



THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
 6A-1.099828 School Accountability for Exceptional Student Education (ESE) Center Schools

PURPOSE AND EFFECT: This is a new rule to implement requirements of Section 1008.3415, Florida Statutes, including establishing a definition of “ESE center school” for accountability purposes and implementing provisions of Section 1008.3415, F.S. As required in statute, the new rule addresses accountability processes for ESE centers, including school improvement ratings and requirements for crediting back scores to home schools as applicable.

SUBJECT AREA TO BE ADDRESSED: School accountability requirements for ESE centers.

RULEMAKING AUTHORITY: 1008.3415 FS.

LAW IMPLEMENTED: 1008.3415 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 13, 2013, 5:00 p.m. – 6:00 p.m.

PLACE: Via webinar and telephone conference call. For the conference call, dial 1(866)271-6130; the participant passcode is 194 392 98 #. For the webinar presentation, please follow the directions below immediately prior to the conference call:

1. Go to <https://suncom.webex.com/suncom/j.php?ED=229770557&UID=1597045252&RT=MiMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. No password is required for this meeting.
4. Click "Join".

For anyone wishing to attend in person, the rule workshop will be conducted at The Florida Department of Education, 325 West Gaines Street, Room 1706, Tallahassee, Florida 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Edward Croft, Bureau Chief, Accountability Reporting, Accountability Research and Measurement, 325 West Gaines Street, Room 1401, Tallahassee, FL 32399, Ed.Croft@fldoe.org. You may submit comments on the Department website at <https://app1.fldoe.org/rules/default.aspx>.

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**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NOS.: RULE TITLES:  
 12D-1.0025 Computation of Time; Due Dates Falling on Weekends and Holidays  
 12D-1.010 Reconciliation of Interim Tax Rolls - Form of Notification

PURPOSE AND EFFECT: The purpose of proposed new Rule 12D-1.0025, F.A.C., (Computation of Time; Handling of Weekends and Holidays) is to clarify how deadlines for property tax actions will be applied when the deadline ends on a weekend or holiday. The effect of creating Rule 12D-1.0025, F.A.C., is to eliminate confusion about how to handle a deadline that falls on a non-business day. The purpose of the proposed amendments to Rule 12D-1.010, F.A.C. (Reconciliation of Interim Tax Rolls – Form of Notification), is to remove a form which is not used. The effect of amending Rule 12D-1.010, F.A.C., is to eliminate an obsolete form.

SUBJECT AREA TO BE ADDRESSED: The subject of proposed new Rule 12D-1.0025, F.A.C., is due dates and deadlines for required property tax actions. The subject of the proposed amendments to Rule 12D-1.010, F.A.C., is how to notify taxpayers about the non-standard procedures that apply when a property appraiser adopts an interim property tax roll.

RULEMAKING AUTHORITY: 195.027, 213.06(1) FS.

LAW IMPLEMENTED: 193.1145, 193.122, 197.162, 197.172, 197.322, 197.333, 197.343, 197.344, 197.432, 197.443 FS.

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

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: Larry Green, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32315-3000, telephone (850)617-8871, email [greenlar@dor.state.fl.us](mailto:greenlar@dor.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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry Green, Tax Law

Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32315-3000, telephone (850)617-8871, email greenlar@dor.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE PROPERTY TAX OVERSIGHT PROGRAM'S WEB SITE AT: <http://dor.myflorida.com/dor/property/legislation/>

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**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.: RULE TITLE:

12D-6.006 Fee Time-Share Real Property

PURPOSE AND EFFECT: The purpose of these proposed amendments is to: remove definitions in this rule that were intended by the Legislature to only be used for the regulatory purposes contained in Chapter 721, F.S.; and, delete rule language which is redundant of statutory language in Section 192.037, F.S., as required by Section 120.74(1)(d), F.S., of the Administrative Procedure Act. The effect of these proposed rule revisions is to provide property appraisers with better procedures regarding the assessment of fee timeshare properties.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule is the procedures property appraisers use to assess fee timeshare properties.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.001, 192.037, 193.011 FS.

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

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: Larry Green, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8871, email greenlar@dor.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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry Green, Tax Law Specialist, Property Tax Oversight Program, Department of

Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8871, email greenlar@dor.state.fl.us

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**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.: RULE TITLE:

12D-7.0143 Additional Homestead Exemption Up To \$50,000 for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to establish procedures for counties and municipalities to follow so that they can grant the two additional exemptions to qualified taxpayers aged 65 and older who meet the requirements of Section 196.075, F.S. The two exemptions are: (A) an additional exemption of up to \$50,000; and/or (B) an exemption of less than \$250,000 of the just value of their property for qualified persons who have maintained their permanent residence on a property for at least 25 years. These two exemptions are only available in counties or municipalities that have passed a local ordinance. The effect of these proposed rule revisions provides property appraisers with better procedures regarding the granting of these two exemptions.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule is the two additional homestead exemptions that counties and municipalities can grant to qualified senior citizens.

RULEMAKING AUTHORITY: 195.027(1), 196.075(5), 213.06(1) FS.

LAW IMPLEMENTED: 193.074, 196.015, 196.031, 196.075 FS.

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

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: Robert Blick, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8879,

email blickr@dor.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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robert Blick, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8879, email blickr@dor.state.fl.us THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE PROPERTY TAX OVERSIGHT PROGRAM'S WEB SITE AT: <http://dor.myflorida.com/dor/property/legislation/> THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.: RULE TITLE:  
12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of these proposed amendments is to: adopt revised forms based on state constitutional amendments passed on the November 2012 ballot; and update selected forms to reflect current statutory provisions. The effect of these proposed rule revisions is to provide property appraisers, tax collectors, and the public with the most current forms available.

SUBJECT AREA TO BE ADDRESSED: This rule deals with the forms property appraisers, tax collectors, and the public must use for property tax purposes.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS.

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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: Dianne Porter, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8880, email porter@dor.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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dianne Porter, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)617-8880, email porter@dor.state.fl.us

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**DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:  
33-601.314 Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to allow inmates to be disciplined for establishing or maintaining an internet presence on any website.

SUBJECT AREA TO BE ADDRESSED: Rules of Prohibited Conduct and Penalties for Infractions

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

	Maximum Disciplinary Actions
SECTIONS 1 through 8 No change.	
SECTION 9 – MISCELLANEOUS INFRACTIONS	
9-1 Obscene or profane act, gesture, or statement – oral, written, or signified	30 DC + 90 GT
9-2 Bribery or attempted bribery	30 DC + 90 GT
9-3 Breaking and entering or attempted breaking	30 DC + 90 GT
9-4 Attempt, conspiracy, or solicitation to commit any crime or violation of the Rules of Prohibited Conduct	30 DC + 90 GT
9-5 Theft of property under \$50.00 in value	30 DC + 60 GT
9-6 Bartering with others	15 DC + 30 GT
9-7 Sex acts or unauthorized physical contact involving inmates	30 DC + 90 GT
9-9 Tattooing, being tattooed, branding or body art to include body piercing.	30 DC + 60 GT
9-10 Lying to staff member or others in official capacity, or falsifying records	60 DC + All GT
9-11 Feigning illness or malingering as determined by a physician or medical authority	10 DC + 15 GT
9-12 Gambling or possession of gambling paraphernalia	10 DC + 15 GT
9-13 Insufficient work: This constitutes an inmate not working up to expectation, taking into consideration the inmate’s physical condition, the degree of difficulty of assignment, and the average performance by fellow inmates assigned to the same task	10 DC + 15 GT
9-14 Mail regulation violations	30 DC + 30 GT
9-15 Visiting regulation violations	30 DC + 30 GT
9-16 Refusing to work or participate in mandatory programs	60 DC + 90 GT
9-17 Disorderly conduct	30 DC + 60 GT
9-18 Unauthorized physical contact involving non-inmates	60 DC + 90 GT
9-19 Presenting false testimony or information before Disciplinary Team,	60 DC + All GT

	Hearing Officer, or Investigating Officer
9-20 Extortion or attempted extortion	60 DC + 60 GT
9-21 Fraud or attempted fraud	30 DC + 90 GT
9-22 Robbery or attempted robbery	60 DC + All GT
9-23 Theft of property exceeding \$50 in value	60 DC + All GT
9-24 Loaning or borrowing money or other valuables	15 DC + 30 GT
9-25 Telephone regulation violations	30 DC + 30 GT
9-26 Refusing to submit to substance abuse testing	60 DC + 180 GT
9-27 Use of unauthorized drugs – as evidenced by positive results from urinalysis test, or observable behavior	60 DC + 180 GT
9-28 Canteen Shortage under \$50.00	30 DC + 60 GT
9-29 Canteen Shortage over \$50.00	60 DC + All GT
9-31 Use of Alcohol – as evidenced by positive results from authorized tests, or by observable behavior	30 DC + 90 GT
9-32 In accordance with Section 944.279(1), F.S., is found by the court to have brought a frivolous or malicious suit, action, claim, proceeding or appeal in any court, or to have brought a frivolous or malicious collateral criminal proceeding or is found by the court to have knowingly or with reckless disregard for the truth brought false information or evidence before the court.	60 DC + All GT
9-33 Tampering with, defeating or depriving staff of any security device. Security devices include: locks; locking devices; electronic detection systems; personal body alarm transmitters and receivers; handheld radios; restraint devices such as handcuffs, waist chains, leg irons and handcuff covers; keys; video and audio monitoring and recording devices; security lighting; weapons; and any other device utilized to ensure the security of the institution.	60 DC + All GT
9-34 Tampering with or defeating any fire or other safety device. Safety devices include: fire, smoke, and carbon dioxide detection devices; alarm systems; fire suppression systems and devices such as fire sprinklers, fire extinguishers, and dry chemical systems; safety and emergency lighting; exit lights;	60 DC + All GT

evacuation route and warning placards; self-contained breathing apparatuses; personal protective equipment; first aid kits; eye wash stations; and any other device utilized to ensure the safety of the institution, staff and inmates.

- 9-35 Establishes or attempts to establish a personal or business relationship with any staff member or volunteer. 60 DC + 180 GT
- 9-36 Gang related activities, including recruitment; organizing; display of symbols, groups, or group photos; promotion or participation. 30 DC + 60 GT
- 9-37 Unauthorized use of or tampering with a computer, computer peripheral device, or any other office equipment. 60 DC + All GT
- 9-38 Other office equipment includes copying machines, facsimile machines, postage meters, or any other device utilized in an office or office-like environment. 30 DC + 30 GT

Inmate internet presence violations

SECTIONS 10 through 11 No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History—New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10, 10-1-11, 6-18-13,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:

33-602.208 Inmate Internet Presence

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to expressly disallow inmates from establishing or maintaining an internet presence on any website.

SUBJECT AREA TO BE ADDRESSED: Inmate Internet Presence

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.208 Inmate Internet Presence.

(1) Establishment of accounts or presence on internet websites by inmates.

(a) Inmates are prohibited from establishing or maintaining an account, or any other presence, on any internet website.

(b) Internet website means an internet-based website that has any of the following capabilities:

1. Allows users to create web pages or profiles about themselves, including dedicated websites, blogs, or other online communities, that are available to the general public or to any other users.

2. Offers a mechanism for communication among users, including but not limited to directory, forum, chat room, electronic mail, or instant messaging.

(c) Account or presence means the inmate has an actual account in their name which is created and maintained either by the inmate or by a proxy whereby information is posted about the inmate.

(d) Inmates who create an internet account or have a presence created with the assistance of another person shall be subject to disciplinary action in accordance with Rules 33-601.301-.314, F.A.C. If an inmate alleges that an account or presence was created without his assistance or permission or that the account or presence was created before this restriction became effective, it is the responsibility of the inmate to request that the account or presence be removed by submitting a written request, within 10 days, to the owner, operator, or administrator of the site if it is reasonably possible for the Department to identify the physical address of such entity. No inmate shall be subject to discipline if the account or presence is not removed subsequent to submission of the written request. If it is not reasonably possible for the Department to identify the physical address of the owner, operator, or administrator of the site in which the account or presence is located, the inmate must submit Form DC6-236, Inmate Request, to the warden indicating that the account or presence was created without the inmate's knowledge or consent or that it was placed prior to this restriction. The inmate shall be subject to disciplinary action only if it is discovered that the inmate solicited the creation of the account or presence and that it was created subsequent to this restriction. Form DC6-236, Inmate Request, is incorporated by reference in Rule 33-103.005, F.A.C.

(e) Inmates who post information to the internet or have information posted with the assistance of another person shall be subject to disciplinary action in accordance with Rules 33-601.301-.314, F.A.C. If an inmate alleges that information was

posted without his assistance or permission or that the information was posted before this restriction became effective, it is the responsibility of the inmate to request that the information be removed by submitting a written request, within 10 days, to the owner, operator, or administrator of the site in which the information is located if it is reasonably possible for the Department to identify the physical address of such entity. No inmate shall be subject to discipline if the information is not removed subsequent to submission of the written request. If it is not reasonably possible for the Department to identify the physical address of the owner, operator, or administrator of the site in which the information is located, the inmate must submit Form DC6-236, Inmate Request, to the warden indicating that the information was posted without the inmate's knowledge or consent or that it was posted prior to this restriction. The inmate shall be subject to disciplinary action only if it is discovered that the inmate solicited the posting of the information and that it was posted subsequent to this restriction.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: 64B13-18.002  
 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The Board proposes the rule amendment to add a new compound to the existing formulary of topical ocular pharmaceutical agents rule.

SUBJECT AREA TO BE ADDRESSED: Formulary of topical ocular pharmaceutical agents.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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**Section II  
 Proposed Rules**

**DEPARTMENT OF THE LOTTERY**

RULE NOS.: RULE TITLES:

53-17.001 Purpose  
 53-17.002 Definitions  
 53-17.003 Procedures

PURPOSE AND EFFECT: The purpose of the proposed rule amendments/ rule promulgation is to update the Florida Lottery's Performance Management Program.

SUMMARY: The Florida Lottery is substantially rewriting and updating the Performance Management Program.

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: There are no regulatory costs associated with the Lottery's Performance Management Program.

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: 24.105(9)(j) FS.

LAW IMPLEMENTED: 24.105(19)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane D. Schmidt, Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida (850)487-7724 [Schmidtd@flalottery.com](mailto:Schmidtd@flalottery.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

PERSONNEL PERFORMANCE MANAGEMENT  
EXCELLENCE PROGRAM

- 53-17.001 Purpose Statement of Policy
- 53-17.002 Definitions Procedures
- 53-17.003 Procedures

53-17.001 Purpose Statement of Policy.

(1) This chapter sets forth the rules governing the Performance Excellence is the Florida Lottery's Performance Management Program ("Program") annual performance evaluation program. The Program provides for It functions as an annual review and evaluation of the work performance of all Florida Lottery employees in the areas of technical expertise, professional excellence and customer satisfaction. The Program This program connects an employee's work performance to the implementation of the Lottery's strategic business plan; and subsequent achievement of the Lottery's business goals.

(2) An employee's performance measures will be based on the performance goals for that employee's work unit, as specified in the strategic business plan.

(3) The Florida Lottery's Performance Management Excellence Program serves the following purposes:

(a) Provides all employees with the opportunity to clearly understand and focus upon annual performance expectations.

(b) Identifies improvement needs to enhance future individual, and ultimately organizational, performance.

(c) Motivates all employees to improve skills and job knowledge to ensure consistent professional and technical expertise.

(d) Documents and tracks an employee's performance against the strategic goals of the employee's work unit and ultimately, the strategic goals of the Lottery.

(e) Documents an employee's eligibility for salary adjustments or one-time lump sum payments upon the availability of such funding.

(f) Provides a basis for monitoring and improving the overall performance and productivity of the Florida Lottery's work force.

Rulemaking Specific Authority 24.105(9)(j) FS. Law Implemented 24.105(19)(d) FS. History--New 2-25-93, Amended 11-29-04,\_\_\_\_\_.

(Substantial rewording of Rule 53-17.002 follows. See Florida Administrative Code for present text.)

53-17.002 Definitions Procedures.

(1) For the purpose of administering this chapter, the following definitions shall apply:

(a) Designated Evaluation Date – The date selected by the Lottery which begins the 60-day period during which annual evaluations shall be completed. The Lottery may select up to four (4) designated evaluation dates per calendar year in order to accommodate operational needs.

(b) Evaluation Period – The annual period of time covered by the performance plan.

(c) Overall Rating – The employee's level of performance for the evaluation period, which is derived as follows:

1. Calculate the average of all of the individually-rated performance expectations. In calculating this average, all digits three or more places to the right of the decimal shall be dropped. No rounding shall be used in this calculation.

2. Locate the numeric range in which the calculated average falls on the below chart and assign the corresponding overall rating.

<u>OVERALL RATING SCALE</u>	
<u>NUMERIC RANGE</u>	<u>OVERALL RATING</u>
<u>4.50 – 5.00</u>	<u>Outstanding</u>
<u>3.50 – 4.49</u>	<u>Commendable</u>
<u>3.00 – 3.49</u>	<u>Satisfactory</u>
<u>2.50 – 2.99</u>	<u>Needs Improvement</u>
<u>2.49 and below</u>	<u>Unsatisfactory</u>

(d) Performance Evaluation – A written assessment of an employee's performance of assigned duties and responsibilities as reflected in the employee's performance expectations and documented on a performance evaluation form.

(e) Performance Expectation – A statement that describes satisfactory performance of an essential duty or responsibility as listed in the position description or satisfactory demonstration of an attribute or value that the agency deems necessary for the accomplishment of its core missions. For purposes of this rule, a duty or responsibility is essential if it must be successfully performed in order to fulfill the requirements of the position.

(f) Performance Plan – A written notification prepared by the supervisor that identifies the performance expectations by which the employee will be evaluated during the evaluation period.

(g) Performance Improvement Plan (PIP) – The Performance Improvement Plan allows the supervisor to provide the employee with a structured method to correct performance deficiencies, by allowing an employee to improve performance based on a rating of "Below Expectation" or "Unacceptable."

(h) Supervisor – The employee's current immediate supervisor or a designated managerial employee who has



knowledge of the employee’s duties, responsibilities and job performance.

Rulemaking Authority 24.105(9)(j) FS. Law Implemented 24.105(19)(d) FS. History–New 2-25-93, Amended 11-29-04, Amended \_\_\_\_\_.

53-17.003 Procedures.

(1) Work Plan.

(a) Following consultation with executive management, a work plan shall be developed by the immediate supervisor. The work plan should identify the employee’s performance expectations, key work activities and responsibilities, and be prioritized in accordance with the Lottery’s strategic objectives. The work plan should correspond to the employee’s position description in terms of functional accountability, knowledge, experience and skills.

(b) The supervisor shall conduct a performance planning session with the employee to review the work plan, the performance expectations and the rating scale. The supervisor shall also provide the employee an opportunity for feedback regarding the expectations. The work plan shall be signed by the supervisor and the employee, indicating that the work plan has been discussed. A copy of the signed work plan shall be made available to the employee.

(2) Supervisor duties. The supervisor shall:

(a) Conduct an oral work plan session with each employee at the beginning of every evaluation period and provide a copy of the work plan to the employee.

(b) Conduct written and oral performance evaluations of his/her employees at least annually. Such evaluations must be completed within sixty (60) calendar days following the Designated Evaluation Date.

(c) Provide employees with coaching and meaningful feedback regarding job performance throughout the evaluation period.

(d) Timely inform the employee in writing of any performance deficiencies that could result in a “Below Expectation” or “Unacceptable” rating and the necessary corrective action to be taken prior to the end of the evaluation period.

(e) Meet with the employee to review the annual performance evaluation. The supervisor shall provide the employee with a final rating for each work activity and related responsibility. Both the supervisor and the employee shall sign and date the final rating. A copy of the final rating shall be provided to the employee and the original placed within the employee’s personnel file in Human Resource Management.

(3) New Hire Procedures. For new hires, work plans shall be completed within approximately one month of the employee’s hire date. The annual review shall be conducted provided the employee was hired prior to March 1. The initial

work plan shall cover the period from the hire date through June 30. Thereafter, the employee shall be evaluated annually.

(4) At a minimum, a written performance evaluation shall include:

(a) A rating of the employee’s job performance during the evaluation period for each performance expectation identified in the performance plan. Each performance expectation shall be measured using the following scale:

<u>RATING</u>	<u>NUMERIC SCALE</u>	<u>INDIVIDUAL PERFORMANCE EXPECTATIONS RATING SCALE DEFINITION AND EXAMPLES</u>
<u>Exceptional</u>	<u>5</u>	<u>Employee consistently exceeds the performance expectation. This employee requires little or no supervision from management regarding productivity and accomplishing his/her tasks and seeks opportunities to enhance the organization. The employee’s performance shows highly advanced job knowledge and outstanding initiative. The employee is relied upon to solve complex problems and applies creativity and innovative approaches in formulating solutions.</u>
<u>Above Expectation</u>	<u>4</u>	<u>Employee consistently meets and often exceeds the performance expectation. This employee requires minimal supervision from management regarding productivity and accomplishing his/her tasks and seeks opportunities to enhance the organization. The employee possesses a thorough knowledge of the job, shows a high level of initiative, and often solves or assists in solving complex problems.</u>
<u>Meets Expectation</u>	<u>3</u>	<u>Employee consistently meets and may occasionally exceed the performance expectation. This employee requires moderate supervision from management regarding productivity and accomplishing his/her tasks and seeks opportunities to enhance the</u>

		<u>organization. The employee possesses sufficient knowledge and/or initiative to execute his/her duties and responsibilities.</u>
<u>Below Expectation</u>	<u>2</u>	<u>Employee exhibits inconsistent job performance, but has the capacity to improve to meet the performance expectation. At times the employee requires close supervision when he/she should be operating on his/her own. The employee is sometimes unproductive, and sometimes lacks the initiative and/or the necessary job knowledge to execute his/her duties and responsibilities.</u>
<u>Unacceptable</u>	<u>1</u>	<u>Employee consistently fails to meet the designated performance expectation. This employee is often unproductive, requires close supervision and his/her work requires continual correction. The employee's job knowledge and initiative is lacking and is insufficient to meet daily requirements.</u>
<u>N</u>	<u>None given</u>	<u>No longer applicable or unable to determine.</u>

(b) Comments relating to the employee's job performance for each performance expectation.

(c) The overall rating of the employee's job performance during the evaluation period, which shall not be adjusted or affected by the ratings of any other employees being rated.

(d) At the Lottery's discretion, performance plans and evaluations may be reviewed by a higher level authority and comments may be provided. However, completed performance plans and evaluations shall not be changed by a higher level authority.

(5) Employees with an overall rating of either "Needs Improvement" or "Unsatisfactory" shall be considered not to have met their performance expectations for the position during that evaluation period. In some cases, a supervisor might find it necessary to develop and implement a Performance Improvement Plan (PIP) for an employee. A PIP is created at the discretion of the supervisor following consultation with executive management. A PIP may be up to 90 days in duration; however, at any time that a PIP is in effect an employee may be separated or demoted at the discretion of the Lottery Secretary.

(6) Employees who do not receive a performance evaluation within sixty (60) calendar days following the Lottery-designated evaluation date shall be considered to have met their performance expectations as documented on their performance plan, and will receive a rating of "Meets Expectation" for each performance expectation and an overall rating of "Satisfactory".

(7) A description of training and educational opportunities for the employee may be included as part of the performance planning/evaluation process.

(8) The performance evaluation shall be signed by the supervisor and the employee. The signature of the employee shall indicate only that the employee's job performance has been discussed with the employee and does not imply that the employee agrees or disagrees with the supervisor's assessment of his/her performance. The employee may attach written comments to the performance evaluation form in response to the evaluation.

(9) A performance evaluation is considered to be complete when it has been discussed with the employee and the employee has signed the evaluation. The evaluation shall be included in the employee's personnel file, and a copy shall be made available to the employee.

Rulemaking Authority 24.105(9)(j) FS. Law Implemented 24.105(19)(d) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Glenda L. Thornton, General Counsel  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia F. O'Connell, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 1, 2013  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 11, 2013

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Division of Air Resource Management**

RULE NO.: 62-210.200  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule development (OGC No. 12-1344) is to update Rule 62-210.200, F.A.C., to remove or revise obsolete definitions, correct alphabetic order of the definitions, and renumber the definitions to make it less burdensome for one to find the definition that is actually desired. Some definitions need to be revised to conform to federal definitions.

SUMMARY: Several defined terms in Rule 62-210.200, F.A.C., need to be deleted because the rules that referenced them have since been repealed or revised to no longer reference them, or a definition needs to be deleted because it is already defined in the single rule chapter that references it.

Other definitions need to be merged into a single definition because they are duplicative of one another. Some definitions need to be revised to conform to federal definitions. Some existing definitions are out of alphabetic order and need to be deleted from their current spots in the rule and then added back in the correct order.

OTHER RULES INCORPORATING THIS RULE: 62-4.050; 62-110.104, 62-210.220; 62-210.300; 62-210.370; 62-212.500; 62-212.720; 62-213.202; 62-213.400; 62-213.410; 62-213.412; 62-213.420; 62-213.440; 62-214.100; 62-296.100; 62-296.340; 62-296.401; 62-296.417; 62-296.470; 62-296.480; 62-296.600; 62-555.320 and 62-701.200, F.A.C.

EFFECT ON THOSE OTHER RULES: The amendments to 62-210.200 will not have any effect on those rules cited above, however rule 62-110.104 will need to be amended to update proper citation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this rule will not have an impact on small business or likely increase directly or indirectly regulatory cost in excess of \$200,000 in the aggregate within one year after 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: these proposed amendments to definitions are for the purpose of cleaning up citations due to prior amendments to other rules and streamlining and merger of definitions that are duplicative and therefore the Department does not expect any adverse financial impact on regulated entities.

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

RULEMAKING AUTHORITY: 403.061, 403.8055 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.0872, 403.8055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida, 32399-2400, telephone (850)717-9098, e-mail: Cindy.Phillips@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-210.200 Definitions.

The following words and phrases when used in this chapter and in Chapters 62-204, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C., shall, unless the context clearly indicates otherwise, have the following meanings:

(1) "Acid Mist" – Liquid drops of any size of any acid including sulfuric acid and sulfur trioxide, hydrochloric acid, and nitric acid as measured by EPA test method 8, as described at 40 C.F.R. Part 60, Appendix A, adopted and incorporated by reference at Rule 62-204.800, F.A.C., and listed at Rule 62-297.401, F.A.C.

(2) through (3) No change.

~~(4) "Acid Rain Compliance Schedule" – An enforceable sequence of actions, measures, or operations designed to achieve or maintain compliance, or correct noncompliance, with an applicable requirement of the Acid Rain Program, including any applicable Acid Rain Part permit requirement.~~

~~(5) "Acid Rain Emissions Limitation" – The EPA-established sulfur dioxide and nitrogen oxides emissions limitations under the Federal Acid Rain Program.~~

(6) through (9) renumbered (4) through (7) No change.

~~(10) "Acrylonitrile" – An organic chemical, formula C<sub>3</sub>H<sub>3.5</sub>N, used in the production of various resins, polymers and acrylic fibers. Synonyms for acrylonitrile are: 2 propenitrile, acrylon, acrylonitrile monomer, cyanoethylene, AN, VCN, and vinyl cyanide. The Chemical Abstract Service registration number is 107-13-1.~~

(11) through (12) renumbered (8) through (9) No change.

~~(13) "Adverse Impact on Visibility" – An impairment to visibility which interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of a Federal Class I area. This determination shall be made during the permitting process, utilizing EPA approved methods of visibility impairment analysis and taking into account such factors as the geographic extent, intensity, duration, frequency, and time of visibility impairments, and how these factors correlate with the time of visitor use of the Federal Class I area and the frequency and timing of natural conditions that reduce visibility.~~

(14) through (17) renumbered (10) through (13) No change.

~~(18) "Air Emissions Bubble" or "Bubble" – An air pollution control strategy wherein a facility complies with a multi unit aggregate emissions limit or cap, in lieu of unit-specific limits, on a pollutant specific basis for carbon monoxide, nitrogen oxides, sulfur dioxide, particulate matter, PM<sub>10</sub>, or volatile organic compounds (VOCs).~~

(19) through (21) renumbered (14) through (16) No change.

~~(22) “Air Pollution Control Equipment” — Equipment, including that used to separate entrained particulate matter or organic vapors from gases, gas separation equipment, thermal oxidation equipment, and chemical reaction/conversion equipment, which is designed and used to reduce the discharge of a specific air pollutant to the atmosphere.~~

~~(a) “Destructive Control Device” — Any device intended and designed for the reduction of VOC pollutant emissions from an emissions unit which alters the chemical composition of the pollutant flowing through the device.~~

~~(b) “Non Destructive Control Device” — Any device intended and designed for the reduction of VOC pollutant emissions from an emissions unit which does not alter the chemical composition of the pollutant flowing through the device.~~

(23) through (24) renumbered (17) through (18) No change.

~~(25) “Alternate Designated Representative”~~

~~(a) For the purposes of the Acid Rain Program, alternate designated representative shall mean “alternate designated representative” as described in 40 CFR 72.22, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(b) For the purposes of the CAIR Program, alternate designated representative shall mean “alternate CAIR designated representative” as defined in 40 CFR 96.102, 96.202, or 96.302, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(26) “Alternative Control Techniques Document” or “ACT” — A guidance document issued by the U.S. Environmental Protection Agency under the Clean Air Act (42 U.S.C. s. 7511b) which identifies control alternatives for sources of volatile organic compounds (VOC) and nitrogen oxides (NOx) that emit more than 25 tons per year.~~

(19)(27) “Ambient Air Quality Standard” or “Ambient Standard” — A restriction established specified at 40 C.F.R. Part 50, and monitored by the Department pursuant to 40 C.F.R. Part 53 and 58, all adopted and incorporated by reference at Rule 62-204.800, F.A.C., to limit the quantity or concentration of an air pollutant that may be allowed to exist in the ambient air for any specific period of time.

~~(a) “National Ambient Air Quality Standard” means an ambient standard established by EPA and specified at 40 C.F.R. Part 50, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(b) “Primary Standard” means an ambient standard established to protect public health.~~

~~(c) “Secondary Standard” means an ambient standard established to protect the public welfare including the~~

~~protection of animal and plant life, property, visibility and atmospheric clarity, and the enjoyment of life and property.~~

~~(d) “State Ambient Air Quality Standard” means an ambient standard established or adopted by the Department.~~

(28) through (44) renumbered (20) through (36) No change.

~~(45) “Black Liquor Oxidation System” — The vessels used to oxidize, with air or oxygen, the black liquor, and associated storage tank(s).~~

~~(37)(46) No change.~~

~~(47) “Brown Stock Washer System” — Brown stock washers and associated knotters, vacuum pumps, and filtrate tanks used to wash the pulp following the digester system.~~

~~(48) “Bubble Baseline Emissions” or “Bubble Baseline” — For purposes of establishing an air emissions bubble, the sum of emissions of each pollutant from the emissions units included within the bubble, expressed both on a short term and long term basis.~~

~~(a) On a short term basis, the bubble baseline shall be calculated by summing the allowable emissions of each unit after converting the allowable emissions to the equivalent pounds per hour.~~

~~(b) On a long term basis the bubble baseline shall be calculated in tons per year by multiplying the allowable emissions times the actual capacity of each unit, actual capacity being determined as the average of the highest two out of the last five calendar years prior to the permit application for the bubble. For steam generating units, the actual capacity shall be expressed as million British Thermal Units per year.~~

(49) through (100) renumbered (38) through (89) No change.

~~(101) “Continuous Emissions Rate Monitoring System” or “CERMS” — The total equipment required for the determination and recording of the pollutant mass emissions rate in terms of mass per unit of time.~~

(102) through (103) renumbered (90) through (91) No change.

~~(104) “Continuous Unloader” — A bulk materials unloading system that is normally installed at wharf or pier side. A typical system is essentially of enclosed construction, providing for dust abatement and weather tightness, utilizing screw conveyors, elevators, conveyor belt arrangements, or similar devices to facilitate basically uninterrupted discharge of materials from vessel cargo holds.~~

(92)(105) “Control Device” or “Control Equipment” — See “Air Pollution Control Equipment” above. Device or equipment, including that used to separate entrained particulate matter or organic vapors from gases, gas separation equipment, thermal oxidation equipment, and chemical

reaction/conversion equipment, which is designed and used to reduce the discharge of a specific air pollutant to the atmosphere.

(a) “Destructive Control Device” – Any device intended and designed for the reduction of VOC pollutant emissions from an emissions unit which alters the chemical composition of the pollutant flowing through the device.

(b) “Non-Destructive Control Device” – Any device intended and designed for the reduction of VOC pollutant emissions from an emissions unit which does not alter the chemical composition of the pollutant flowing through the device.

~~(93)(106)~~ No change.

~~(107) “Control Techniques Guidelines Document” or “CTG” – A guidance document issued by the U.S. Environmental Protection Agency under the Clean Air Act (42 U.S.C. s. 7511b) which defines reasonably available control technology (RACT) and presumptive RACT limits for a source category.~~

~~(108) through (111) renumbered (94) through (97) No change.~~

~~(112) “Delivery Vessel” – Tank trucks or trailers equipped with a storage tank and used for the transport of gasoline from sources of supply to stationary storage tanks of gasoline dispensing facilities.~~

~~(98)(113)~~ No change.

(99) “Designated Facility Plan” – Collectively, all plans and plan revisions of a state approved by the Administrator pursuant to Section 111(d) of the Clean Air Act. Unless otherwise stated, the term refers specifically to the Designated Facility Plan for the State of Florida, identified in 40 C.F.R. Part 62, Subpart K, adopted and incorporated by reference at Rule 62-204.800, F.A.C.

(100) “Designated Representative” –

(a) For the purposes of the Acid Rain Program, a responsible natural person authorized, by the owners and operators of an Acid Rain source and of all Acid Rain units at the source, in accordance with 40 C.F.R. Part 72, Subpart B, adopted and incorporated by reference in Rule 62-204.800, F.A.C., to represent and legally bind each owner and operator, as a matter of federal law, in matters pertaining to the Acid Rain Program.

(b) For the purposes of the CAIR Program, designated representative shall mean “CAIR designated representative” as defined in 40 CFR 96.102, 96.202, or 96.302, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

~~(114) through (117) renumbered (101) through (104) No change.~~

~~(118) “Designated Facility Plan” – Collectively, all plans and plan revisions of a state approved by the Administrator pursuant to Section 111(d) of the Clean Air Act. Unless~~

~~otherwise stated, the term refers specifically to the Designated Facility Plan for the State of Florida, identified in 40 C.F.R. Part 62, Subpart K, adopted and incorporated by reference at Rule 62-204.800, F.A.C.~~

~~(119) “Designated Representative”~~

~~(a) For the purposes of the Acid Rain Program, a responsible natural person authorized, by the owners and operators of an Acid Rain source and of all Acid Rain units at the source, in accordance with 40 C.F.R. Part 72, Subpart B, adopted and incorporated by reference in Rule 62-204.800, F.A.C., to represent and legally bind each owner and operator, as a matter of federal law, in matters pertaining to the Acid Rain Program.~~

~~(b) For the purposes of the CAIR Program, designated representative shall mean “CAIR designated representative” as defined in 40 CFR 96.102, 96.202, or 96.302, adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(120) “Draft Acid Rain Part” – Means the version of the Acid Rain Part of a Title V source operation permit that the Department offers for public comment.~~

~~(105)(121)~~ No change.

~~(122) “Electrical Power Plant” – Any electrical generating facility that uses any process or fuel and that is owned or operated by an electric utility and includes any associated facility that directly supports the operation of the electrical power plant.~~

~~(123) through (130) renumbered (106) through (113) No change.~~

~~(131) “Emulsified Asphalt” – An emulsion of asphalt cement and water which contains a small amount of an emulsifying agent; a heterogeneous system containing two normally immiscible phases (asphalt and water) in which the water forms the continuous phase of the emulsion, and minute globules of asphalt form the discontinuous phase.~~

~~(132) through (140) renumbered (114) through (122) No change.~~

~~(123)(141) “Federally-Enforceable” – Pertaining to limitations and conditions which are enforceable by the Administrator, including any requirements developed pursuant to Title 40 of the Code of Federal Regulations, any requirements within the State Implementation Plan, and any requirements established pursuant to permits issued under:~~

~~(a) through (d) No change.~~

~~(142) through (166) renumbered (124) through (148) No change.~~

~~(167) “Indian Reservation” – Any federally recognized reservation established by Treaty, Agreement, Executive Order, or Act of Congress.~~

~~(168) through (171) renumbered (149) through (152) No change.~~

~~(172) “Isokinetic Sampling” or “Isokinetic Conditions”— Sampling in which the linear velocity of the gas entering the sampling nozzle is equal to that of the undisturbed gas stream at the sample point.~~

(173) through (192) renumbered (153) through (172) No change.

~~(193)~~ (193) “Major Source of Air Pollution,” “Major Source,” or “Title V Source” – A facility containing an emissions unit, or any group of emissions units, which is or includes any of the following:

(a) For pollutants other than radionuclides, any emissions unit or group of emissions units that emits or has the potential to emit, in the aggregate, 10 tons per year or more of any one hazardous air pollutant (HAP), 25 tons per year or more of any combination of HAPs, or any lesser quantity of a HAP as established through EPA rulemaking. Notwithstanding the preceding sentence, HAP emissions from any oil or gas exploration or production well (with its associated equipment) and HAP emissions from any pipeline compressor or pump station shall not be aggregated with HAP emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are Title V sources.

(b) An emissions unit or group of emissions units, all belonging to the same two-digit Major Group as described in the Standard Industrial Classification Manual, 1987, that directly emits or has the potential to emit, 100 tons per year or more, except as otherwise provided for in 40 CFR 70 as adopted and incorporated by reference at Rule 62-204.800, F.A.C., of any regulated air pollutant. The fugitive emissions of an emissions unit or group of emissions units shall not be considered in determining whether it is a Title V source for purposes of this paragraph unless the emissions unit or group of emissions units belongs to one of the following categories:

1. through 27. No change.

(c) through (h) No change.

(194) through (199) renumbered (174) through (179) No change.

(180) “Method of Operation” – For purposes of the Title V source permitting program, a procedure to operate one or more specific emissions units within a Title V source in a particular manner which may affect air pollutant emissions.

(200) through (202) renumbered (181) through (183) No change.

~~(203) “Method of Operation”—For purposes of the Title V source permitting program, a procedure to operate one or more specific emissions units within a Title V source in a particular manner which may affect air pollutant emissions.~~

(204) through (205) renumbered (184) through (185) No change.

~~(206) “Molten Sulfur Storage and Handling Facility” A facility designed and utilized for unloading, transferring or storing elemental sulfur in liquid form from ships, barges, railcars, trucks or other methods of water or land transport to heated storage tanks.~~

(207) through (238) renumbered (186) through (217) No change.

~~(218)~~ (239) “Petroleum Liquids” – Petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean No. 2 through No. 6 fuel oils as specified in ASTM D 396, gas turbine fuel oils No. 2-GT through No. 4-GT as specified in ASTM D 2880, or diesel fuel oils No. 2-D and No. 4-D as specified in ASTM D 975, all of which are adopted and incorporated by reference at Rule 62-297.440, F.A.C.

~~(240) “Petroleum Refinery”—Any facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products through distillation of crude oils, or through redistillation, cracking, extraction, or reforming of unfinished petroleum derivatives.~~

(241) through (255) renumbered (219) through (233) No change.

~~(234)~~ (256) “PSD Pollutant” –

(a) Any pollutant listed as having a significant emission rate as defined in Rule 62-210.200, F.A.C.; and

(b) Any “Regulated NSR Pollutant” as defined at 40 CFR 52.21(b)(50) and as adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(257) through (261) renumbered (235) through (239) No change.

~~(262) “Refinery Fuel Gas”—Any gas which is generated by a petroleum refinery process unit and which is combusted, including any gaseous mixture of natural gas and fuel gas.~~

(263) through (269) renumbered (240) through (246) No change.

~~(270) “Ringelmann Chart”—The Chart published and described in the U.S. Bureau of Mines Information Circulars No. 8333 and No. 7718. The above references are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., and may be inspected at the Department’s Tallahassee office.~~

(271) through (277) renumbered (247) through (253) No change.

~~(278) “Secretary”—The Secretary of the Department.~~

~~(254)~~ (279) No change.

(255) “Secretary” – The Secretary of the Department.

(280) through (287) renumbered (256) through (263) No change.

~~(288) “Solid Sulfur Storage and Handling Facility” A facility designed and utilized for unloading, transferring, or storing elemental sulfur in pelletized form.~~

(289) through (295) renumbered (264) through (270) No change.

(296) “Standard Sulfur Pellets” Any generally spherical form of solid sulfur (such as air or water formed prills, or granules, or hemispherical forms such as Sandvick rotoform, but not including agglomerates, popcorn, slate or crushed bulk sulfur) that meets all of the following specifications. All required tests shall be performed on sulfur pellets that have been allowed to stand a minimum of 20 days after being formed. All test results shall be the arithmetic average of three test runs, each on a separate representative composite sample of the shipment or lot being tested.

(a) Not more than 20 percent retained on a 1/4 inch U.S. (6.3 mm) screen, determined in accordance with SUDIC Test Method S2-77: Sieve Analysis of Sulfur Forms, as adopted in Chapter 62-297, F.A.C.

(b) Less than six percent additional fines (minus 50 U.S. screen) generated under SUDIC’s standard Stress Level II test (Method S5-77: Determination of Friability of Sulfur Forms—28 inch (700 mm) Diameter Tumbler Test).

(297) through (301) renumbered (271) through (275) No change.

(302) “Sulfur Storage and Handling Facility” A facility designed and utilized for unloading, transferring or storing elemental sulfur in either molten form, solid pelletized form or solid vats.

(303) “Sulfur Vat” A block of solid sulfur formed by pouring molten sulfur on an established base utilizing movable forms or existing vat walls to contain the liquid sulfur until it solidifies.

(304) through (311) renumbered (276) through (283) No change.

(312) “Tight-lipped Clamshell Bucket” A clamshell bucket designed with appropriate materials and geometry to provide and maintain a secure seal to prevent material loss or spillage. The following are typical features of such a bucket:

(a) “Composition” All plate and bar stock shall be a combination of 100,000 and 70,000 psi minimum yield steel. Such steel shall be used in those parts of the bucket where strength or weldability are needed.

(b) “Lips” The lips (cutting edge) shall be composed of a high strength abrasion resistant alloy steel which is weldable and has a minimum hardness of 250 Brinell. The lips shall be hard surfaced for the entire length of the outer edge to provide continuing lead edge as they wear and shall be designed to be replaceable. The lips shall be bevelled for the entire length of the bottom and sides so the cutting edge will wear evenly. Where appropriate with respect to the material being handled, the lips shall be designed so that they come together in a tongue and groove fashion. The lips shall be provided with a

hard rubber insert, which shall run the full length of the bottom and side lips of the bowls.

(c) “Design” The geometry of the bucket shall provide maximum force on the lips in the closed position and the bowls (scoops) of the bucket shall have adequate gussets, and stiffeners to assure lip alignment. Side and cover plates will be installed to contain particulate emissions or spillage. The exposed plates may be streamlined to minimize material clinging to the outside of the bucket after it clears the ship’s hold.

(d) “Bearings, Crosshead and Corner Arms” All wear points shall be constructed of appropriate material. Bushings shall be composed of a chromium molybdenum alloy steel and heat treated to approximately 450 Brinell. All shafts shall be made of heat treated 4140 Chromium molybdenum steel. All wear points shall be grease lubricated.

(313) through (318) renumbered (284) through (289) No change.

(319) “Total Suspended Particulate” or “TSP” Particulate matter as measured by the method described in 40 C.F.R. Part 50, Appendix B, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(320) through (326) renumbered (290) through (296) No change.

(327) “Vapor Balance System” A combination of pipes or hoses which create a closed system between the vapor spaces of an unloading tank and a receiving tank such that vapors displaced from the receiving tanks are transferred to the tank being unloaded.

(328) through (330) renumbered (297) through (299) No change.

(331) “Vapor Recovery System” A system that collects and conserves vapors that would otherwise be released to the atmosphere.

(300)(332) No change.

(301) “Visibility Impairment” or “Impairment to Visibility” – Any humanly perceptible change in visibility (visual range, contrast, coloration) from that which would have existed under natural conditions.

(302)(333) No change.

(334) “Visibility Impairment” or “Impairment to Visibility” Any humanly perceptible change in visibility (visual range, contrast, coloration) from that which would have existed under natural conditions.

(335) through (337) renumbered (303) through (305) No change.

(306)(338) “Waxy, Heavy Pour Crude Oil” – A crude oil with a pour point of 50 degrees or higher as determined by ASTM D 97, which is adopted and incorporated by reference at Rule 62-297.440, F.A.C.

~~(339) “Yard Waste” Vegetative matter resulting from landscaping and yard maintenance operations and other such routine property clean-up activities. It includes materials such as leaves, shrub trimmings, grass clippings, palm fronds, and brush.~~

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—Formerly 17-2.100, Amended 2-9-93, 11-28-93, Formerly 17-210.200, Amended 11-23-94, 4-18-95, 1-2-96, 3-13-96, 3-21-96, 8-15-96, 10-7-96, 10-15-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 2-19-03, 4-1-05, 7-6-05, 2-2-06, 4-1-06, 9-4-06, 9-6-06, 1-10-07, 5-9-07, 7-16-07, 3-16-08, 10-12-08, 6-29-09, 3-11-10, 6-29-11, 12-4-11, 3-28-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Paula L. Cobb, Program Administrator, Division of Air Resource Management  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2013  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 5, 2013, Vol. 39/24

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NOS.:	RULE TITLES:
61A-5.0011	Application for Vehicle Permits
61A-5.0012	Application for Mortgagee's Interest in Spirituous Alcoholic Beverage License; Request for Alcoholic Beverage Lien Search
61A-5.0013	Application for One/Two/Three Day Permit or Special Sales License
61A-5.0014	Application for Change to Licensed Entity
61A-5.0015	Application for Importer or Broker Sales Agent Licenses
61A-5.0016	Application for Common Carrier License; Application for Passenger Vessel Permit
61A-5.0017	Application for Extension of Premises or Amended Sketch of Licensed Premises
61A-5.0018	Application for Alcoholic Beverage Exporter Registration
61A-5.056	Application for Retail Tobacco Products Dealer Permit
61A-5.708	License Cancellation Request NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph

120.54(3)(d)1., F.S., published in Vol. 39, No. 87, May 3, 2013 issue of the Florida Administrative Register.

**61A-5.0011 Application for Vehicle Permits.**

Any vendor may transport, in their owned or leased vehicle, alcoholic beverages purchased from a licensed Florida distributor to the vendor’s licensed premises or off-premises storage location. A vehicle permit may be obtained by completing DBPR ABT-6016, APPLICATION FOR VEHICLE PERMITS, effective ~~July February~~ 2013, adopted and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.  
 Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.17, 561.57, 562.07 FS. History—New \_\_\_\_\_.

Form DBPR ABT-6016, APPLICATION FOR VEHICLE PERMITS, is modified as follows. The title of the form has been amended to read “Application for Vehicle Permits” in order to match the rule text. The footer of the form has been amended to display the correct rule number 61A-5.0011. On page two in section three, the affidavit has been removed and replaced by a declaration of the applicant. The notarization requirement has been removed for this form. References have been added in the instructions and the declaration that would allow for a vehicle that is owned or leased by a person disclosed on the vendor’s license and approved by the department to be permitted. Prior language in the form that restricted eligibility for permitting to the license holder has been removed.

61A-5.0012 Application for Mortgagee’s Interest in Spirituous Alcoholic Beverage License; Request for Alcoholic Beverage Lien Search.

- (1) No change.
- (2) To file a lien or security interest in a spirituous alcoholic beverage license which may be enforceable against the license, the party which holds the lien or security interest, within 90 days of the date of creation of the lien or security interest, shall record the same with the division. An application must be filed on DBPR ABT-6022, APPLICATION FOR MORTGAGEE’S INTEREST IN SPIRITUOUS ALCOHOLIC BEVERAGE LICENSE, effective ~~July February~~ 2013, adopted and incorporated herein



by reference. This form may be used to file one of the following:

- (a) New Lien;
- (b) Lien Assignment/Assumption;
- (c) Lien Renewal/Extension;

This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_. Application must be complete and requirements furnished in accordance with the list of license application requirements.

Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.17, 561.32, 561.65, 561.57, 562.07 FS. History–New \_\_\_\_\_.

Form DBPR ABT-6022, APPLICATION FOR MORTGAGEE’S INTEREST IN SPIRITUOUS ALCOHOLIC BEVERAGE LICENSE, is modified by removing “Sworn and Subscribed” as an option in the jurats.

61A-5.0013 Application for One/Two/Three Day Permit or Special Sales License.

- (1) No change.
- (2) Special Sales License (SSL) – A person or organization may be issued a permit to sell alcoholic beverages by the package only as authorized by 561.20(12)(a) FS. To obtain a One/Two/Three Day Permit or Special Sales License an application must be filed on DBPR ABT-6003, APPLICATION FOR ONE/TWO/THREE DAY PERMIT OR SPECIAL SALES LICENSE, effective July February 2013, adopted and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.

Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.17, 561.20(12)(a), 561.422 FS. History–New \_\_\_\_\_.

Form DBPR ABT-6003, APPLICATION FOR ONE/TWO/THREE DAY PERMIT OR SPECIAL SALES LICENSE, is modified as follows. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed location may be searched without a warrant. The option to have the application acknowledged has been removed from the jurat. A grammatical

error in the affidavit is corrected the word “is” in the affidavit is changed to “am.”

61A-5.0014 Application for Change to a Licensed Legal Entity.

When permitted by law a licensee may make changes to the internal structure or amend the name of the licensed legal entity. An application must be filed with the Division on DBPR ABT-6004, APPLICATION FOR CHANGE TO A LICENSED LEGAL ENTITY, effective July February 2013, adopted and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.

Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.17, 561.32 FS. History–New \_\_\_\_\_.

Form DBPR ABT-6004, APPLICATION FOR CHANGE TO A LICENSED LEGAL ENTITY, is modified as follows. A citation to the moral character rule has been added to the instructions section and to Question 10 on the form. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed location may be searched without a warrant. The option to have the application acknowledged has been removed from the jurat.

61A-5.0015 Application for Importer or Broker Sales Agent License.

Any person before engaging in the business of importing or acting as a broker or sales agent for alcoholic beverages must file an application on DBPR ABT-6008, APPLICATION FOR IMPORTER OR BROKER SALES AGENT LICENSE, effective July February 2013, adopted and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.

Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.14(4), (5), 4561.181, 561.351 FS. History–New \_\_\_\_\_.

Form DBPR ABT-6008, APPLICATION FOR IMPORTER OR BROKER SALES AGENT LICENSE, is modified as follows. A citation to the moral character rule has been added to the instructions section. The option to have the application acknowledged has been removed from the jurat. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed location may be searched without a warrant.

61A-5.0016 Application for Common Carrier License; Application for Passenger Vessel Permit.

(1) Operators of railroad lines, steamships, buses, and airplanes which operate and engage in the sale of alcoholic beverages within this state must file an application for licensure on DBPR ABT-6020, APPLICATION FOR COMMON CARRIER LICENSE, effective ~~July~~ February 2013, adopted and incorporated herein by reference.

(2) Passenger Vessels engaged exclusively in foreign commerce and which operate and engage in the sale of alcoholic beverages within this state must file an application for licensure on DBPR ABT-6021, APPLICATION FOR PASSENGER VESSEL PERMIT, effective ~~July~~ February 2013, adopted and incorporated herein by reference.

(3) The applications must be completed in accordance with the list of license requirements contained in the application instructions. The forms listed in this rule are available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_ and \_\_\_\_\_.  
 Rulemaking Authority 561.08, 561.11 FS. Law Implemented ~~565.02~~ 561.02 FS. History–New \_\_\_\_\_.

Form DBPR ABT-6020, APPLICATION FOR COMMON CARRIER LICENSE, is modified as follows. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed common carrier may be searched without a warrant. The option to have the application acknowledged has been removed from the jurat. A typographical error is corrected in the affidavit; the word “or” is changed to “of.”

Form DBPR ABT-6021, APPLICATION FOR PASSENGER VESSEL PERMIT, is modified as follows. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed passenger vessel may be searched without a warrant. The option to have the application acknowledged has been removed from the jurat.

61A-5.0017 Application for Extension or Amended Sketch of Licensed Premises.

In order to file a change or alter the sketch of licensed premises that was previously approved by the division an application must be filed on DBPR ABT-6029, APPLICATION FOR EXTENSION OR AMENDED SKETCH OF LICENSED PREMISES, effective ~~July~~ February 2013, adopted and incorporated herein by reference.

This form may be used to request a:

- (1) Temporary Extension; or
- (2) Permanent Extension; or
- (3) Amended Sketch.

The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.  
 Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.01(11), 565.02(1)(g) FS. History–New \_\_\_\_\_.

Form DBPR ABT-6029, APPLICATION FOR EXTENSION OR AMENDED SKETCH OF LICENSED PREMISES, is modified as follows. The rule number in the footer is corrected to reference this rule. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed location may be searched without a warrant. On page three, the affidavit has been removed and replaced by a declaration of the applicant. The notarization requirement has been removed for this form.

61A-5.0018 Application for Alcoholic Beverage Exporter Registration.

Any person engaged in the sale of alcoholic beverages outside the state must register with the Division on form DBPR ABT-6026, APPLICATION FOR ALCOHOLIC BEVERAGE EXPORTER REGISTRATION, incorporated herein by reference and effective ~~July~~ February 2013, adopted and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.

Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.01(16), 561.14(7), 561.17 (4), 562.12(2) FS. History–New \_\_\_\_\_.

Form DBPR ABT-6026, APPLICATION FOR ALCOHOLIC BEVERAGE EXPORTER REGISTRATION, is modified as follows. The language in the affidavit is corrected to reflect the role of the signor. The option to have the application acknowledged has been removed from the jurat.

61A-5.056 Application for Retail Tobacco Products Dealer Permit.

(1) No change.

(2) In order to be permitted as a Retail Tobacco Products Dealer or make changes to an existing permit, one of the following must be completed and filed with the division by the applicant or permittee:

(a) File for a permit or change thereto using form DBPR ABT 6028, Application for Retail Tobacco Products Dealer Permit incorporated herein by reference and effective July February 2013, adopted and incorporated herein by reference or;

(b) File for a permit or make changes thereto and simultaneously file for an alcoholic beverage license by using form DBPR ABT 6001 Application for Alcoholic Beverage or Tobacco License, effective July February 2013, adopted and incorporated herein by reference, or DBPR ABT 6002, Application for Transfer of an Alcoholic Beverage or Tobacco License, effective July February 2013, adopted and incorporated herein by reference ~~as adopted in Rule 61A-5.010, F.A.C.,~~

(3) The fee for a new Retail Tobacco Products Dealer permit shall be \$50.00. The fee must accompany the permit application DBPR ABT 6028 Application for Retail Tobacco Products Dealer Permit incorporated herein by reference and effective July February, 2013, adopted and incorporated herein by reference, which is submitted to the division. Applicants filing simultaneously for an alcoholic beverage license and a retail tobacco products dealer permit on form DBPR ABT 6001 Application for Alcoholic Beverage and Tobacco License, or DBPR ABT 6002 Application for Transfer of Ownership of an Alcoholic Beverage License, ~~effective February 2013, incorporated herein by reference as adopted in Rule 61A-5.010, F.A.C.,~~ will submit the fee after the application has been approved. A notice of approval and fee payment due will be sent to the applicant for the alcoholic beverage license and the Retail Tobacco Products Dealer permit.

~~(3) No change.~~

(4) through (8) No change.

Rulemaking Authority ~~569.002~~, 569.003, 569.009 FS., Chapter 92-285, Laws of Florida. Law Implemented 569.003 FS., Chapter 92-285, Laws of Florida. History–New 12-20-92, Formerly 7A-5.056, Amended \_\_\_\_\_.

Form DBPR ABT 6028, Application for Retail Tobacco Products Dealer Permit, is modified as follows. The options to have the application acknowledged has been removed from the jurats. The phrase “to the best of my knowledge” has been added to the affidavit where the signor swears to information that has been provided by other individuals.

Form DBPR ABT 6001 Application for Alcoholic Beverage License, is modified as follows. The title fo the form has been changed to “Application for Alcoholic Beverage or Tobacco License.” A citation to the moral character rule has been added to the instructions section. The options to have the application acknowledged has been removed from the jurats.

Form DBPR ABT 6002 Application for Transfer of Ownership of an Alcoholic Beverage License, is modifed as follows. Citation to this rule has been added to the footer. A citation to the moral character rule has been added to the instructions section. The options to have this application acknowledged have been removed from the jurats. A blank page at page 13 has been removed. The word “agree” has been changed to “acknowledge” when referencing the applicants understanding that a licensed location may be searched without a warrant.

61A-5.708 Request for License Cancellation.

Unless specifically authorized by statute, the division may not issue more than one license or permit to a location. A licensee may submit DBPR ABT-6007, REQUEST FOR LICENSE CANCELLATION, effective July February 2013, adopted and incorporated herein by reference, or a letter with the following information: Legal entity name, license number, signed by the licensee of record and notarized, to request cancellation of a license or permit issued by the division. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at <http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtdistrictOfficeInformation.doc>, or at \_\_\_\_\_.

Rulemaking Authority 561.08, 561.11 FS. Law Implemented 561.08, ~~561.11, 561.01(11)~~, 561.17 FS. History–New 2-16-89, Formerly 7A-5.708, Amended \_\_\_\_\_.

Form DBPR ABT-6007, REQUEST FOR LICENSE CANCELLATION, is modified as follows. The affidavit has been removed and replaced by a declaration of the applicant. The notarization requirement has been removed for this form.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-2.001	General Definitions
68B-2.002	Permissible Temporary Possession
68B-2.008	Trap Working Regulations

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-2.001(9) has been changed as follows:

(9) "Florida Waters" means the waters of the Atlantic Ocean, the Gulf of Mexico, the Straits of Florida, and any other bodies of water under the jurisdiction of the State of Florida, whether ~~marine~~, coastal, intracoastal or inland, and any part thereof. ~~Florida Waters include any potential fishing site adjacent to the water like a dock, pier, boat ramp, bridge, shore, beach, or other location from which fishing could occur and any parking location adjacent to a potential fishing site.~~

Proposed amendment to Rule 68B-2.002(2)(a) has been changed as follows:

(a) Unless ~~temporary~~ possession is expressly prohibited for a particular species, a person may temporarily possess an organism for purposes of identifying the species, photographing, or determining compliance with applicable regulations.

Proposed amendment to Rule 68B-2.008 has been changed as follows:

It is unlawful for any person to place traps in the marked navigation channels of the intracoastal waterways, or any other marked ~~in~~ navigation channels maintained or ~~and~~ marked by the United States Army Corps of Engineers, United States Coast Guard, State of Florida, navigation district, or any county or municipal government.

No other changes were made to the rule amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.:	RULE TITLE:
68B-2.005	Vessel Operator Responsibility

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register has been withdrawn.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-22.001	Purpose and Intent; Repeal of Certain Laws; Designation as Protected Species
68B-22.002	Definitions
68B-22.003	Size Limits
68B-22.004	Recreational Bag, Vessel, and Possession Limits; Commercial Harvest Prohibited
68B-22.005	Bag and Vessel Limits; Sale Prohibited
68B-22.006	Other Prohibitions; Applicability
68B-22.007	Catch-Hold-and-Release Tournament Exemption
68B-22.009	Authorization for Catch, Hold and Release Tournaments
68B-22.011	Prohibited Possession and Transport; Aquaculture Exemption

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register has been withdrawn.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-32.003	Tarpon Tags: Required for Possession; Report; Annual Issuance; Taxidermy; Limitation on Number of Tags Issued Annually; Limitation on Number of Tags Issued to Professional Fishing Guides
68B-32.006	Sale Prohibited, Transport Regulated
68B-32.009	Tarpon Tag Specifications

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-32.003 has been changed as follows:

68B-32.003 Size Limits ~~Tarpon Tags: Required for Possession; Report; Annual Issuance; Taxidermy; Limitation~~

~~on Number of Tags Issued Annually; Limitation on Number of Tags Issued to Professional Fishing Guides.~~

There are no size limits for tarpon as tarpon is a catch and release fishery.

Proposed amendment to subsection 68B-32.006(2) has been changed as follows:

(2) Prohibited Gear and Methods of Harvest – A person may not harvest or attempt to harvest a tarpon within or without Florida Waters by spearing, snagging, or snatch hooking. A person may not use a multiple hook in conjunction with live or dead natural bait to harvest or attempt to harvest bonefish within or without Florida Waters.

Proposed amendment to Rule 68B-32.009(2) has been changed as follows:

(2) Validity of Tarpon Tags –

(a) The license year for tarpon tags begins on January July 1 of each year and continues through December 31 June 30 of ~~that the following~~ year.

(b) No change.

Proposed amendment to Rule 68B-32.009(5) has been changed as follows:

Return of Unused Tarpon Tags – On or before February August 14, each tax collector shall submit to the Commission all unused tarpon tags for the previous license year. In addition to the unused tarpon tags, each tax collector shall submit to the Commission a written audit report indicating ~~to~~ the number of unused tags; on a form provided by the Commission (Form DMF-SL3210 (3-05), Unissued Tarpon Tags, (incorporated herein by reference and available online at <http://www.flrules.org>) on or before February August 14.

No other changes were made to these rules amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-33.005	Billfish and Swordfish: Recreational Catch Reporting
68B-33.011	Reporting Requirements for Non-tournament Landings
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-33.005 has been changed as follows:

68B-33.005 ~~Seasons Billfish and Swordfish: Recreational Catch Reporting.~~

There is no closed season for billfish.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 4-2-03, ~~Amended Repealed~~ 9-1-13.

Proposed amendment to Rule 68B-33.011 has been changed as follows:

A person who harvests a billfish from Florida Waters shall report the landing of the billfish as required by 50 C.F.R. 635.5(c)(2) (as of April 2, 2003), unless the person harvested the billfish as a participant in a fishing competition in which participants must register or an award is offered for catching or landing a billfish.

No other changes were made to these rules amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-34.003	Bonefish Gear Restriction; Harvest Prohibited
68B-34.005	Bonefish Tournaments, Exemptions
68B-34.006	Allowed and Prohibited Gear
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-34.003 has been changed as follows:

68B-34.003 ~~Size Limits Bonefish Gear Restriction; Harvest Prohibited.~~

There are no size limits for bonefish as bonefish is a catch and release fishery.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 3-1-88, Amended 1-1-98, Formerly 46-34.003, Amended 3-1-05, 7-1-11, 9-1-13 Repealed.

Proposed amendment to Rule 68B-34.005 has been changed as follows:

68B-34.005 ~~Seasons Bonefish Tournaments, Exceptions.~~  
There are no seasons for bonefish as bonefish is a year-round catch and release fishery.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-11, Amended 3-24-13, 9-1-13 Repealed.

Proposed amendment to Rule 68B-34.006 has been changed as follows:

68B-34.006 Allowed and Prohibited Gear and Method of Harvest.

(1) Allowed Gear and Method of Harvest – Within or without Florida Waters, a person may target a bonefish only with hook and line gear. All other gear and methods of harvest are prohibited.

(2) Prohibited Gear and Method of Harvest – A person may not use a multiple hook in conjunction with live or dead natural bait to harvest or attempt to harvest bonefish within or without Florida Waters.

No other changes were made to these rules amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-41.004	Recreational Bag and Possession Limits; Commercial Trip Limits
68B-41.005	Gear Specifications and Prohibited Gear; Bycatch Allowance
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-41.004(2)(a) has been changed as follows:

(a) Atlantic ocean – Except as provided in paragraph (2)(c), the harvest and possession limits established in paragraph (1)(a) do not apply to a commercial harvester who is harvesting dolphin from the Atlantic Ocean pursuant to a valid federal commercial permit issued pursuant to 50 C.F.R. 622.4(a)(2)(xii) (as of January 3, 2005) in addition to a valid saltwater products license with a restricted species endorsement. In the Atlantic Ocean, a commercial harvester

must comply with all federal dolphin limits that would otherwise apply to the commercial harvester in federal waters.

Proposed amendment to Rule 68B-41.005 has been changed as follows:

68B-41.005 ~~Seasons Gear Specifications and Prohibited Gear, Bycatch Allowance.~~

There is no closed season for dolphin.  
 Rulemaking ~~Specific~~ Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-91, Amended 1-1-98, Formerly 46-41.005, Amended 9-1-13 Repealed.

No other changes were made to the rule amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.:	RULE TITLE:
68B-57.009	License Requirements for Commercial Harvest
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-57.009 has been changed as follows:

A person may not harvest a wahoo for commercial purposes from the Atlantic Ocean, unless they possess a valid federal commercial permit issued pursuant to 50 C.F.R. 622.4(a)(2)(xii) (as of January 3, 2005) in addition to a valid Saltwater Products License with a Restricted Species Endorsement issued pursuant to Section 379.361(2)(b), F.S.

No other changes were made to these rules amendments as proposed.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-58.007	Requirements for Sale
68B-58.011	Reporting Requirement for Non-tournament Landings
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 94, May 14, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68B-58.007 has been changed as follows:

A person who harvests a swordfish within or without Florida Waters may not sell a swordfish unless the harvester possesses a valid saltwater products license and a federal Limited Access Permit (LAP) for swordfish issued pursuant to 50 C.F.R. 635.4(f) (as of October 1, 2002), and presents both the saltwater products license and the LAP to the buyer of the swordfish.

Proposed amendment to Rule 68B-58.011 has been changed as follows:

A person who harvests a swordfish from Florida Waters pursuant to subsection 68B-58.004(1), F.A.C. shall report the landing of the swordfish as required by 50 C.F.R. § 635.5(c)(2) (as of October 1, 2002) unless the person harvested the swordfish as a participant in a fishing competition in which participants must register or an award is offered for catching or landing a swordfish.

No other changes were made to these rules amendments as proposed.

## Section IV Emergency Rules

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 23, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Boca Regional Hospital. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the

publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-246).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On July 25, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from AT&T Gardenia CO, filed May 17, 2013, and advertised on May 28, 2013 in Vol. 39, No. 103, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-160).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On July 25, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from AT&T Gardenia CO, filed May 17, 2013, and advertised on May 28, 2013 in Vol. 39, No. 103, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner

has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-160).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 10, 2013, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code, paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Caleb's Pizza located in Deland. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the mop sink and bathrooms located within Forest Hill Grocery.

The Petition for this variance was published in Vol. 39/136 on July 15, 2013. The Order for this Petition was signed and approved on July 22, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the mop sink and bathroom areas within Forest Hill Grocery (Firm #335337) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and available during all hours of operation. The Petitioner shall also ensure the bathrooms located within Forest Hill Grocery are provided with soap, approved hand drying devices, and directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of the Forest Hill Grocery (Forest Hill Store Two Inc.) changes, an updated signed agreement for use of all facilities is required immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 10, 2013, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Camacho's Best Tacos located in Palmetto. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 39/136 on July 15, 2013. The Order for this Petition was signed and approved on July 22, 2013. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.



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

**DEPARTMENT OF FINANCIAL SERVICES**

The Department of Financial Services hereby gives notice: On July 26, 2013, the Department of Financial Services, Division of Legal Services, issued an Amended Final Order Denying Petition for Variance and Waiver, Case Number 118486-11-AG, to correct the Notice of Rights in reference to the Final Order Denying Petition for Variance and Waiver issued July 1, 2013. The Amended Final Order responds to receipt of a Petition for Variance and Waiver, filed on May 17, 2013, from Petitioner A Maples Insurance Agency. The Petition does not identify the administrative rule from which a variance or waiver is sought. The Notice of Petition for Variance and Waiver was published in Volume 39, No. 105, May 30, 2013, edition of Florida Administrative Register. The Amended Final Order Denying Petition for Variance found that the Petition does not identify the administrative rule from which a variance or waiver is sought, does not comply with statutory requirements, and that the general relief sought is not available to the Petitioner. No comments were received. A copy of the Order or additional information may be obtained by contacting: Michael H. Davidson Attorney, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4178.

**Section VI  
Notice of Meetings, Workshops and Public Hearings**

**EXECUTIVE OFFICE OF THE GOVERNOR**

- The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:
- State Board of Administration
  - Division of Bond Finance
  - Financial Services Commission
  - Office of Insurance Regulation
  - Office of Financial Regulation
  - Agency for Enterprise Information Technology
  - Department of Veterans' Affairs
  - Department of Highway Safety and Motor Vehicles
  - Department of Law Enforcement
  - Department of Revenue
  - Administration Commission
  - Florida Land and Water Adjudicatory Commission
  - Board of Trustees of the Internal Improvement Trust Fund
  - Department of Environmental Protection

DATE AND TIME: August 6, 2013, 9:00 a.m.  
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item. The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters. The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry. The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency. The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which

may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

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#### DEPARTMENT OF STATE

##### Division of Cultural Affairs

The Division of Cultural Affairs and Citizens for Florida Arts, Inc. announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 16, 2013, 10:00 a.m.

**PLACE:** This meeting will take place via teleconference, visit [www.florida-arts.org](http://www.florida-arts.org) for participation instructions.

**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 Board.

A copy of the agenda may be obtained by contacting: Morgan Lewis, Division of Cultural Affairs, (850)245-6470 or [morgan.lewis@dos.myflorida.com](mailto:morgan.lewis@dos.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: Maureen McKloski at (850)249-6475 or [Maureen.McKloski@DOS.MyFlorida.com](mailto: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: Morgan Lewis, Division of Cultural Affairs, (850)245-6470 or [morgan.lewis@dos.myflorida.com](mailto:morgan.lewis@dos.myflorida.com).

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#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Wednesday August 7, 2013, 9:00 a.m. – 10:00 a.m.

Please note this correction, this call does not take place on August 8<sup>th</sup>.

PLACE: Conference Call Number 1(888)670-3525, conference call code (7923533220#).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Executive Committee General Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (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 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or Roy.Cosgrove@vr.fldoe.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: Roy Cosgrove at (850)245-3317 or Roy.Cosgrove@vr.fldoe.org.

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#### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: August 5, 2013, 4:30 p.m. – 6:30 p.m.

PLACE: Thrasher Horne Conference Center, 283 College Drive, Orange Park, FL 32065

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being held to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic and environmental effects of Financial Project ID Numbers 208211-5, 208211-7 and 208211-8 otherwise known as SR 21 (Blanding Boulevard) from CR 218 to Jennings Road in Clay County, Florida. Also, a proposed interchange at State Road 23 (Branan Field-Chaffee Road), Project ID Number 208211-9, will be discussed.

The proposed improvements to SR 21 include widening the existing roadway from four to six lanes, adding bike lanes, curb and gutter, lighting, upgrading traffic signals and installing signalized crosswalks. FDOT also recommends modifying multiple median openings throughout the project limits.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, ext. 7873. 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).

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#### WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIMES: August 8, 2013, 1:00 p.m. (EST), Governing Board Meeting – to consider District business. Other Meetings to be held on Thursday, August 8, 2013, 11:30 a.m., District Lands Committee; 12:00 Noon, Regulations Committee; 1:05 p.m., Public Hearing on Consideration of Regulatory Matters; 1:10 p.m., Public Hearing on Consideration of Land Acquisition Matters

PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting - to consider District business, District Lands Committee; Regulations Committee; Public Hearing on Consideration of Regulatory Matters; Public Hearing on Consideration of Land Acquisition Matters.

A copy of the agenda may be obtained by contacting: Savannah White, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet: [www.nwfwmd.state.fl.us](http://www.nwfwmd.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 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. 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.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

The Electrical Contractors' Licensing Board announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2013, 4:00 p.m.; September 19, 2013, 8:30 a.m. and September 20, 2013, 8:30 a.m.

PLACE: Embassy Suites Hotel, 1100 SE 17th Street, Fort Lauderdale, FL 33316, PH: (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: September 18, 2013, 4:00 p.m. – Probable Cause Panel (portions may be closed to the public), September 19, 2013, 8:30 a.m. - Discipline and General Business and September 20, 2013, 8:30 a.m. - General Business.

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, PH: (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 5 days before the workshop/meeting by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, PH: (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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 27, 2013, 10:00 a.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the corporation. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 48 hours prior to the date of the meeting.

Telephone Conference #: 1(888)392-4560.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

The Board of Veterinary Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: September 4, 2013, 8:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084, (904)827-1888

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399. 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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 7, 2013, 7:00 p.m. (ET)

PLACE: Fort King Presbyterian Church Fellowship Hall, 13 NE 36th Ave, Ocala, Florida 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide updates on the following subjects: 1) the Silver Springs Basin Management Action Plan; 2) the ongoing repair and renovation activities being carried out on the Silver Springs attraction property; and 3) the process for the land management plan for the Silver River State Park and the Silver Springs attraction.

A copy of the agenda may be obtained by contacting: Daniel Willis, Assistant Park Manager, Silver River State Park, 1425 NE 58th Avenue, Ocala, Florida 34470, Phone# (352)236-7152, Fax #(352) 236-7150 or email Daniel.Willis@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Daniel Willis, Assistant Park Manager, Silver River State Park, 1425 NE 58th Avenue, Ocala, Florida 34470, Phone# (352)236-7152, Fax #(352) 236-7150 or email Daniel.Willis@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Daniel Willis, Assistant Park Manager, Silver River State Park, 1425 NE 58th Avenue, Ocala, Florida 34470, Phone# (352)236-7152, Fax #(352) 236-7150 or email Daniel.Willis@dep.state.fl.us.

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#### DEPARTMENT OF HEALTH

##### Board of Nursing Home Administrators

The Board of Nursing Home Administrators announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 10, 2013, 1:00 p.m. at Meet Me Number 1(888)670-3525, Participate Code 9238150597

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board meeting.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the website at [www.doh.state.fl.us/mqa/nurshome/index.html](http://www.doh.state.fl.us/mqa/nurshome/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.

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#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

The Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 13, 2013, 9:00 a.m. and Wednesday, August 14, 2013, 8:00 a.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819, (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy website: [http://www.doh.state.fl.us/mqa/pharmacy/ph\\_meeting.html](http://www.doh.state.fl.us/mqa/pharmacy/ph_meeting.html) under "Agendas and Notices" 7 days prior to the meeting date. You may also contact: the Board of Pharmacy, (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: the Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 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: The Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254 or (850)245-4292.

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#### DEPARTMENT OF HEALTH

##### Division of Emergency Medical Operations

The Trauma Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 13, 2013, 11:00 a.m. (10:00 a.m. Central)

PLACE: 1(888)670-3525, Passcode: (693)993 0618; This meeting is also available via WebEx, details are listed at [www.fl-traumasystem.com](http://www.fl-traumasystem.com).

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly conference calls with the Trauma Centers' Trauma Program Managers to continue an ongoing line of communication and sharing of information about Florida Trauma System Issues between the Trauma Program Managers and the Trauma Program.

A copy of the agenda may be obtained by contacting: [www.fl-traumasystem.com](http://www.fl-traumasystem.com) or [aaron\\_harmon@doh.state.fl.us](mailto:aaron_harmon@doh.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: Aaron Harmon, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399, telephone: (850)245-4440, ext. 2483. 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: Aaron Harmon, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399, telephone: (850)245-4440, ext. 2483.

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#### DEPARTMENT OF HEALTH

##### Division of Emergency Medical Operations

The Trauma Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 13, 2013, 10:00 a.m. (9:00 a.m. Central).

PLACE: 1(888)670-3525, Passcode: 693 993 0618; this meeting is also available via WebEx, details are listed at [www.fl-traumasystem.com](http://www.fl-traumasystem.com).

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the monthly Quality Improvement Committee Conference Call. These calls consist of subject matter specific material and updates from the Office of Trauma pertaining to the Quality Improvement Process. The material(s) discussed during this call are pertinent to all Trauma Program Managers and Trauma Registrars in a verified State of Florida trauma center.

A copy of the agenda may be obtained by contacting: [www.fl-traumasystem.com](http://www.fl-traumasystem.com) or [aaron\\_harmon@doh.state.fl.us](mailto:aaron_harmon@doh.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: Aaron Harmon, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399, telephone: (850)245-4440, ext. 2483. 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: Aaron Harmon, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399, telephone: (850)245-4440, ext. 2483.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Substance Abuse Program

#### RULE NOS.:RULE TITLES:

65D-30.001 Title

65D-30.002 Definitions

65D-30.003 Department Licensing and Regulatory Standards

65D-30.004 Common Licensing Standards

65D-30.005 Standards for Addictions Receiving Facilities

65D-30.006 Standards for Detoxification

65D-30.0061 Standards for Intensive Inpatient Treatment

65D-30.007 Standards for Residential Treatment

65D-30.008 Standards for Day or Night Treatment with Host Homes (Repealed)

65D-30.0081 Standards for Day or Night Treatment with Community Housing

65D-30.009 Standards for Day or Night Treatment

65D-30.0091 Standards for Intensive Outpatient Treatment

65D-30.010 Standards for Outpatient Treatment

65D-30.011 Standards for Aftercare

65D-30.012 Standards for Intervention

65D-30.013 Standards for Prevention

65D-30.014 Standards for Medication and Methadone Maintenance Treatment

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

DATE AND TIME: September 4, 2013, 9:00 a.m.

PLACE: Department of Children and Families, 1317 Winewood Blvd, Building 6, Room 335, Tallahassee, FL 32399

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The department will present anticipated revisions to Chapter 65D-30 F.A.C. (Substance Abuse Services). The rule revisions will include updating requirements to coincide with statutory changes since last rule revision, updating rule language to reflect current practices in the field of addictions, and modifying substance abuse program licensure requirements.

Participants may attend via conference call. Please contact Chris Weller at (850)717-4440 or [chris\\_weller@dcf.state.fl.us](mailto:chris_weller@dcf.state.fl.us) for conference call information.

A copy of the agenda may be obtained by contacting: Chris Weller at (850)717-4440 or [chris\\_weller@dcf.state.fl.us](mailto:chris_weller@dcf.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Chris Weller at (850)717-4440 or [chris\\_weller@dcf.state.fl.us](mailto:chris_weller@dcf.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: Chris Weller at (850)717-4440 or chris\_weller@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Refugee Services

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

DATE AND TIME: Friday, August 9, 2013, 1:00 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 5, Room 202, Tallahassee, FL 32399-0700

Conference Call-in Number: 1(888)670-3525, Conference Participation Code: 3082681153#

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Title: Debriefing Meeting of the Evaluators and Ranking of the Replies for the Technical Assistance for Ethnic Community-Based Organizations (ECBOs) in Duval County (ITN# 05K13BS1).

Description: As provided for in Sections 2.5 and 5.2 of this ITN which was published to the Vendor Bid System (VBS) on June 5, 2013. The VBS can be accessed at <http://vbs.dms.state.fl.us/>. The purpose of the Debriefing Meeting of the Evaluators and Ranking of the Replies is to receive and record all evaluation scores for the ITN and calculate the final scores according to the evaluation methodology outlined in Section 5.2.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Pamela Thornton, email: Pamela\_Thornton@dcf.state.fl.us or (850)717-4567. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Holly\_Merrick@dcf.state.fl.us.

Section VI  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by H. Scott Gleason on May 08, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 102, of the May 24, 2013, Florida Administrative Register. The Commission's Order, filed on July 25, 2013, issues a declaratory statement that so long as there is a publicly traded umbrella organization that owns real estate assets in Florida through its special purpose limited liability company, which is 100% wholly owned by that umbrella organization, they may use unlicensed employees so long as they are paid a salary and not commission.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395 or by electronic mail: Lori.Crawford@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE

Section XII  
Miscellaneous

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 applications listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from City of Eustis, City of Mary Esther, City of Titusville, FCI Tallahassee and City of Edgewater. These applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. – 5:00 pm, 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. 3585), Tallahassee, FL 32399-2400.

Section XIII  
Index to Rules Filed During Preceding  
Week

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