port Orange, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 428688-1-52-01

Project Description: Resurfacing and Safety Improvements along S. Ridgewood Avenue (US 1/SR 5)

This project provides maintenance and safety improvements to S. Ridgewood Avenue. It extends from south of Harbor Road to Fleming Avenue. In addition to resurfacing of the existing pavement, this project includes adding continuous bicycle lanes and sidewalks. Existing on-street parking will be removed within the limits of this project.

A copy of the agenda may be obtained by contacting: A flyer will be distributed at the meeting.

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: Heidy Rodriguez at Moffatt & Nichol, 1025 Greenwood Boulevard, Lake Mary, FL 32746, at 407-562-2030 or email hrodriguez@moffattnichol.com.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact Heidy Rodriguez at the phone number above. 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: Either Sarah Van Gundy, the FDOT Project Manager at 386-943-5551 or e-mail at sarah.vangundy@dot.state.fl.us AND/OR Boyd G. Jenkins, P.E. at Moffatt & Nichol at (407) 562-2030 or email at bjenkins@moffattnichol.com.

Additional information on the project and a presentation video are also available at www.cflroads.com.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, October 9, 2012

Open House: 5:30 p.m. to 7:30 p.m.

Presentation: 6:00 p.m.

PLACE: Hilton Garden Inn, 55 Town Center Boulevard, Palm Coast, Florida 32164

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 238011-1-32-05

Project Description: US 1 South of County Road (CR) 304 Access Management Public Hearing, Flagler County

The FDOT is conducting a public hearing regarding a project that improves access management along US 1, at CR 304, in Flagler County. The project improves both safety and operations on US 1 by converting the full median opening, just south of CR 304, to a northbound directional median opening. This modification reduces the number of potential conflict points by restricting turning movements at this median opening. The project is occurring at the same time as another that paves this section of US 1 in 2013 (Project Number 427277-1).

Participants may provide public comment directly (face-to-face) to a court reporter at any time during the meeting. Written comments can be submitted at this hearing or by mail no later than October 23rd to Mr. David Dangel, P.E., Public Involvement Coordinator, Inwood Consulting Engineers, 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765. All comments, written and oral, will become part of the project's public record. Staff members are also available to answer questions.

A copy of the agenda may be obtained by contacting: N/A

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: Mr. David Dangel, P.E. at (407) 971-8850.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact Mr. David Dangel, P.E. at (407) 971-8850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Dave Mixon, the FDOT Project Manager either at 386-943-5178 or e-mail at dave.mixon@dot.state.fl.us.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, October 23, 2012, 5:30 p.m. to 7:30 p.m.

Presentation: 6:00 p.m.

PLACE: Canterbury Retreat and Conference Center, 1601 Alafaya Trail, Oviedo, Florida 32765

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 433040-1-52-01

Project Description: State Road 434 at Alexandria Boulevard Access Management Public Hearing, Seminole County

The FDOT is conducting a public hearing regarding a project that improves access management along SR 434, at Alexandria Boulevard, in Seminole County. The project improves both safety and operations by installing a traffic signal at Alexandria Boulevard, extending the southbound left turn lane serving Alexandria Boulevard, and closing the directional median opening north of Alexandria Boulevard. The northbound inside left turn lane serving Mitchell Hammock Road will be extended to accommodate redirected left turns and u-turns into the shopping plaza.

Written comments can be submitted at this hearing or by mail no later than November 2nd to Mr. David Dangel, P.E., Public Involvement Coordinator, Inwood Consulting Engineers, 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765. All comments, written and oral, will become part of the project's public record.

This public hearing is being held in accordance with Section 339.155, Florida Statute. This public hearing was advertised consistent with federal and state requirements and is being conducted consistent with the Americans with Disabilities Act of 1990.

A copy of the agenda may be obtained by contacting: N/A

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: David Dangel, P.E. at (407) 971-8850

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact Mr. David Dangel, P.E. at (407) 971-8850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Dave Mixon, the FDOT Project Manager either at 386-943-5178 or e-mail at dave.mixon@dot.state.fl.us.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

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

DATE AND TIME: Monday, October 15, 2012 at 4:00 p.m. with an Executive Committee meeting at 3:00 p.m.

PLACE: 198 North Wilson Street, Crestview City Hall, Crestview, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Matters of the West Florida Regional Planning Council and the above mentioned Committee

A copy of the agenda may be obtained by contacting: WFRPC at 850 332-7976 or www.wfrpc.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 2 days before the workshop/meeting by contacting: WFRPC at 850-332-7976 or www.wfrpc.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).

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: Terry Joseph, Executive Director at 850-332-7976, ext 201 or terry.joseph@wfrpc.org.

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

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

DATE AND TIME: Training Subcommittee, Wednesday, October 17, 2012, 9:30 a.m.

Local Emergency Planning Committee, Wednesday, October 17, 2012, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chairman 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.

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 Wekiva River Basin Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 16, 2012, 1:30 p.m.

PLACE: East Central Florida Regional Planning Council, 309 Cranes Roost Blvd. Suite 2000, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Wekiva River Basin Commission.

A copy of the agenda may be obtained by contacting: Tara McCue by email at tara@ecfrpc.org or (407)262-7772, ext 327.

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: Tara McCue by email at tara@ecfrpc.org or (407)262-7772, ext 327.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Monday, October 22, 2012 at 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund Loan Applications.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954) 985-4416

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: . 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.

The South Florida Local Emergency Planning Committee – District XI announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 28, 2012 at 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, (954)985-4416

PURPOSE: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY12-13. A copy of the agenda may be obtained by writing to the South Florida Regional Planning Council, at 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, via email request to Manny Cela (celam@sfrpc.com), visiting the LEPC website (www.sfrpc.com/lepc.htm) or by calling (954)985-4416 in Broward or (800)985-4416 toll-free statewide.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasre Coast Regional Planning Council announces a workshop to which all persons are invited.

DATE AND TIME: October 23, 2012, 10:00 a.m. – 2:00 p.m.

PLACE: Delray Beach Center for the Arts at Old School Square, 51 North Swinton Avenue, Delray Beach, FL 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Regional Planning Council and Treasure Coast Regional Planning Council will host a Regional Energy Resiliency Workshop. The purpose of the workshop is to discuss solutions and develop strategies and implementation methods to make the region more energy resilient and diversify Florida's energy future. The workshop is being conducted as part of a project to develop a Statewide Energy Resiliency Strategy in association with the U.S. Department of Commerce, Economic Development Administration, U.S. Department of Energy, and Florida Office of Energy.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at 772-221-4060. 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: Liz Gulick, 772-221-4060.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2012, 2:30 p.m. or immediately following the Governing Board meeting.

PLACE: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The process to be used to complete the Executive Director annual performance appraisal.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Robin Hudson, Human Resource Director, rhudson@sjrwmd.com, 386-329-4165.

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: Robin Hudson, Human Resources Director, 386.329.4165, rhudson@sjrwmd.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: Robin Hudson, Human Resources Director, St. Johns River Water Management District, 4049 Reid Street, Palatka, FL, 32177, 386.329.4165, rhudson@sjrwmd.com.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Florida Department of Elder Affairs, Communities for a Lifetime Initiative announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 26, 2012, 9:00 a.m. to 11:00 a.m.

PLACE: Sunrise Civic Center, 10610 W. Oakland Park Blvd., Sunrise, FL 33351

GENERAL SUBJECT MATTER TO BE CONSIDERED: Department staff will present the SAFE Homes Program. The program is a collection of home-related safety tips and universal design features and products to help you plan for your residence as you age.

A copy of the agenda may be obtained by contacting: Buddy Cloud, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399; by phone at 850-414-2123; via email at cloudw@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Buddy Cloud, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399; by phone at 850-414-2123; via email at cloudw@elderaffairs.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: Buddy Cloud, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399; by phone at 850-414-2123; via email at cloudw@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs, Communities for a Lifetime Initiative, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 25, 2012, 9:00 a.m. to 2:00 p.m.

PLACE: Nova Southeastern University, DeSantis Bldg., Knight Auditorium, 3301 College Ave., Ft. Lauderdale, FL 33314.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presenters will address the housing needs of Florida's aging population by bringing together developers, contractors, architects, city and county planners, building and zoning officials, realtors, consumers and other professionals interested in housing and real estate issues for seniors.

A copy of the agenda may be obtained by contacting: Gail Matillo, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; by phone at 850-414-2165; by email at matillog@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Gail Matillo, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; by phone at 850-414-2165; by email at matillog@elderaffairs.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: Gail Matillo, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000; by phone at 850-414-2165; by email at matillog@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

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

DATE AND TIME: October 29, 2012 from 3:00 p.m. to 5:00 p.m. EST.

PLACE: Call in #: 1-888-670-3525, Conference Code: 780-930-7873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Data & Information Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399; telephone: (850) 414-2323, or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: . 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).

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

The Florida Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 30, 2012 at 9:00 a.m.

PLACE: Conference Call #: 1-888-670-3525

Passcode – 8050334011 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will be meeting to review applications received for consideration for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850) 412-4303

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850)412-4303

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

DATE AND TIME: October 11, 2012, 9:00 a.m. - 12:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of a Diagnosis Related Group (DRG) based reimbursement payment system for hospital inpatient services.

A copy of the agenda may be obtained by contacting: All meeting discussion material, including an agenda, will be posted to the Medicaid Institutional Provider Cost Reimbursement Medicaid Cost Reimbursement website at http://ahca.myflorida.com/Medicaid/cost_reim/index.shtml.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Courtney Skidmore at (850) 412-4118 courtney.skidmore@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Courtney Skidmore at (850) 412-4118 or courtney.skidmore@ahca.myflorida.com

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.081: Developmental Disabilities Waiver Provider Rate Table

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

DATE AND TIME: Tuesday, October 9, 2012 from 1:00 p.m. to 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this hearing is to read into rule corrections made subsequent to the initial rule hearing on August 20, 2012 and were not addressed in the public comments received thereafter.

A copy of the agenda may be obtained by contacting: Susan DeBeaugrine, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308-5407, telephone: (850) 412-4261, e-mail: susan.debeaugrine@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Susan DeBeaugrine, Bureau of Medicaid Services at (850)412-4261. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATE AND TIME: October 23, 2012, 9:00 a.m.

PLACE: Wyndham Bay Point Resort, 4114 Jan Cooley Drive, Panama City, Florida 32408. Telephone (850) 236-6000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business - including disciplinary cases and discussion items - architecture profession, interior design profession, rules, reports and application reviews.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. Telephone (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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. Telephone (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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. Telephone (850) 717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATE AND TIME: October 22, 2012 at 9:00 a.m.

PLACE: Wyndham Bay Point Resort, 4114 Jan Cooley Drive, Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: The following cases are open to the public:

A Phipps Design, Inc. 2011-054832
Brian Phipps

AB Dream Homes, LLC 2012-036281
Aleksander Bilinski

Adieza Corporation 2011-019382
Joaquin Diez

Joseph Albino 2011-046816
Décor and More by SC

Apadana Group 2012-028954
Rahim Tajalli

Archidesign, Inc. 2011-045532
Humberto A. Acosta, Jr.

Atlas Construction Co. 2011-053569
Reinaldo Aquit

Camilo Bonnet 2011-045402
ArchiDesign76

Cesar Molina & Associates, Inc. 2011-054056

Nestor Cifuentes 2011-018628

Cindy Ray Interiors, Inc. 2012-028759
Cindy Ray

Jerry D'Angelo 2011-017816

Francis DiGiovanni 2011-054792

Sunday E. Enogieru 2011-034162
SCD Corporation

Eugenio Gonzalez 2012-003795

Goode Interiors, Inc. 2012-025878
Sherri Goode

Carl Hamilton, Jr. 2012-026987

Icon Unlimited Corp. 2011-042241
Robert San Matrin

Interior Development & Design International 2011-053795
Sherif Ayad

Kemble Interiors, Inc. 2012-003400

L. Bruce Kilby Designs 2011-053981

LAI Design Associates 2012-029187

Edward A. Landers 2011-019031

LIM Design, Inc. 2011-044814
Lorna Jaquiss

Luis A. Lopez 2011-037223

Hernan Molina 2011-017598

Nandez D & D, LLC 2012-028736
Carlos Hernandez

ODUA Group, LLC 2011-053877
Ola O. Aluko

Gary Allen Sharp 2012-031382
Gary Sharp Designs

Jeffrey W. Smith 2012-023361

Spolski Construction, Inc. 2012-027151
Kevin J. Spolski

Style Homes Flooring & Drywall Corp. 2011-018617
Luis H. Reis

Samuel Vasquez, Jr. 2011-041313
ARC Steel Homes, Alternative Residential Components, Inc.

SoFlo Home Design, LLC 2011-061071
Erik Wietholter

Thomas J. Twomey 2011-054793

John A. Weller 2011-047903
Madison Industries

Lawrence Yancy 2011-054656
LYRC Consultants

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850) 402-1570

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: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850) 402-1570. 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: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850) 402-1570

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

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

DATE AND TIME: Wednesday, October 17, 2012 at 10:00 a.m. or soon thereafter.

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)670-3525, Conference Pass code: 7489217568 then #

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 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: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Department of Environmental Protection, Siting Coordination Office announces the cancellation of a hearing:

DATE AND TIME: October 15, 2012, beginning at 9:00 a.m. and continuing as necessary from day-to-day until completed.

PLACE: David Park Community Center, 108 N. 33rd Court, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: CANCELLATION OF HEARING: The certification hearing scheduled to begin October 15, 2012, and noticed on August 24, 2012, for the Florida Power & Light Port Everglades Next

Generation Clean Center application, Power Plant Site Certification Application number PA 12-57, DOAH Case number 12-0422EPP, DEP Office of General Counsel Case Number 12-0710 has been cancelled. In accordance with the Florida Electrical Power Plant Siting Act, Section 403.508(6), F.S., on September 19, 2012, all parties to this proceeding stipulated that there are no disputed issues of material fact or law to be raised at the certification hearing and filed a motion requesting that the Administrative Law Judge (ALJ) cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection pursuant to Section 403.508(6)(a), F.S. On September 24, 2012, the ALJ issued an order granting the request pursuant to Section 403.508(6)(b), F.S. Pursuant to Section 403.509(1), F.S., the Department of Environmental Protection will prepare and issue a Final Order within 40 days of the ALJ's Order. For more information, you may contact: Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

The Department of Environmental Protection, Bureau of Beaches and Coastal Systems, announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2012, 9:00 a.m.

PLACE: Palm Beach Town Hall, 2nd Floor Town Council Chambers, 360 South County Road, Palm Beach, Florida, 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will hold the fifth Stakeholder Meeting to discuss the Proposed Palm Beach Island Beach Management Agreement (BMA). The BMA is intended to coordinate and facilitate flexible permitting for beach sand management projects and to achieve a net environmental benefit and related public objectives for Palm Beach Island. The agenda will include a plenary session to review the draft BMA. More information about the Palm Beach Island BMA can be found at: <http://www.dep.state.fl.us/beaches/pb-bma/index.htm>.

A copy of the agenda may be obtained by contacting: Tori Deal, tori.deal@dep.state.fl.us, (850)488-7808.

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: Tori Deal, tori.deal@dep.state.fl.us, (850)413-7808. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Executive Committee of the Florida Coordinating Council for the Deaf and Hard of Hearing announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 16, 2012, 9:00 am EDT
 PLACE: Toll-Free: 1-888-670-3525, event code: 6625033505#
 GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a special meeting of the Executive Committee of the Florida Coordinating Council for the Deaf and Hard of Hearing for the purpose of examining applications for the position of Education/Outreach Coordinator for the Council.

A copy of the agenda may be obtained by contacting: By e-mail: info@fccdhh.org Or by Phone: (850)245-4913|Toll-free: (866) 602-3275

TTY: (850) 245-4914|Toll-free TTY: (866) 602-3276

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 14 days before the workshop/meeting by contacting: See contact information above. 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: See contact information above.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2012, immediately following the Surgical Care/Quality Assurance Committee

PLACE: Hilton Deerfield Beach/Boca Raton, 100 Fairway Drive, Deerfield, FL 33441. Hotel phone #: (954) 427-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Rebecca Hewett at Rebecca_Hewett@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Hewett at Rebecca_Hewett@doh.state.fl.us or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 22, 2012 @ 10:00am until 1:00pm.

PLACE: Department of Health, Tallahassee at Meet Me Number (888) 670-3525 code 1135981458.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850) 245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

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

DATE AND TIME: Friday, October 26, 2012, commencing at 9:00 a.m., at meet me number (888) 670-3525, participant passcode 9238150597.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business. Note that this meeting has been changed to a telephone conference call and not a face to face meeting in Tampa.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sherra W Causey. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

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

DATE AND TIME: October 25, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Building 1, Secretary Conference Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Independent Living Services Advisory Council (ILSAC) Meeting

The Council will meet to review the implementation and operation of the independent living transition services.

A copy of the agenda may be obtained by contacting: Cyndee Odom, Domestic Violence and Independent Living Programs, cyndee_odom@dcf.state.fl.us, (850) 922-0185.

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: Cyndee Odom, Domestic Violence and Independent Living Programs, cyndee_odom@dcf.state.fl.us, (850) 922-0185. 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: Cyndee Odom, Domestic Violence and Independent Living Programs, cyndee_odom@dcf.state.fl.us, (850) 922-0185

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

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

DATE AND TIME: November 15, 2012, 1:00 PM – 4:00 PM
PLACE: Florida Department of Children and Families, 1317
Winewood Blvd., Building 1, Secretary Conference Room,
Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Independent Living Services Advisory Council (ILSAC)
Meeting

The Council will meet to continue to review the
implementation and operation of the independent living
transition services and make recommendations for improving
the services and programs for youth and young adults
transitioning to adulthood.

A copy of the agenda may be obtained by contacting: Cyndee
Odom, Domestic Violence and Independent Living Programs,
cyndee_odom@dcf.state.fl.us, (850) 922-0185

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: Cyndee Odom, Domestic Violence and
Independent Living Programs, cyndee_odom@dcf.state.fl.us,
(850) 922-0185. 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: Cyndee Odom,
Domestic Violence and Independent Living Programs,
cyndee_odom@dcf.state.fl.us, (850) 922-0185

NAVIGATION DISTRICTS

Florida Inland Navigation District

The Florida Inland Navigation District announces a public
meeting to which all persons are invited.

DATE AND TIME: all meetings start at 8:00 a.m. at the dates
listed below

PLACE: at the places listed below

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- October 19, 2012 in Broward County
- November 16, 2012 in Duval County
- December 8, 2012 in Volusia County
- January 18, 2013 in St. Johns County
- February 16, 2013 in St. Lucie County
- March 15, 2013 in Martin County
- April 13, 2013 in Flagler County
- May 17, 2013 in Maimi-Dade County
- June 21 and 22, 2013 in Brevard County
- July 19, 2013 in Nassau County
- August 17, 2013 in Indian River County
- September 14, 2013 in Palm Beach County

A copy of the agenda may be obtained by contacting: the
District by mail at 1314 Maricinski Road, Jupiter, Fl. 33477, by
our website aicw.org, or by telephone at 561-627-3386.

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: . 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.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public
meeting to which all persons are invited.

DATE AND TIME: November 2, 2012 – 8:30 a.m. until
adjourned

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1.
Consider financing and acknowledgement resolutions for
various multifamily developments, under any multifamily
program, including the ranking of developments.

2. Consider appointment of professionals including but not
limited to trustee and/or originator/servicer for upcoming
and/or past multifamily programs and single-family programs.

3. Consider approval of all bond documents for and terms of all
upcoming single-family and multifamily bond sales, including
those secured by third-party guarantors, letters-of-credit,
insurance or other mechanisms.

4. Consider adopting resolutions authorizing negotiated or
competitive sale of bonds on various single-family and
multifamily issues.

5. Consider directing Staff to submit summaries of various
TEFRA/Public Hearings to the Governor.

6. Consideration of policy issues concerning ongoing and
upcoming single-family bond issues including initiation of
request for proposals on an emergency basis, and structuring
new issues.

7. Consideration of all necessary actions with regard to the
Multifamily Bond Program.

8. Consideration of approval of underwriters for inclusion on
approved master list and teams.

9. Consideration of all necessary actions with regard to the
HOME Rental Program.

10. Consideration of all necessary actions with regard to the
HC (Housing Credits) Program.

11. Consideration of all necessary actions with regard to the
SAIL (State Apartment Incentive Loan) Program.

12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the November 2, 2012, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850) 488-4197, approximately two days prior to the meeting or by visiting the Corporation’s website at www.floridahousing.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 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850) 488-4197. 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.

FLORIDA HOUSING FINANCE CORPORATION

The FHFC II, Inc., announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2012 – 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

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

- GENERAL SUBJECT MATTER TO BE CONSIDERED:
1. Conduct business necessary for the organization of FHFC II, INC.
 2. Consider adopting resolutions delegating operational authority to the Executive Director.
 3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
 4. Consideration of approval of underwriters for inclusion on approved master list and teams.
 5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
 6. Consideration of status, workouts, or modifications for existing projects.
 7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
 8. Such other matters as may be included on the Agenda for the November 2, 2012, Board Meeting.

A copy of the agenda may be obtained by contacting: contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, approximately two days prior to the meeting, phone number (850) 488-4197, or by visiting the Corporation’s website at www.floridahousing.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 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850) 488-4197. 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.

FLORIDA HOUSING FINANCE CORPORATION

The FHFC III, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2012 – 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC III, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the November 2, 2012, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, approximately two days prior to the meeting phone number (850) 488-4197, or by visiting the Corporation's website at www.floridahousing.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 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850) 488-4197. 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.

FISH AND WILDLIFE CONSERVATION COMMISSION
Marine Fisheries

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

DATE AND TIME: October 11, 2012 from 6:00 p.m. to 8:00 p.m. EDT

PLACE: City of Perry, City Council Meeting Room, 224 South Jefferson Street, Perry, FL 32347.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission is holding a public workshop to discuss recreational season options for the 2013 Gulf of Mexico gag grouper season. The purpose of this workshop is to gather public input on preferred season dates and bag limit options for gag grouper.

A copy of the agenda may be obtained by contacting: Jessica McCawley, at 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

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

For more information, you may contact: Jessica McCawley, at 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Service, Bureau of Fire Prevention, State Fire Marshal announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 16, 2012, 10:00 a.m.

PLACE: State Fire Marshal Small Conference Room, Atrium Building, Third Floor, 325 John Knox Road, Tallahassee, Florida 32303.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A special conference meeting of the Florida Fire Safety Board. Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone conference call should dial (850) 413-1591, (SC) 293-1591. (Cisco VoIP Internal callers may reach the conference call by dialing 11591.) Once you have dialed the initial number you will be prompted to enter the Conference ID which is 736082.

The connection will be available 5 to 10 minutes before 10:00 AM.

A copy of the agenda may be obtained by contacting: Donald Rollins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling him at 850/413-3628.

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: Donald Rollins at the address or phone number listed above. 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).

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic R&D Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 3rd at 8am
 PLACE: Technology Business Incubator Conference Room, 3651 FAU Blvd. Suite 400, Boca Raton, FL 33431
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting
 A copy of the agenda may be obtained by contacting: Christine Burres: cc@research-park.org.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Treasure Coast Education, Research and Development Authority (TCERDA) announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2012 @ 2 pm
 PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

GENERAL SUBJECT MATTER TO BE CONSIDERED: A joint meeting with TCERDA and the St. Lucie County Board of County Commissioners to discuss any business as the Authority and Commission may deem appropriate or as may come before them; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

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: Treasure Coast Research Park (TCRP) Office at 772-467-3107. 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: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Treasure Coast Education, Research and Development Authority (TCERDA) announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2012 @ 2 pm
 PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

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: Treasure Coast Research Park (TCRP) Office at

772-467-3107. 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: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Treasure Coast Education, Research and Development Authority (TCERDA) announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2012
 PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

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: Treasure Coast Research Park (TCRP) Office at 772-467-3107. 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: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2012 9:00 – 11:00 a.m.
 PLACE: Department of Juvenile Justice, Knight Building CR 1134, 2737 Centerview Drive, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General

A copy of the agenda may be obtained by contacting: monica_cash@nsr.myflorida.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Monica Cash 850-921-4479. 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.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center Operational Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2012 1:30 – 3:30 p.m.

PLACE: Northwood Shared Resource Center, 1940 North Monroe Street, CR 3000, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Monica Cash 850-921-4479. 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.

SOUTHWOOD SHARED RESOURCE CENTER

The Southwood Shared Resource Center announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 8, 2012, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1706, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the SSRC Board of Trustees.

If any person decides to appeal any decision made by the Board [or Committee] 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.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

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

agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: 9am-12pm (EDT) on Monday, October 15, 2012

PLACE: Teleconference 1-855-312-8651, Conf. ID 4458606638#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Depopulation Committee Teleconference Meeting

A copy of the agenda may be obtained by contacting: Barbara Walker at 1-800-807-7647, or visiting our website www.citizensfla.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker. 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).

FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION

The Florida High School Athletic Association announces a public meeting to which all persons are invited.

DATE AND TIME: The FHSAA Board of Directors meets 5 times annually (Sept., Nov., Jan., Apr., June). The FHSAA also conducts Sectional Appeals hearings during the first week of each month from August through April. Please visit www.fhsaa.org for the specific schedule and dates.

PLACE: Robert W. Hughes FHSAA Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board agenda items and appeal hearings

A copy of the agenda may be obtained by contacting: <http://www.fhsaa.org/gov/board/2012-13>.

FLORIDA INDEPENDENT LIVING COUNCIL

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

DATE AND TIME: Wednesday, November 14, 2012, 9:00A.M.-5:00 P.M.

MEETING: Planning Committee SPIL Writing Team

PLACE: FILC Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

DATE AND TIME: Thursday, November 15, 2012, 9:00A.M.-1:00 P.M.

MEETING: Planning Committee SPIL Writing Team

PLACE: FILC Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

DATE AND TIME: Thursday, November 15, 2012, 9:00 A.M.-1:00 P.M.

MEETING: New Member Orientation

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida, 32301

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

DATE AND TIME: Thursday, November 15, 2012, 2:00-3:00 P.M.

MEETING: Nominating Committee

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida, 32301

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

DATE AND TIME: Thursday, November 15, 2012, 3:00-4:00 P.M.

MEETING: Finance Committee

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida, 32301

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

DATE AND TIME: Thursday, November 4:00-5:00 P.M.

MEETING: Executive Committee

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida, 32301

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

DATE AND TIME: Friday, November 16, 2012, 9:00 A.M.

MEETING: Full Council Meeting

PLACE: Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida, 32301

CALL IN NUMBER: 1-888-670-3525 CODE: 5073148497#

PLACE: As noticed by meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303 (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The Florida Higher Educational Facilities Financing Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 12, 2012, 12:00 Noon – 1:00 p.m.

PLACE: The Offices of: The Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, and by teleconference at (866)578.5716. Conference Code 6813188.

GENERAL SUBJECT MATTER TO BE CONSIDERED: (A) Conducting a public hearing, consideration of the results of a public hearing and consideration of a resolution with respect to the authorization by the Authority of the issuance of not exceeding \$60,000,000 in aggregate principal amount of educational facilities revenue refunding bonds of the Authority in order to make a loan to Saint Leo University Incorporated, a Florida not-for-profit corporation (the "University"), for the purposes of: (i) refinancing several series of bonds issued by the Authority for the benefit of the University, the proceeds of which were used to finance various educational facilities on the campus of the University and (ii) pay costs of issuance of such Bonds.

(B) Conducting a public hearing, consideration of the results of a public hearing and consideration of a resolution with respect to the authorization by the Authority of the issuance of not exceeding \$36,000,000 in aggregate principal amount of educational facilities revenue refunding bonds of the Authority in order to make a loan to Nova Southeastern University Inc., a Florida not-for-profit corporation (the "University"), for the purposes of: (i) refinancing several series of bonds issued by the Brevard County Educational Facilities Authority for the benefit of the University, the proceeds of which were used to finance various educational facilities on the campuses of the University and (ii) fund necessary reserves, including a debt service reserve fund, if any, and (iii) pay costs of issuance of such Bonds (C) Any other matters that may come before the Authority.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee,

Florida 32301, (850) 681-3188. 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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Executive Compensation Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 16, 2012 beginning at 2:00 p.m. (Eastern Time)

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941) 378-7408.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive compensation plan matters shall be discussed at the meeting.

A copy of the agenda may be obtained by contacting: Kathy Coyne at 941-378-7408 or from the FWCJUA's website, www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

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

DATE AND TIME: October 8, 2012 beginning at 2:00 p.m. (Eastern Time)

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941) 378-7408.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics shall include approval of minutes and reinsurance commutation offer.

A copy of the agenda may be obtained by contacting: Kathy Coyne at 941-378-7408 or the FWCJUA's website, www.fwcjua.com.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Diane Brock Oser, member/stockholder, In Re: Galt Mile Apartments, Inc., Docket No. 2012037791, on September 19,

2012. The petition seeks the agency's opinion as to the applicability of 719.106(1)(d), Florida Statutes, as it applies to the petitioner.

Whether a Galt Mile Apartments cooperative bylaw requiring a director to sit off the board for one year before running again for election to the board is consistent with section 719.106(1)(d), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by L. Paul Masse, Unit Owner/Petitioner, In Re: Las Vistas in Inverrary Condominium Association, Inc., on August 08, 2012. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because it may not render an opinion on the validity of an association bylaw in this proceeding; or when there is a dispute of fact.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO. : RULE TITLE :

61D-11.018: Reporting Requirements to Determine Net Proceeds or Gross Revenues

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued an order disposing of the petitions for declaratory statement filed by Florida Horsemen's Benevolent and Protective Association, Inc., and Calder Race Course, Inc. (Petitioners), on, respectively, January 28 and March 3, 2011. The following is a summary of the agency's disposition of the petitions:

The petitions for declaratory statement were noticed in Vol. 37, Nos. 7 & 12, of the Florida Administrative Weekly. The petitions listed § 849.086(13)(d), F.S., as the provision upon which a declaratory statement was sought. The declaratory statement issued by the Division (DBPR Case Nos. 2011005448 & 2011012089 / DS 2011-007 & 2011-018) on August 27, 2012, finds that subsections 849.086(13)(d)1 & 2, F.S., when read together require that any supplement to purses and breeders awards for a horseracing permitholder's "next ensuing racing meeting" is to be based on the aggregation of net monthly proceeds and that, therefore, a thoroughbred racing permitholder can offset months in which its net proceeds from the operation of a cardroom are negative against months in which the net proceeds are positive in calculating its supplement purses and breeders awards due in its next ensuing racing meeting.

A copy of the Order disposing of the petitions for declaratory statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (phone: 850-921-0342).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has issued an order disposing of the petition for declaratory statement filed by Summer Jai Alai Partners (Petitioner) on May 8, 2012. The following is a summary of the agency's disposition of the petition:

The petition for declaratory statement was noticed in Vol. 38, No. 21, of the Florida Administrative Weekly. The petition listed §§ 550.615(2) & 849.086(5)(b), F.S., as the provisions upon which a declaratory statement was sought. The declaratory statement issued by the Division (DBPR Case No. 2012022111/DS 2012-043) on September 7, 2012, finds that §§ 550.615(2) & 849.086(5)(b), F.S., apply to summer jai alai and require, for cardroom and intertrack wagering authorization, a full schedule of 58 live performances under § 550.002(11), F.S., or 40 performances if live handle has been less than \$4 million for any two consecutive fiscal years after June 30, 1992.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 (phone: (850)921-0342).

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Don Petito, Petitioner, Assignment # 128511, on September 10, 2012. The petition seeks the agency's opinion as to the applicability of Chapter 509, F.S., Chapter 633, F.S., Chapter 69, F.A.C. and the Fire Prevention Code as it applies to the petitioner.

Questions: 1. Is the Division of Hotels and Restaurants of the Department of Business and Professional Regulation the entity responsible for inspecting Vacation Rentals and enforcing the Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshare Plans, or Timeshare Unit Facilities? 2. If the answer if "yes" to Question #1, does the Flagler County Fire Rescue Department also have the responsibility for inspecting Vacation Rentals and enforcing the Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshare Plans, or Timeshare Unit Facilities? 3. If the answer if "yes" to Question #2, what code and statutory provisions grant the Flagler County Fire Rescue Department such authority? 4. Does the Flagler County Fire Rescue Department have the right of entry and access to Vacation Rentals, in order to inspect for possible violations of the Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshare Plans, or Timeshare Unit Facilities? 5. If the answer if "yes" to Question #4, what code and statutory provisions grant the Flagler County Fire Rescue Department such authority? 6. If the answer if "yes" to Question #4, and the subject Vacation Rental was issued a certificate of occupancy as a single family home, does the Flagler County Fire Rescue Department inspect the structure in the context of the regulations applicable to a single family home, or in the context of the regulations applicable to a Vacation Rental? 7. If the Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshare Plans, or Timeshare Unit Facilities contains an occupancy standard that conflicts with the occupancy standard of the Flagler County Land Development Code, which code prevails?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Linje Rivers, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-4230, fax number (850)488-0697 (please advise if you would like it mailed or

faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to linjerivers@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from the Village of North Palm Beach, File # 128455, filed on September 5, 2012. The petition seeks the agency's opinion as to the applicability of Section 2-1 of the Florida Fire Prevention Code, incorporating by reference NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages as it applies to the petitioner.

This petition does not affect any particular structure; rather, the issue impacts all residential areas within the Village of North Palm Beach. Question: Does NFPA 30A, as incorporated by reference into Section 2-1 of the Florida Fire Prevention Code, prohibit the Village of North Palm Beach from allowing the fueling of marine vessels by use of tank vehicles in residential neighborhoods located within the Village?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Linje Rivers, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-4230, fax number (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to linjerivers@myfloridacfo.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

School Districts

DCPS DW Energy Retrofits/Lighting Retrofits at Various Schools-Gr3 Ph 2-2/M-83750/OFDC-ITB-002-13

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS - Invitation To Bid For An Electrical Contractor - Publish Date September 28, 2012. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D.

BIDS ARE DUE ON OR BEFORE October 30, 2012 AND WILL BE ACCEPTED UNTIL 2 PM.

OFFICIAL PROJECT TITLE: Districtwide Energy Retrofits/Lighting Retrofits at Various Schools - Group 3 Phase 2-2 School Nos. 206, 93, 95, 97, 116, 150, 72, 80, 74, 106

DCSB Project No. M-83750/OFDC- ITB-002-13. SCOPE OF WORK: The project consists of construction for replacement/retrofit of lighting ballasts and lamps. Estimated construction cost is not to exceed \$420,000. Project is subject to availability of funds authorized by the Owner. The selected contractor shall be required to execute the Duval County School Board standard form of agreement. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the State of Florida. Contract documents for bidding may be obtained at the office of LDI Repro Printing Centers/806 Rosselle St./Jacksonville, FL 32204/(904) 381-0777.

Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: John Searcy and Associates, 2700 University Blvd. W., Ste. B-4, Jacksonville, Florida 32217. DCSB Point of Contact: Kevin Trussell (904) 390-2336. MBE Participation Goal: 10% overall based on available MBE's. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on Wednesday, October 10, 2012 at 2:00 pm at 1701 Prudential Drive, Room 541. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdpcs/departments/facilities/general_documents.asp

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF EDUCATION

School Districts

DCPS DW Energy Retrofits/Lighting Retrofits at Various Schools-Gr 3 Phase 2-3/M-83750/OFDC- ITB-003-13

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS - Invitation To Bid For an Electrical Contractor – Publish Date September 28, 2012. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. **BIDS ARE DUE ON OR BEFORE October 30, 2012 AND WILL BE ACCEPTED UNTIL 2 PM.** OFFICIAL PROJECT TITLE: Districtwide Energy Retrofits/Lighting Retrofits at Various Schools - Group 3 Phase 2-3 School Nos. 128, 158, 159, 227, 229, 82, 124, 148/DCSB Project No. M-83750/OFDC-ITB-003-13. SCOPE OF WORK: The project consists of construction for replacement/retrofit of lighting ballasts and lamps. Estimated construction cost is not to exceed \$390,000. Project is subject to availability of funds as authorized by the Owner. The selected contractor shall be required to execute the Duval County School Board standard form of agreement. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of

Florida. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers/806 Roselle St /Jacksonville, FL 32204/ (904) 381-0777. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207.

Name of A/E Firm: The Ohmega Group, LLC, 1756 Silver Street, Jacksonville, Florida 32206. DCSB Point of Contact: Kevin Trussell (904) 390-2336. MBE Participation Goal: 10% overall based on available MBE's.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on Wednesday, October 10, 2012 at 2:00 pm at 1701 Prudential Drive, Room 541. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdpcs/departments/facilities/general_documents.asp

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF EDUCATION

School Districts

DCPS DW Energy Retrofits/Lighting Retrofits at Various Schools-Gr 3 Phase 2-4/M-83750/OFDC- ITB-004-13

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS – Invitation To Bid For an Electrical Contractor – Publish Date September 28, 2012. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D.

BIDS ARE DUE ON OR BEFORE October 30, 2012 AND WILL BE ACCEPTED UNTIL 2 PM. OFFICIAL PROJECT TITLE: Districtwide Energy Retrofits/Lighting Retrofits at Various Schools – Group 3 Phase 2-4 School Nos. 228, 163, 166, 236, 94, 164, 233/DCSB Project No. M-83750/OFDC-ITB-004-13. SCOPE OF WORK: The project consists of construction for replacement/retrofit of lighting ballasts and lamps. Estimated construction cost is not to exceed \$300,000. Project is subject to availability of funds as authorized by the Owner. The selected contractor shall be required to execute

the Duval County School Board standard form of agreement. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers/806 Roselle St /Jacksonville, FL 32204/ (904) 381-0777. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207.

Name of A/E Firm: Haddad Engineering, Inc., 2955 Hartley Road, Ste. 205, Jacksonville, Florida 32257.

DCSB Point of Contact: Kevin Trussell (904) 390-2336. MBE Participation Goal: 10% overall based on available MBE's . All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on Wednesday, October 10, 2012 at 2:00 pm at 1701 Prudential Drive, Room 541. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF TRANSPORTATION

FCO Contract to add generator

Licensed Contractors/Electricians are invited to bid on the following project:

FINANCIAL PROJECT NO.: 43128915201 & 43128919301
 CONTRACT NO.: E1L71

Installation of an Emergency Generator in Polk County

Bids Due: Thursday 10/25/12 at 11:00 a.m., at the FDOT, 801 North Broadway, MS 1-18; Bartow, Florida 33830.

Visit

<http://www.dot.state.fl.us/contractsadministrationdistrict1/> or call (863)519-2567 for more information.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

US&R FEMA Courses RFP

The East Central Florida Regional Planning Council invites all qualified firms to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Proposals (RFP).

Proposals shall be accepted until 12:00 p.m. (Eastern Time), on Wednesday, October 31, 2012.

To obtain a copy of the Request for Proposals, which outlines selection criteria and applicant's responsibilities, please visit: <http://www.ecfrpc.org> and select the Emergency Management document library page. Any modifications that occur to the Request for Proposals will be posted at the web site.

NJPA INDEFINITE QUANTITY CONSTRUCTION CONTRACT

INDEFINITE QUANTITY CONSTRUCTION CONTRACT (IQCC)

ROOFING CONSTRUCTION and REPAIR

In the States of:

(PA, MD, DE, VA, FL, NE, KA, MO, OK, TX, NM, & CA)

Bids for all contracts covered by this solicitation are due by 4:00 PM CDT on October 31, 2012.

At the offices of the

National Joint Powers Alliance®

202 12th Street NE, P.O. Box 219, Staples, MN 56479

The National Joint Powers Alliance® (NJPA) issues this Invitation To Bid (ITB/IFB) on behalf of, and to provide Indefinite Quantity Construction/Roofing/Repair Contracting (IQCC) services to all government and educational agencies to include colleges, universities and non-profit agencies. It is the intention of NJPA to award multiple contracts in all Areas listed above. Each contract has an initial term of one (1) year and bilateral option provisions for three (3) additional terms. The estimated annual value is \$2,000,000. The total term of the contract cannot exceed four (4) years.

IQCC also known as Job Order Contracting (JOC) is a contracting procurement system that provides facility owner's access to "on-call" contractors to provide immediate construction/roofing/repair services over an extended period of time.

Intending bidders are required, to attend a pre-bid webinar which shall be conducted for the purpose of discussing the IQCC procurement system, the contract documents, and bid forms. Attendance at one of the seminars is a mandatory condition of bidding.

Pre-Bid Webinars will be held on October 16, 2012 1:00 P.M. CDT, October 17, 2012 at 1:00 P.M. CDT and October 23, 2012 1:00 P.M. CDT via a Webinar hosted by NJPA. The Webinar will require the Contractor to pre-register at:

<http://www.njpacoop.org/eziqc-registration>. Go to the Website and select the appropriate Webinar and fill-in all the information.

An electronic (CD) copy of the ITB/IFB Documents which include the instructions for submitting a bid and the bid documents may be obtained by letter of request to Gregg Meierhofer, NJPA, 202 12th Street NE, Staples, MN 56479, or by email request to EZIQC@NJPACOOOP.org. All requests must include mailing address, email address, contact name, phone number. Bids are due by 4:00 p.m. CDT on October 31, 2012 and will be opened at 9:00 a.m. on November 1, 2012. ITB/IFB Documents will be available until the bid opening date of October 31, 2012.

Direct questions regarding this ITB/IFB to: Matthew Peterson EZIQC@NJPACOOOP.org or (218)894-5493.

AREA AGENCY ON AGING FOR NORTH FLORIDA

Family Caregiver Support Program

Request for Proposals

National Family Caregiver Support Program

Area Agency on Aging for North Florida, Inc. announces grant opportunities to private, not for profit and faith-based organizations interested in providing services to caregivers under the Federal Older Americans Act Title III-E National Family Caregiver Support Program in Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and/or Washington Counties. Prospective sources must be established and have current or previous experience in providing services to older adults and caregivers. If a contract is awarded for this effort, the Area Agency on Aging for North Florida, Inc. anticipates duration of not more than one year with two, one- year renewal options pending continued funding availability. Programs must be capable of providing new, innovative, or continuing services to caregivers meeting the following eligibility criteria:

- (1) Individuals providing informal in-home and community care for a person age 60 or older; or
- (2) Grandparents or step-grandparents and relative caregivers, age 55 or older, of children not more than 18 years of age, or
- (3) Older individuals, age 60 or older, providing care and support to persons with intellectual and related developmental disabilities.

Priority for services must be given to those with greatest social and economic need, paying particular attention to low income older individuals, including low income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas; and those providing care and support to persons, including children, with severe disabilities.

All services must be provided in accordance with established guidelines set forth by the State of Florida Department of Elder Affairs Programs and Services Handbook, dated July 2012, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

Interested parties may request a proposal package in writing by contacting Lisa Bretz, Planning Administrator, via U.S. Mail at 2414 Mahan Drive Tallahassee, Florida 32308, or via email at bretzl@elderaffairs.org. Only written requests will be accepted.

Written proposals are due to the Area Agency on Aging for North Florida, Inc. no later than

3:00 p.m., EST on November 1, 2012. The Area Agency on Aging for North Florida, Inc. reserves the right to reject any and all proposals.

VISIT FLORIDA

VISIT FLORIDA looking to select a research firm to recruit, manage, and analyze one-on-one usability testing

VISIT FLORIDA is looking to select a research firm to recruit, manage, and analyze one-on-one usability testing on the VISIT FLORIDA's redesigned consumer website, www.VISITFLORIDA.com. For more information visit <http://www.visitflorida.org/rfp>. Deadline for submissions is October 10, 2012.

**Section XII
Miscellaneous**

DEPARTMENT OF EDUCATION

Florida Gulf Coast University

FGCU Project Summary Fact Sheet

Project Summary Fact Sheet

Central Energy Plant – Phase 3

Florida Gulf Coast University

BR-1079

September 17, 2012

Description of Project

This project is summarized with the following facts to supplement information that was delineated in the original ad as Notice to Professional Consultants published in the Florida Administrative Weekly on 9.14.12:

- 1. This project pertains to the expansion of the main Campus Energy Plant building and equipment to prepare for new campus buildings to be constructed in or about the East Academic Core Area within the Loop Road.
- 2. The expansion of the building will be approximately 5,000 gross square feet of area, and include chilled water equipment to serve approximately 200,000 gross square feet for future buildings in the East Academic Core area.

3. The project also includes the master planning to define the location and size of the new chilled water piping from the CEP to the East Academic Core area.
4. The MEP consultant will be the lead consultant on this project, however other consultants such as architectural, civil and structural will be responsible to the MEP and their services will be included under the MEP's contract with the University.
5. The MEP consultant will be required to develop all contract documents for the project, including stamped and sealed documents to obtain approval from local code officials and the State Fire Marshal. At this point we are not sure if and when the University will proceed to actual construction of the project, however, the contract documents should be designed to allow the University to proceed immediately if so desired.
6. The project will include a new cooling tower(s), related piping insulation, rigging, chemical treatment and temperature control work both for the building and related site work.
7. The method of project delivery to construct the project will require the MEP consultant to administrate the project through the use of Public Open Bid methods.
8. The estimated cost of construction for the project is \$7.5 million, with a total project budget of \$8.0 million.
9. Included as part of the proposals submitted, the MEP Consultant should indicate the sub-consultants that would be utilized for this project.
10. Once Requests for Proposals are submitted to the University, the selection of the MEP consultant will be performed by a Selection Committee, who will recommend approval to FGCU administration. The composition of the Selection Committee has not been determined as yet.
11. Upon approval of the selected MEP consultant by administration, FGCU will negotiate a contract with said selected MEP consultant for the design of the project.
12. At such time as the University decides to proceed with construction, some portions of the construction of this project will include Owner Direct Purchases with the selected construction manager in order for FGCU to save related sales on larger pieces of equipment and/or materials.
13. Per a recent decision by the President of FGCU, this project will not be LEED certified.

You are reminded that instructions to MEP consultants to submit their proposals, please see the information as originally posted in the Notice to Professional Consultants.

Please contact Mr. Barrett Genson, Director of Facilities Planning, 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565, Phone 239-590-1500, Fax 239-590-1505 if you have additional questions.

Submittals must be received in the Facilities Planning Office, by 3:00 p.m. local time, on October 16, 2012. Facsimile (FAX) submittals are not acceptable and will not be considered.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Larkin MotorWorks, LLC, for the ZHEJ line-make

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 Gorilla Motor Works, LLC, intends to allow the establishment of Larkin Motorworks, LLC, d/b/a St. Pete Scooters as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd, (line-make ZHEJ) at 3029 Dr. Martin Luther King, Jr. Street North, St Petersburg, (Pinellas County), Florida 33704, on or after November 4, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Larkin Motorworks, LLC, d/b/a St. Pete Scooters are dealer operator(s): Ronald M. Larkin, 1220 26th Avenue North, St. Petersburg, Florida 33704; principal investor(s): Ronald H. Larkin, 1759 Grande Park Drive, Englewood, Florida 34223 and Ronald M. Larkin, 1220 26th Avenue North, St. Petersburg, Florida 33704.

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 MS65, 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: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Maddox-Joines, Inc. d/b/a Sunshine Golf Car for the STAR line-make

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 JH Global Services, Inc., intends to allow the establishment of Maddox-Joines Inc, d/b/a Sunshine Golf Car as a dealership for the sale of low-speed vehicles manufactured by JH Global Services, Inc. (line-make STAR) at 9740 West Atlantic Avenue, Delray Beach, (Palm Beach County), Florida 33446, on or after November 4, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Maddox-Joines, Inc., d/b/a Sunshine Golf Car are dealer operator(s): Jim Maddox, 9740 West Atlantic Avenue, Delray Beach, Florida 33446; principal investor(s): Jim Maddox, 9740 West Atlantic Avenue, Delray Beach, Florida 33446 and Pat Joines, 9740 West Atlantic Avenue, Delray Beach, Florida 33446.

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 MS65, 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: Joe Wallington, JH Global Services, Inc., 378 Neely Ferry Road, Simpsonville, South Carolina 29680.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR
VEHICLES

Division of Motor Vehicles

Maddox-Joines, Inc. d/b/a Sunshine Golf Car of Stuart for the STAR line-make

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that JH Global Services, Inc., intends to allow the establishment of Maddox-Joines, Inc., d/b/a Sunshine Golf Car

as a dealership for the sale of low-speed vehicles manufactured by JH Global Services, Inc. (line-make STAR) at 2922 - 2926 Southeast Waaler Street, Stuart, (Martin County), Florida 34997, on or after November 4, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Maddox-Joines, Inc., d/b/a Sunshine Golf Car are dealer operator(s): Jim Maddox, 2922-2926 Southeast Waaler Street, Stuart, Florida 34997, principal investor(s): Jim Maddox, 2922-2926 Southeast Waaler Street, Stuart, Florida 34997 and Pat Joines, 2922-2926 Southeast Waaler Street, Stuart, Florida 34997.

The notice indicates intent to establish the new point location in a county of less 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 MS65, 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: Joe Wallington, JH Global Services, Inc., 378 Neely Ferry Road, Simpsonville, South Carolina 29681.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR
VEHICLES

Division of Motor Vehicles

Seminole Scooters, Inc. for the ZHEJ line-make

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 Gorilla Motor Works, LLC, intends to allow the establishment of Seminole Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (line-make ZHEJ) at 6401 49th Street North, Pinellas Park, (Pinellas County), Florida 33781, on or after November 4, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Seminole Scooters, Inc., are dealer operator(s): David Dubin, 10088 Linden Place Drive, Seminole, Florida 33776; principal investor(s): Robert Hartmann, 6239 Park Boulevard, Pinellas Park, Florida 33781.

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 MS65, 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: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Sky Powersports Lakeland, Inc. for the ZHNG line-make

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 Gorilla Motor Works, LLC, intends to allow the establishment of Sky Powersports Lakeland, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng (ZHNG) at 1638 Kathleen Road, Lakeland, (Polk County), Florida 33805, on or after November 4, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Sky Powersports Lakeland, Inc., are dealer operator(s): Charles R. Northey, Jr., 246 Mclean Point, Winter Haven, Florida 33884; principal investor(s): Charles R. Northey, Jr., 246 Mclean Point, Winter Haven, Florida 33884.

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 MS65, 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: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Suzuki of Lake Wales, Inc. for the ZHNG line-make

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 Gorilla Motor Works, LLC, intends to allow the establishment of Suzuki of Lake Wales, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng (line-make ZHNG) at 20769 Highway 27, Lake Wales, (Polk County), Florida 33853, on or after November 4, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Suzuki of Lake Wales, Inc., are dealer operator(s): Charles R. Northey, 246 Mclean Point, Winter Haven, Florida 33884; principal investor(s): Charles R. Northey, 246 Mclean Point, Winter Haven, Florida 33884.

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 MS65, 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: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

DECISION ON EXPEDITED APPLICATION

The Agency for Health Care Administration made the following decision on Certificate of Need application for expedited review:

County: Osceola Service District: 7

CON#: 10173 Decision Date: 9/25/2012 Decision: A
Applicant/Facility/Project: Poinciana Medical Center, Inc.

Project Description: Transfer CON #9994 to establish a 30-bed acute care hospital from Osceola Regional Hospital, Inc. to the applicant

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under the State's Generic Permit for MS4's

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from St. Johns County, Town of Indian Shores and Indian River County. The applications are being processed and are available for public inspection during normal business hours, 8am to 5pm, Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address:

Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400

DEPARTMENT OF HEALTH
Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Fai Mang, L.M.T., License # MA 61413. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Ming Li, L.M.T., License # MA 64646. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Wenjian Li, L.M.T., License # MA 59459. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yousong Liu, L.M.T., License # MA 59452. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Meiyang Pan, L.M.T., License # MA 59447. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Beibei Qin, L.M.T., License # MA 64571. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Shu Hong Meng, L.M.T., License # MA 62530. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Meili Qiao, L.M.T., License # MA 56428. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Fei Fei Lan, L.M.T., License # MA 59896. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yan Gao, L.M.T., License # MA 61845. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Hongcheng McClure, L.M.T., License # MA 62479. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Hai Yan Qin, L.M.T., License # MA 61037. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Shiyong Peng, L.M.T., License # MA 52684. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yuchui Ni, L.M.T., License # MA 56187. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Caroline McDulin, L.M.T., License # MA 66614. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lei Guan, L.M.T., License # MA 64044. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lei Lin, L.M.T., License # MA 59460. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Ju Liu, L.M.T., License # MA 61531. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Xinyan Li, L.M.T., License # MA 12647. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Xuehua Lin, L.M.T., License # MA 64347. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Mei Lu, L.M.T., License # MA 54847. This

Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Furong Li, L.M.T., License # MA 63348. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cuiping Chen, L.M.T., License # MA 56338. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lanmei Li, L.M.T., License # MA63611. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jinfeng Luo, L.M.T., License # MA 64610. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Service

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Ren Yu Jin, L.M.T., License # MA 52670. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yu Fu, L.M.T., License # MA 55629. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Catherine Depola, L.M.T., License # MA 54373. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Chunxing Lin, L.M.T., License # MA 64346. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yin Lin, L.M.T., License # MA 65026. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jine Fan, L.M.T., License # MA 64345. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yunxiu Chang, L.M.T., License # MA 56237. This

Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jianer Chen, L.M.T., License # MA 66795. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Li Peng, L.M.T., License # MA 63678. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Xiumei Jiang, L.M.T., License # MA 56229. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Bing Luo, L.M.T., License # MA 12939. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jing Gao, L.M.T., License # MA 62654. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jing Ma-Nohrden, L.M.T., License # MA 64352. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Rongfen Duan, L.M.T., License # MA 52065. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious

danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Bing Luo, L.M.T., License # MA 68098. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Xia Peng, LMT, License # MA 61843. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yan Gao, LMT, License # MA 64160. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lin Li, LMT, License # MA 64188. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Shouqin Hu, LMT, License # MA 67895. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Massage

Notice of Emergency Action

On September 19, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Hai Zhen Gong, L.M.T., License # MA 49800. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 21, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jan Linette Crawford, R.N., License #RN #9304420. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2011)

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 21, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dirk David Ellis Wright, A.R.N.P., License # RN #3240232. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2011) The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 28, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Mary Ellen Parrish, RN, License # RN 2617412. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 28, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Traci S Cheesebrough, CNA, License #CNA 250404. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On September 28, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Stacie Richardson Lewis, RPT, License # RPT

25557. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public

DEPARTMENT OF FINANCIAL SERVICES

FSC – Financial Institution Regulation

Financial Institutions

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

APPLICATION WITHDRAWN

Application to Acquire Control

Financial Institution to be Acquired: OptimumBank Holdings, Inc. (OptimumBank), Fort Lauderdale, Florida

Proposed Purchasers: Mr. Moishe Gubin, South Bend, IN and

Mr. Mark T. Orenstein, Chicago, IL

Received: April 4, 2012

Withdrawn: September 20, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

DEO Final Order No.: DEO-12-124

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: POLK COUNTY LAND DEVELOPMENT

REGULATIONS ADOPTED BY

POLK COUNTY ORDINANCE NO. 10-010.

FINAL ORDER

The Department of Economic Opportunity (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving Polk County Ordinance No. 10-010.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern. Polk County is a local government within the Green Swamp Area.

2. On May 27, 2010, the Department received for review Polk County Ordinance No. 10-010 that was adopted by the Polk County Board of County Commissioners on March 17, 2010.

3. Proposed Ordinance No. 10-011 amends Sections 803-General Provisions, 806-Final Plats, and 908-Level 5 Review and Chapter 10-Definitions in the Polk County Land

Development Code to establish a separate review process for minor subdivisions of land, to revise the conditional plat approval process, and to amend definitions.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

5. Polk County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat., and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

7. 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), Fla. Stat.; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

8. Ordinance No. 10-010 is consistent with the following Principles in Rule 28-26.003, Fla. Admin. Code:

(1) Objectives to Be Achieved:

(b) Protect the normal quality, quantity and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.

9. Ordinance No. 10-010 is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

10. Ordinance 10-011 is consistent with the Polk County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ordinance No. 10-011 is found to be consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____

J. Thomas Beck, AICP
 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, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

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

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON STREET, MSC 110
 TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of September, 2012.

/s/ _____
Miriam Snipes, Agency Clerk

By U.S. Mail:
Sam Johnson, Chairman
Polk County Board of County Commissioners
Drawer BC01, P.O. Box 9005
Bartow, FL 33831-9005

Michael F. Craig, Esq.
Polk County Attorney
P.O. Box 9005 Drawer AT01
Bartow, FL 33831

Tom Deardorff, Director
Polk County Office of Planning and Development
P.O. Box 9005, Drawer GM01
Bartow, FL 33831-9005

Rebecca Jetton, Community Planning Administrator, DEO Tallahassee
By Hand Delivery or Interagency Mail:
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
DEO Final Order No.: DEO-12-125

STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY
In re: POLK COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
POLK COUNTY ORDINANCE NO. 10-011.

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2009), approving Polk County Ordinance No. 10-011.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.

2. On May 27, 2010, the Department received for review Polk County Ordinance No. 10-011 that was adopted by the Polk County Board of County Commissioners on March 17, 2010.

3. Proposed Ordinance No. 10-011 amends: Chapter 7, Section 704 Commercial, Industrial and Multifamily Construction Plans to include an exemption provision and minor revision procedure; Chapter 8, Section 804 Construction Plans to include a Minor Revision Procedure; Section 905 Level 2 Review to allow for an expedited review procedure on minor land disturbance and minor revisions; Section 908 Enforcement of Site Requirements to specify parameters to minor and major deviations with approved plans; and Chapter 10 Definitions to add minor land disturbance activity and minor revision.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat. (2009).

6. Polk County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat. (2009) and Rule Chapter 28-26, Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2009). The regulations adopted by the Ordinances are land development regulations.

8. 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), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above Section will be published on Tuesday beginning October 2, 2012.
