

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.020 Vending Machines

PURPOSE AND EFFECT: To correct a cross-reference.

SUBJECT AREA TO BE ADDRESSED: Requirements for cleaning food contact surfaces.

RULEMAKING AUTHORITY: 509.032(2)(d), (6) FS.

LAW IMPLEMENTED: 509.032(2)(d), (3)(a), 509.221 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32399, DHR.Rules@myfloridalicense.com, (850)488-1133 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-6.001 Experience Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language, and to add reference to Rule 61J1-9.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Experience requirement.

RULEMAKING AUTHORITY: 475.614, 475.615(2) FS.

LAW IMPLEMENTED: 455.213, 475.611(q), 475.617, 475.628 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: Juana Watkins, Director,

Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-7.008 Address of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the language to clarify what defines "address of record."

SUBJECT AREA TO BE ADDRESSED: Address of record.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 455.275 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.001 General Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add reference to Rule 61J1-9.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: General requirements.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611(1)(q), 475.613(2), 475.616, 475.617 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Office on Homelessness, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)922-9850, tom_pierce@dcf.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

- RULE NOS.: RULE TITLES:
 65I-2.001 Definitions
 65I-2.002 Allowable Uses of Grant Funding
 65I-2.003 Eligible Families
 65I-2.004 Grant Process
 65I-2.005 Grant Administration

PURPOSE AND EFFECT: To set parameters and key terms of the new Homelessness Prevention Grant Program established in Chapter 2013-74, Laws of Florida. The rule will provide definitions and eligibility criteria for grant applicants and program recipients, define appropriate expenditure of grant funds, and outline the competitive grant application process. The effect will be clarification of the parameters of the grant program to the organizations who apply for grant funding.

SUBJECT AREA TO BE ADDRESSED: The rule in development addresses uses and eligibility criteria of applicants for the grant funds and families needing assistance with overdue rent, mortgage or utility payments.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414161 FS.

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

DATE AND TIME: Monday, October 21, 2013, 10:00 a.m.
 PLACE: By conference call. Please call 1(888)670-3525. Callers will be asked to enter the following passcode: 9798513235 followed by the # sign. After that, callers will be asked to state their full name followed by the # sign.

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 4 days before the workshop/meeting by contacting: Tom Pierce, Director, Office on Homelessness, 1317 Winewood Blvd., Tallahassee, FL 32399-0700, (850)922-9850, tom_pierce@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tom Pierce, Director,

**Section II
 Proposed Rules**

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

- RULE NO.: RULE TITLE:
 29D-7.001 Strategic Regional Policy Plan

PURPOSE AND EFFECT: The Council proposes to amend the Northeast Florida Strategic Regional Policy Plan to incorporate the recommendations of its evaluation and appraisal report completed in accordance with Section 186.511, F.S., as well as recommendations developed by the Council in response to the public comments received during rule development workshops held on the proposed amendments in accordance with Section 120.54, F.S.

SUMMARY: The proposed rule amendment updates the Northeast Florida Strategic Regional Policy Plan to incorporate the recommendations contained in its evaluation and appraisal report as well as recommendations developed by the Council in response to public comments received during the rule development workshops held on the proposed amendments.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 186.505, 186.507, 186.511, 120.54 FS.

LAW IMPLEMENTED: 186.511 FS.

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

DATE AND TIME: November 7, 2013, 11:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

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: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brian D. Teeple, Chief Executive Officer, Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

THE FULL TEXT OF THE PROPOSED RULE IS:

29D-7.001 Strategic Regional Policy Plan.

There is hereby adopted, for the Northeast Florida Region, the Strategic Regional Policy Plan of the Northeast Florida Regional Council, dated July 1, 1997, amended November 7, 2013, which is incorporated herein by reference and copies of which are kept at the Council office at: 6850 Belfort Oaks Place, Jacksonville, FL 32216.

The referenced document which is the subject of this proposed rulemaking notice is available free of charge at <http://www.nefrfc.org/Proposed-SRPP.htm>.

Rulemaking Specific Authority 186.508(1), 186.511 FS. Law Implemented 120.535(1), 186.507, 185.501(1), 186.511 FS. History—New 7-14-96, Amended 10-16-97, 2-27-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brian D. Teeple, Chief Executive Director
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Northeast Florida Regional Council
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 20, 2013

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-9.025
 RULE TITLE: Medical Screening and Evaluation of Patients Receiving Second Trimester Abortions

PURPOSE AND EFFECT: The Agency proposes to revise rules related to abortion clinic standards and licensure.

SUMMARY: The revisions will modify existing rules to: add language that all abortion clinics must comply with Section 390.0111, F.S., relating to termination of pregnancies; and strike language that conflicts with Section 390.012, F.S., which requires an ultrasound of patients before an abortion procedure is performed.

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.

Agency review of the proposed revisions determined the changes will reduce confusion and enhance compliance activity for regulated entities. 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: Agency review of the proposed revisions determined the changes will reduce confusion and enhance compliance activity for regulated entities. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 390.012, 408.819 FS.

LAW IMPLEMENTED: 390.0111, 390.012(3)(d), 390.012(4), 390.013 FS.

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

DATE AND TIME: October 29, 2013, 10:00 a.m. – 11:00 a.m.

PLACE: The Agency for Health Care Administration, Building 3, Conference Room D, 2727 Mahan Drive, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Kim Stewart, (850)412-4302. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kim Stewart, (850)412-4302

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-9.025 Medical Screening and Evaluation of Patients Receiving Second Trimester Abortions.

(1) Each abortion clinic that provides second trimester abortions shall formulate and adhere to written patient care

policies and procedures designed to ensure professional and safe care for patients undergoing second trimester abortions and shall maintain a medical record for each such patient that records history, care and services. Any abortion clinic that performs second trimester abortions which is in operation at the time of adoption of this rule shall be given six months within which to comply with these patient care policies and procedures for patients undergoing second trimester abortions, to include but not limited to the following:

- (a) Admission criteria and procedures;
- (b) Identification in the medical record of physician(s) and nurse(s) involved in providing the services offered for patients undergoing second trimester abortions;
- (c) Specific details regarding the pre-operative procedures performed, to include:

1. History and physical examination, to include verification of pregnancy, estimation of gestational age, identification of any preexisting conditions or complications; including allergies to medications, antiseptic solutions, or latex; and a complete obstetric and gynecological history.

2. Special examinations, lab procedures, and/or consultations required, to include ultrasonography to confirm gestational age and a physical examination including a bimanual examination estimating uterine size and palpation of the adnexa. The physician shall keep original prints of each ultrasound examination of a patient in the patient's medical history file. ~~For an abortion in which an ultrasound examination is not performed before the abortion procedure,~~ Urine or blood tests for pregnancy shall be performed before the abortion procedure.

- (2) Laboratory Services.
 - (a) Laboratory services shall be provided on-site or through arrangement with a laboratory that holds the appropriate federal Clinical Laboratory Improvement Amendments (CLIA) certificate and state of Florida clinical laboratory license issued pursuant to Chapter 483, Part I, F.S.
 - (b) All laboratory services provided on-site shall be performed in compliance with state of Florida clinical laboratory licensure and federal CLIA provisions.

- (3) Laboratory Equipment and Supplies.
 - (a) All equipment and supplies for the collection, storage, and testing of specimens shall meet the provisions of Chapter 59A-7 F.A.C., and shall be maintained according to manufacturer's instructions and in a manner that ensures accurate test results.
 - (b) Temperature controlled spaces for the storage of specimens or testing supplies shall be monitored and recorded to ensure that the proper storage temperature is maintained.
 - (c) All dated supplies and materials shall not be used beyond their expiration date.

(d) Adequate facilities and supplies for the collection, storage and transportation of laboratory specimens shall be available on site.

(4) Rh factor. Rh testing for Rh negative patients shall be conducted, unless reliable written documentation of blood type is available.

(5) All laboratory test reports shall be placed in the patient's medical record.

(6) All laboratory test and storage areas, records and reports shall be available for inspection by the agency.

(7) If a person who is not a physician performs an ultrasound examination, that person shall have documented evidence that he or she has completed a course in the operation of ultrasound equipment. The physician, registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant shall, at the request of the patient and before the abortion procedure is performed, review the ultrasound evaluation results with the patient, including an estimate of the probable gestational age of the fetus.

(8) A test for anemia shall be performed.

(9) Each abortion clinic must be in compliance with Section 390.0111, F.S.

Rulemaking Specific Authority 390.012(4), 408.819 FS. Law Implemented 390.0111, 390.012(3)(d), 390.012(4), 390.013 FS. History--New 9-25-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kim Stewart, (850)412-4302
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 20, 2013

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.002 RULE TITLE: Requirements for Certification.
PURPOSE AND EFFECT: The board proposes the rule amendment to update the forms incorporated by reference.
SUMMARY: The proposed rule amendment is necessary to update the forms incorporated by reference pertaining to the requirement for certification.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule

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

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

RULEMAKING AUTHORITY: 464.202, 464.203(7) FS.

LAW IMPLEMENTED: 464.203(7), 464.0285 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-4.002 Requirements for Certification.

(1) In accordance with the provisions of Section 464.012, F.S., any person who wishes to be certified as an Advanced Registered Nurse Practitioner shall submit a completed Application for Dual Registered Nurse (RN) and Advanced Registered Nurse Practitioner, form number DH-MQA 1124, ~~04/13 08/09~~, hereby incorporated by reference. The form is available from the Board office or on the Board's website: www.FloridasNursing.gov ~~www.doh.state.fl.us/mqa/nursing~~ or <http://www.flrules/Gateway/>.

(2) through (5) No change.

Rulemaking Authority 456.048, 464.006, 464.012 FS. Law Implemented 456.048, 456.072(1)(f), 464.012, 464.018(1)(b), (2) FS. History—New 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 21O-11.23, Amended 3-19-87, 4-6-92, Formerly 21O-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, 4-5-00, 3-23-06, 6-4-09, 12-6-10, 1-3-12, 10-22-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 10, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-10.001 Application for Certification

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application, update references, and to add new language if necessary.

SUMMARY: The rule amendment will update the application and to update references, and to add new language if necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 463.005(1), 463.0055 FS.

LAW IMPLEMENTED: 463.0055, 463.006 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-10.001 Application for Certification.

To be certified to administer and prescribe topical ocular pharmaceutical agents a licensed practitioner must submit a

completed application, DH-MQA 1128 (7/2012) DPR/OPT/006(A), revised 1/89, hereby incorporated by reference, provided by the Board; remit the application fee for certification specified in subsection 64B13-6.001(7)(9), F.A.C.; and demonstrate compliance with the following requirements:

(1) through (3) No change.

Rulemaking Authority 463.005(1), 463.0055 FS. Law Implemented 463.0055, 4634.006 FS. History—New 11-20-86, Amended 7-6-88, 3-16-89, Formerly 21Q-10.001, 61F8-10.001, Amended 10-4-94, Formerly 59V-10.001, Amended 7-21-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 17, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:
64B13-10.002 Administration and Prescription of Topical Pharmaceutical Agents

PURPOSE AND EFFECT: The Board proposes the rule amendment to amend the rule to comply with Chapter 2013-26, Laws of Florida, including updating the rule title; deleting superseded language; adding new language as required by the legislation; and renumbering the rule accordingly.

SUMMARY: The rule amendment will update the rule title; delete superseded language; add new language as required by the legislation; and renumber the rule accordingly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 463.005, 463.0055 FS.

LAW IMPLEMENTED: 463.0055, 463.012, 463.0135, 463.016(1)(g), (k) 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-10.002 Administration and Prescription of Ocular ~~Topical~~ Pharmaceutical Agents

(1) Only a certified optometrist may administer and prescribe ~~topical~~ ocular pharmaceutical agents. A licensed practitioner who is not certified may use topically applied anesthetics solely for the purpose of glaucoma examinations, but is otherwise prohibited from administering or prescribing ~~topical~~ ocular pharmaceutical agents. Certified optometrists may administer and prescribe only those ~~topical~~ ocular pharmaceutical agents identified by rule of the Board and oral ocular pharmaceutical agents listed in the statutory formulary.

(2) Only certified optometrists who have successfully completed the Board approved pharmaceutical course and examination specified in subsection 463.0055(1)(b), F.S. and provided proof of such to the Department are authorized to administer and prescribe the oral ocular pharmaceutical agents or their therapeutic equivalents specified in subsection 463.0055(3), F.S.

(3) Controlled substances listed on the statutory formulary of oral ocular pharmaceutical agents may only be administered or prescribed by a certified optometrist who has successfully completed the board approved oral drug course and examination specified in subsection 463.0055(1)(b), F.S., provided proof of such to the Department, and after the certified optometrist has acquired a United States Drug Enforcement Administration registration number.

(4)(a)(2) Any prescription for an ocular ~~topical~~ pharmaceutical agent written by a certified optometrist shall contain the following information:

1.(a) No change.

2.(b) No change.

3.(e) Name of the ~~ocular topical~~ pharmaceutical agent prescribed and the strength, quantity, and directions for use thereof; and

4.(d) No change.

(b) All written prescriptions must comply with the requirements of Sections 456.42, F.S. and 893.04, F.S.

(5)(3) When an ~~ocular topical~~ pharmaceutical agent is either administered or prescribed to a patient by a certified optometrist, such shall be documented in the patients record. Rulemaking Authority 463.005(1), 463.0055 FS. Law Implemented 463.0055, 463.012, ~~463.0135~~, 463.016(1)(g), (k) FS. History—New 11-20-86, Formerly 21Q-10.002, 61F8-10.002, 59V-10.002, Amended 10-28-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 17, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-18.001 Purpose

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to update the rule in accordance to Chapter 2013-26, Laws of Florida.

SUMMARY: The rule amendment will delete unnecessary language and add new language to update the rule in accordance to Chapter 2013-26, Laws of Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.
LAW IMPLEMENTED: 463.0055 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-18.001 Purpose.

Subsection 463.0055(2)(a), F.S., requires the Board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by a certified optometrist. The formulary is required to consist of those topical ocular pharmaceutical agents which are appropriate to treat or diagnose ocular diseases and disorders that a certified optometrist is qualified to use in the practice of optometry. The Board is required to establish, add to, delete from, or modify the topical formulary by rule. The Legislature, in the Optometry Practice Act, created Section 463.0055(2)(a), F.S., granting authority for certified optometrists to administer and prescribe topical ocular pharmaceutical agents. The Legislature amended Section 463.0055, F.S., to provide for the Board of Optometry to establish a formulary of such medications by rule. This rule lists the approved topical ocular pharmaceutical agents for administration and prescription by certified optometrists.

Rulemaking Specific Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History—New 3-30-87, Formerly 21-18.001, 21Q-18.001, 61F8-18.001, 59V-18.001, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 17, 2013

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 delete unnecessary language and add new language to update the rule in accordance with Chapter 2013-26, Laws of Florida.

SUMMARY: The rule amendment will delete unnecessary language and add new language to update the rule in accordance with Chapter 2013-26, Laws of Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 463.005, 463.0055(2) (a) FS.
 LAW IMPLEMENTED: 463.0055 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The formulary of topical ocular pharmaceutical agents ~~formulary~~ consists of pharmaceutical agents that are appropriate to treat or diagnose ocular disease and disorders and which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration ~~that is commercially available~~:

- (1) through (7) No change.
- (8) ANTI-GLAUCOMA AGENTS
 - (a) through (b) No change.
 - (c) Prostaglandins
 - 1. through 3. No change.
 - 4. Tafluprost ~~Zioptan~~ – 0.0015%.
 - 5. No change.
 - (d) through (e) No change.
- (9) No change.

THIS RULE SHALL TAKE EFFECT 60 DAYS AFTER THE DATE OF ADOPTION

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09, 6-28-09, 10-18-09, 4-21-10, 12-26-10, 7-21-11, 11-11-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 17, 2013

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.003
 RULE TITLE: Procedures Regarding Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The Board proposes the substantial rewrite of the rule to update the existing rule and to develop procedures regarding the formulary of topical ocular pharmaceutical agents as authorized by Chapter 2013-26, Laws of Florida and to renumber the rule accordingly.

SUMMARY: The substantial rewrite of the rule will update the existing rule and will develop procedures regarding the formulary of topical ocular pharmaceutical agents as authorized by Chapter 2013-26, Laws of Florida and to renumber the rule accordingly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 463.005, 463.0055(2) FS.

LAW IMPLEMENTED: 463.0055 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: William Miller, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of the Rule 64B13-18.003 follows. See Florida Administrative Code for the present text)

64B13-18.003 Procedures Regarding Topical Ocular Pharmaceutical Agents.

(1) Requests for the addition, deletion or modification of the formulary of topical ocular pharmaceutical agents shall be filed with the Board. The request shall be in writing and shall contain the following information:

(a) The name, address, and telephone number of the individual or entity filing the request;

(b) The chemical name of the agent;

(c) The brand name(s) of the agent;

(d) The concentration of the agent;

(e) The United States FDA approved information sheet for the agent;

(f) The date the FDA released the agent for sale; and

(g) An explanation why the requested addition, deletion or modification is consistent with the provisions of Section 463.0055, F.S. and should be made.

(2) If after receipt of a request as specified in subsection (1), the Board determines an addition, deletion, or modification of the formulary should be made, the Board shall initiate rulemaking to accomplish said change.

(3) A current list of all topical ocular pharmaceutical agents which certified optometrists are authorized to prescribe or administer shall be maintained by the Board and shall be available upon request.

(4) The Board shall cause a notice of each addition, deletion, and modification to the formulary to be distributed to each certified optometrist and to each pharmacy licensed by the State of Florida.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History—New 5-15-97, Formerly 59V-18.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Optometry

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: August 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: September 17, 2013

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-4.001 Licensure as a Physical Therapist Assistant by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to comply with the additional accrediting criteria established by Chapter 2013-093, Laws of Florida and to update the application form.

SUMMARY: The rule amendment will include additional accrediting agencies as required by Chapter 2013-093, Laws of Florida and update the application form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 486.025, 486.102 FS.
LAW IMPLEMENTED: 456.013, 456.017, 486.102(3), 486.104, 486.106, 486.107 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: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.001 Licensure as a Physical Therapist Assistant by Examination.

Every physical therapist assistant who applies for licensure by examination shall file DOH Form #DH-MQA 1142 Application for Licensure, Revised 08/13 ~~08/12~~, which is hereby incorporated by reference, which is available through <http://www.flrules.org/Gateway/reference.asp?No=Ref-02042> or www.doh.state.fl.us/mqa, and demonstrate to the Board that the applicant:

- (1) through (2) No change.
- (3) Education, satisfies the conditions in paragraph (a) or (b) below.

(a) Has graduated from a school giving a course of not less than 2 years for received a degree as a physical therapist assistants; and from an institution that, has been approved for the training of physical therapist assistants by the Commission on Accreditation for Physical Therapy Education (CAPTE), at the time of graduation, or

1. The course has been accredited for the educational preparation of physical therapist assistants by the Commission on Accreditation in Physical therapy Education (CAPTE), or

2. The course has been accredited for the educational preparation of physical therapist assistants by any one of the regional or national institutional accrediting agencies recognized by the United States Department of Education (USDE).

3. The determinatin whether a course has been accredited for the educational preparation of physical therapist assistants shall be based on the USDE's Database of Accredited Postsecondary Institutions and Programs.

(b) No change.

Rulemaking Authority 486.025, 486.102 FS. Law Implemented 456.013, ~~456.017~~, 486.102(3), ~~486.104~~, 486.106, 486.107 FS. History—New 8-6-84, Amended 6-2-85, Formerly 21M-10.20, Amended 5-18-86, Formerly 21M-10.020, 21MM-4.001, Amended 3-1-94, Formerly 61F11-4.001, Amended 12-22-94, 4-10-96, Formerly 59Y-4.001, Amended 1-23-03, 4-9-06, 9-19-06, 5-21-09, 9-22-09, 9-28-09, 6-9-10, 12-17-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 21, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-23.012 Special Regulations on Lake Okeechobee

PURPOSE AND EFFECT: The proposed rule amendment is to reduce conflict among recreational anglers and commercial haul seine operations. The amendment proposes to increase the area in which commercial fishers may use a haul seine by 5,100 acres, clarify current rule language, update the current rule language to utilize new technologies, and allow haul seiners to set their nets at midnight. The boundaries for commercial fishers will be set as Global Positioning System coordinates in the associated permit. The proposed amendment will reduce conflict among user groups, enhance law enforcement of the haul seine program and continue to provide effective protection of both commercial and sport fisheries and the lake ecosystem.

SUMMARY: Lake Okeechobee is a 730 square mile lake located in South Florida that supports a world-renowned sport fishery and a unique commercial fishery for bluegill and redear sunfish. The proposed rule amendment will reduce user conflicts and clarify current rule language. The proposed rule was developed through cooperative efforts with local stakeholders, partners, Division of Freshwater Fisheries Management, Division of Habitat and Species Conservation, and Division of Law Enforcement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission's regular meeting November 20-21, 2013, 8:30 a.m. – 5:00 p.m. each day

PLACE: Hyatt Regency Bonaventure Conference Center, 250 Racquet Club Road, Weston, FL 33326

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.012 Special Regulations on Lake Okeechobee.

(1) through (3) No change.

(4) Commercial gear specifications and restrictions:

(a) Haul seines:

1. through 4. No change.

5. Closed areas:

a. Haul seines shall not be used or operated in Pelican Bay; in Fisheating Creek Bay north and west of a line from the weather beacon approximately one mile east of the north end

of Observation Shoal (designated R "2" on National Oceanic and Atmospheric Administration, National Ocean Survey chart #11428, edition 16) to the westernmost point of Horse Island; that area north and west of a line from the easternmost point of Kings Bar to Nubbin Slough water control structure S-191 white navigation light at latitude 27 degrees 5 minutes north, longitude 80 degrees 47 minutes west (designated FL 4 sec. 27 ft. 5M on National Oceanic and Atmospheric Administration, National Ocean Survey chart #11428, edition 16) to Henry Creek Lock; that area south of a line connecting the northernmost point of Kreamer Island to the northernmost point of Ritta Island; or in any rim canal, river mouth, channel, within that area shoreward of the boundary delineated by the commercial fishing boundary Global Positioning System coordinates buoys, or within one statute mile of any rooted, emergent aquatic vegetation. Latitude and longitude coordinates shall be established to further describe boundary lines as defined in this section. Latitude and longitude coordinates so established shall be incorporated in the permit issued pursuant to subsection 68A-23.012(3), F.A.C. subsection (3) of this section.

b. No change.

6. No change.

7. Haul seines may be fished beginning at midnight laid out and closed no earlier than three hours before sunrise but no fish shall be taken from the waters prior to one-half hour before sunrise. No haul seines shall be operated after sunset.

8. through 9. No change.

(b) No change.

(c) Wire catfish traps:

1. through 2. No change.

3. No wire traps shall be placed within the triangular area encompassed by the following: commencing at the southwesternmost point of land at the mouth of the Kissimmee River connecting by a straight line to a point at latitude 27 degrees 7 minutes 30 seconds north and longitude 80 degrees 46 minutes 50 seconds west then connecting by a straight line to a point at the southeasternmost point of the Taylor Creek Lock connecting in a meandering line following along the shoreline of the lake to the point of beginning in that area shoreward of the commercial fishing boundary buoys and bounded on the east by Taylor Creek Lock and on the west by the mouth of the Kissimmee River, excluding any part of the area designated as North Lake Shoal on National Oceanic and Atmospheric Administration, National Ocean Survey chart #11428, edition 16.

4. through 5. No change.

(d) Trotlines: Trotlines shall be marked with a flag every 1,000 yards and with a gallon-sized buoy every 500 yards between flags when fished at a lake elevation below 11.0 feet NGVD as determined by the United States Army Corps of

~~Engineers lakeward of the boundary delineated by the commercial fishing boundary buoys.~~

(5) through (7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3635, 379.377 FS. History—New 8-1-79, Amended 11-8-79, 5-19-80, 6-22-80, 6-15-81, 6-21-82, 12-14-82, 7-1-84, 7-1-85, 9-19-85, Formerly 39-23.12, Amended 6-1-86, 2-21-88, 4-4-91, 4-15-92, 7-1-97, 7-1-98, Formerly 39-23.012, Amended 8-27-09, 3-24-13,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Champeau, Director, Division of Freshwater Fisheries Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 27, 2013

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 ~~August~~ ~~July~~ 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 term "authorized representative" has been added to the declaration of applicant and to the signature block. The effective date of the form has been amended to reflect this update.

61A-5.0012 Application for Mortgagee's Interest in Spirituous Alcoholic Beverage License; Request for Alcoholic Beverage Lien Search.
No change.

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 Section 561.20(12)(a), F.S. 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 ~~August~~ ~~July~~ 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), 561.422, 562.41 FS., Chapters 2010-251 and 2010-252, Laws of Florida. History–New _____.

Form DBPR ABT-6003, APPLICATION FOR ONE/TWO/THREE DAY PERMIT OR SPECIAL SALES LICENSE, is modified as follows: The term “authorized representative” has been added to the affidavits. The effective date of the form has been amended to reflect this update.

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 August July 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, 562.41 FS. History–New _____.

Form DBPR ABT-6004, APPLICATION FOR CHANGE TO A LICENSED LEGAL ENTITY, is modified as follows: In the section requiring Department of Revenue approval, the citation to Section 212.10(1), F.S. has been changed to 213.758(4). The term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

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 August July 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), 561.17, 561.181 ~~4561.181~~, 561.351, 562.41 FS. History–New _____.

Form DBPR ABT-6008, APPLICATION FOR Importer or Broker Sales Agent License, is modified as follows: The term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

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 August July 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 August July 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 561.17, 562.41, 565.02 FS. History–New _____.

Form DBPR ABT-6020, APPLICATION FOR COMMON CARRIER LICENSE, is modified as follows: The term “authorized representative” has been added to the affidavit.

The effective date of the form has been amended to reflect this update.

Form DBPR ABT-6021, APPLICATION FOR PASSENGER VESSEL PERMIT, is modified as follows:

The term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

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 August July 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), 562.41, 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 term “affidavit” in the instructions has been changed to “declaration” and the instruction to read and sign in the presence of a notary has been removed to reflect this change. The term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

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 August July 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 term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

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 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 August July 2013, adopted and incorporated herein by reference, or DBPR ABT 6002, Application for Transfer of an Alcoholic Beverage or Tobacco License, effective August July 2013, adopted and incorporated herein by reference,

(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 August July, 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, 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.

(4) through (8) No change.

Rulemaking Authority 569.003, 569.009 FS., Chapter 92-285, Laws of Florida. Law Implemented 561.17, 562.41, 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 term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

Form DBPR ABT 6001 Application for Alcoholic Beverage and Tobacco License, is modified as follows:

Question 11 has been amended to read “Are you an officer or employee of the Division of Alcoholic Beverages and Tobacco; are you a sheriff or other state , county , or municipal officer, including reserve or auxiliary officers, certified by the state as such, with arrest powers, whose certification is current and active?” In the section requiring Department of Revenue approval, the citation to Section 212.10 (1), F.S. has been changed to 213.758(4). The term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

Form DBPR ABT 6002 Application for Transfer of an Alcoholic Beverage License, is modified as follows: Question 11 has been amended to read “Are you an officer or employee of the Division of Alcoholic Beverages and Tobacco; are you a sheriff or other state, county, or municipal officer, including reserve or auxiliary officers, certified by the state as such, with arrest powers, whose certification is current and active?” In the section requiring Department of Revenue approval, the citation to Section 212.10(1), F.S. has been changed to 213.758(4). The term “authorized representative” has been added to the affidavit. The effective date of the form has been amended to reflect this update.

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 ~~August~~ July 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, 561.17 FS. History—New 2-16-89, Formerly 7A-5.708, Amended_____.

Form DBPR ABT-6007, REQUEST FOR LICENSE CANCELLATION, is modified as follows: The term “affidavit” in the instructions has been changed to “declaration” and the instruction to read and sign in the presence of a notary has been removed to reflect this change. The paragraph indicating that the applicant is swearing under penalty of perjury has been removed from the declaration. The effective date of the form has been amended to reflect this update.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: 61K1-4.008 RULE TITLE: Pre-Match Physical for Amateurs
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. 21, January 31, 2013 issue of the Florida Administrative Register.

61K1-4.008 Pre-Match Physical of Amateur.

(1) No change.

(2) Amateurs must provide the amateur sanctioning organization sanctioning the matches with the following documentation prior to completing the pre-match physical. The documentation shall be accepted by the amateur sanctioning organization for 24 months following the completion of the documentation:

(a) An ophthalmological examination identifying problem(s) including but not limited to:

1. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a licensed ophthalmologist stating that the amateur’s retina is completely healed and that in the ophthalmologist’s expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the retinopathy or a previously detached retina.

2. Solitary eye.

3. Blindness defined as central visual acuity of 20/200 or less in the better eye with the best correction possible and/or the widest diameter of the visual field subtends an angular distance of no greater than 20 degrees in the better.

(b) A physical obtained by an M.D. or D.O. For female participants, this documentation may be obtained by a Board Certified OB/Gyn and should address the medical conditions listed in paragraphs (9)(a) through (9)(e).

~~(3)(2)~~ Ringside physicians shall have a suitable place or room in which to make their examinations prior to each match.

~~(4)(3)~~ The examination given all amateurs shall include the following:

(a) through (f) No change.

(g) Weight;

(h) Skin.

~~(5)(4)~~ No amateur shall be allowed to engage in any match if any of the following conditions are found by the physician:

(a) Inguinal and/or abdominal hHernia;

(b) through (d) No change.

(e) Blood Systolie pressure over 140/90 mm per hg; If the systolic pressure is above 140, the physician shall take the amateur's blood pressure again either within twenty (20) minutes or on the day of the matches. Amateurs may fight with a systolic pressure over 140 at the discretion of the physician;

(f) Active infectious communicable disease, including Infectious skin lesions, such as boils or infected wounds, as well as any other bacterial, viral, fungal, and/or mycobacterial communicable diseases, including tuberculosis;

(g) Recent wounds, especially on face and ears;

(h) Hand injury and/or injuries, and fracture(s) less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the amateur's health or ability to effectively compete or exhibit;

(i) An indication that the amateur is using or is under the influence of narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or ~~such a high level~~ of analgesics as to render the amateur unable to recognize if the amateur is seriously injured.

~~(j) Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh in, the written statement of a licensed ophthalmologist stating that the amateur's retina is completely healed and that in the ophthalmologist's medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the retinopathy or a previously detached retina.~~

~~(j)(4)~~ Dental abscess or loose tooth or teeth;

~~(k)(4)~~ Ophthalmological problem(s) including but not limited to:

1. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the

amateur provides, at or before the weigh-in, the written statement of a board certified ophthalmologist stating that the amateur's retina is completely healed and that in the ophthalmologist's expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the retinopathy or a previously detached retina.

2. Solitary eye,

3. Blindness defined as central visual acuity of 20/200 or less in the worst eye with 20/40 or worse in the better eye with the best correction possible in both eyes and/or the widest diameter of the visual field subtends an angular distance of no greater than 20 degrees in the better.

~~(l)(4)~~ History of epilepsy or seizures, provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified neurologist stating that the epilepsy or seizure disorder is well-controlled and that in the neurologist's expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the epilepsy or seizure disorder;

~~(n) Blindness;~~

~~(m)(e)~~ History of kidney problems, including solitary kidney; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified nephrologist stating that the kidney problem is resolved and that in the nephrologist's expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the resolved kidney problem and/or solitary kidney;

(n) History of blood clotting disorders or abnormal bleeding, including hemophilia and Von Willebrand disease; provided however, that the applicant shall be permitted to participate in a match if the amateur provides, at or before the weigh-in, the written statement of a board certified hematologist stating that the bleeding problem is well controlled and that in the hematologist's expert medical opinion, no unusual or extraordinary risk to the amateur is anticipated as a result of the bleeding disorder;

~~(o)(p)~~ No change.

~~(p)(q)~~ No change.

~~(6)(5)~~ Hepatitis B, Hepatitis C, and Human Immunodeficiency Virus/AIDS status:

(a) Amateurs participating in mixed martial arts matches must comply with the following:

1. No change.

2. Each amateur shall provide the and amateur sanctioning organization with rapid HIV test results indicating no infection with the human immunodeficiency virus/AIDS.

Negative results will be acceptable for a period of up to twenty-four (24) months. After twenty-four (24) months, the amateur will need to be re-tested and provide the amateur sanctioning organization with current lab results.

~~(7)(6)~~ No change.

~~(a)1-~~ No change.

~~(b)2-~~ No change.

~~3. A letter or documentation once every from an ophthalmologist indicating an eye exam without evidence of disease.~~

~~(c)4-~~ No change.

~~(8)(7)~~ All amateurs with cuts and abrasions that require dressing, bandages, or band-aids must be approved to compete by a physician prior to being cleared to participate.

~~(9)(8)~~ Female participants are limited to participation with additional medical restrictions. If any of the following conditions exist, the athlete is not permitted to participate:

(a) ~~Painful~~ Pelvic disease states such as symptomatic endometriosis;

(b) Abnormal vaginal bleeding of ~~undetermined etiology~~;

(c) Recent secondary amenorrhea of undetermined cause;

(d) Recent breast bleeding;

(e) Recently discovered breast masses;

(f) Confirmed pregnancy in participants over 10 years of age.

Rulemaking Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046, 548.071, 548.075 FS. History—New_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.704	Family-Related Medicaid Eligibility Determination Process
65A-1.707	Family-Related Medicaid Income and Resource Criteria
65A-1.708	Family-Related Medicaid Budgeting Criteria

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 190, September 30, 2013 issue of the Florida Administrative Register has been withdrawn.

**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 October 4, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lake County Judicial Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.4.4(b), as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators maximum bottom runby 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 (VW2013-337).

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

NOTICE IS HEREBY GIVEN that on October 3, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Embassy Suites Orlando-Jamaican Court. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-336).

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

NOTICE IS HEREBY GIVEN that on October 3, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Parker Lakeland Medical Center. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 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 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-335).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from 234 N. Westmonte Office Bldg., filed September 12, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, 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 211.3c(1)(d) ASME A17.1, 1984 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators Phase II emergency in-car operation because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-306).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Shell Point Village Crystal Kitchen (1), filed September 19, 2013, and advertised on September 23, 2013 in Vol. 39, No. 185, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1, and 8.11.2.1.3(cc)(1)&(3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-316).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Douglas A. Fraser Towers Apts., filed September 4, 2013, and advertised on September 6, 2013 in Vol. 39, No. 174, 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 purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-294).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Peck Plaza, filed August 30, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, 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 purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-299).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Autumn Sarasota Assisted/Memory Care Fac. (Elev 1), filed September 6, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would

suffer a substantial hardship if required to comply with this rule (VW2013-300).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Autumn Sarasota Assisted/Memory Care Fac. (Elev 2), filed September 6, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-301).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Reserve at Carlton (The), filed September 12, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the

underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-307).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Universal Studios-Project 722, filed September 10, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1, 8.11.2.1(cc)(1)&(3) ASME A17.1b, 2009 edition, as 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 (VW2013-305).

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 October 7, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Universal Studios-Project 722, Elev #3, filed September 10, 2013, and advertised on September 16, 2013 in Vol. 39, No. 180, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5, and 2.15.9.2 ASME A17.1b, 2009

edition, as adopted by 61C-5.001(1)(a), Florida Administrative Code requests to install a retractable toe guard 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 (VW2013-304).

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Historical Marker Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 22, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications for the Florida Historical Marker Program. A copy of the agenda may be obtained by contacting: Michael Zimny, (850)245-6333 or email: Michael.Zimny@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: Michael Zimny, (850)245-6333 or email: Michael.Zimny@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).

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: Michael Zimny, (850)245-6333 or email: Michael.Zimny@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2013, 6:00 p.m. - Board of Directors Meeting

PLACE: Mission San Luis Mission, 2100 W Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: FOMSL Board of Directors will discuss financial reports, vendor contracts and other friends' business.

A copy of the agenda may be obtained by contacting: Diane.Ogorzaly@DOS.myflorida.com or at (850)245-6388.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum Executive Committee announces a telephone conference call to which all persons are invited.

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

PLACE: Call-in number: 1(888)670-3525, conference code: 351-171-6520

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting is to discuss general business of the Executive Committee.

A copy of the agenda may be obtained by contacting: Susan Reese at (850)617-7700 or via email at Susan.Reese@FreshFromFlorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Susan Reese at (850)617-7700 or via email at Susan.Reese@FreshFromFlorida.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).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

This FAME Committee meeting notice replaces the September 30 notice which incorrectly stated the meeting is October 6, 2013. The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

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

PLACE: Bert Harris Ag Center/IFAS Extension, 4509 George Boulevard, Sebring, FL 33875, (863)402-6540, Contact: Valorie Henderson

GENERAL SUBJECT MATTER TO BE CONSIDERED: FAME Committee meeting notice (this notice replaces the September 30 notice which incorrectly stated the meeting is October 6, 2013).

The purpose of this meeting is to conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current fiscal year.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: John Easley or Martin May at (850)617-7280. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: John Easley or Martin May at (850)617-7280.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing (Formerly 1C)

RULE NO.: RULE TITLE:

5N-1.134 Licensed Firearms Instructors; Schools or Training Facilities; License Application

The Department of Agriculture and Consumer Services, Division of Licensing announces a hearing to which all persons are invited.

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

PLACE: Betty Easley Conference Center, Capital Circle Office Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This proposed rule will adopt a slightly revised version of the Firearms Instructors Training Manual. Because of the tremendous increase in the nation-wide demand for weapons in recent years and the resulting shortage of ammunition, licensed security officers and private investigators and the agencies that employ these individuals have faced a hardship in finding the ammunition needed to complete the annual re-qualification training specified in the Firearms Instructors Training Manual. While the 28-hour classroom and range requirements for the initial issuance of the statewide firearm license will remain in place, this proposed rule revision will decrease the number of rounds to be fired during the annual re-qualifying training, thus reducing a significant burden on individuals and agencies in the regulated industries.

A copy of the agenda may be obtained by contacting: Ken Wilkinson, (850)245-5500, Kenneth.Wilkinson@FreshfromFlorida.com.

For more information, you may contact: Ken Wilkinson, (850)245-5500, Kenneth.Wilkinson@FreshfromFlorida.com.

DEPARTMENT OF EDUCATION

State Board of Education

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

DATE AND TIME: October 15, 2013, 9:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, 4200 George J. Bean Parkway, Duval Room, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The meeting agenda will consist of updates on the formation of a task force to review school grading, meetings for input on standards for English Language Arts and Mathematics, and the Communication Plan. Updates will be provided by President Jim Henningsen on behalf of the Council of Presidents and a representative on behalf of the Florida Association of District School Superintendents. Updates will also be provided on digital learning, the plan for transition to new assessments, and dual enrollment and developmental education. Items for consideration include action relating to the following: Amendments to Rules 6A-1.004, School District Budget Requirements and 6A-1.0071, Fiscal Reporting Dates; Amendment to Rule 6A-1.0081, Charter School and Charter Technical Career Center Monthly Financial Statements and Financial Conditions; Amendment to Rule 6A-1.09981, Implementation of Florida's System of School Improvement and Accountability; Amendment to Rule 6A-1.099822, School Improvement Rating for Alternative Schools; New Rule 6A-1.099828, School Accountability for Exceptional Student Education (ESE) Center Schools; Amendment to Rule 6A-4.00821, Florida Educational Leadership Examination; New Rule 6A-6.0201, State of Florida High School Diplomas, as of January 1, 2014; and New Rule 6A-6.0202, Awarding High School Diplomas to Honorably Discharged Veterans. Other items for consideration include: Action relating to the confirmation that the State Board will not adopt the Common Core State Standards Appendices, Common Core Sample Performance Tasks, Common Core Samples of Student Writing, and designed high school Math courses; Approval of Recommendation to the Legislature of a Florida College System Performance Funding Allocation Methodology; and Approval of reappointments to the Education Practices Commission. The Policy Issues for Concurrence will include: Passing scores for all Statewide Assessments and U.S. History EOC standard setting.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org or by visiting the Department's website at: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@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: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Department of Education announces three public meetings to which all persons are invited.

DATE AND TIME: October 15, 2013, 5:00 p.m. – 8:00 p.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, 4001 West Tampa Bay Blvd., Auditorium – Room 111, Tampa, FL 33614

DATE AND TIME: October 16, 2013, 5:00 p.m. – 8:00 p.m.

PLACE: Broward College – Davie Campus, Bailey Concert Hall – Building 4, 3501 SW Davie Road, Davie, FL 33314

DATE AND TIME: October 17, 2013, 5:00 p.m. – 8:00 p.m.

PLACE: Tallahassee Community College, Ghazvini Center for Healthcare Education Auditorium, 1528 Surgeons Drive, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Department of Education is holding three public meetings to take public comment on the state's mathematics and English language arts (ELA) standards.

For more information, you may contact: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org.

STATE BOARD OF ADMINISTRATION

The Florida Hurricane Catastrophe Fund Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 15, 2013, 1:30 p.m. (ET) to conclusion of meeting. Persons who wish to participate by phone may call 1(888)670-3525, conference code 7135858151

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The discussion will include the October claims-paying capacity estimates and other general business of the Council.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, donna.sirmons@sbafla.com, (850)413-1349.

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: Donna Sirmons at the email or number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Commission on Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 22, 2013, 1:00 p.m. until all business is complete

PLACE: 1(888)670-3525, passcode 3822432866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission business.

A copy of the agenda may be obtained by contacting: Nicole Elliott at (850)414-0092 or nicole@volunteerflorida.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 3 days before the workshop/meeting by contacting: Nicole Elliott at (850)414-0092 or nicole@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Nicole Elliott at (850)414-0092 or nicole@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 7, 2013, 9:00 a.m. – Planning & Growth Management Committee; 9:30 a.m. – Personnel, Budget & Finance Committee; 10:00 a.m. – Board of Directors; Joint Legislative Committee & Awards Selection Ad-Hoc Committee immediately following the Board meeting
PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.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).

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

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

DATES AND TIMES: Wednesday, October 16, 2013, 9:30 a.m., Training Subcommittee; Wednesday, October 16, 2013, 10:30 a.m., Local Emergency Planning Committee

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

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

A copy of the agenda may be obtained by contacting: Michael Arnold at (352)732-1315, ext. 228 or the website – wrpc.cc. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: Thursday, October 17, 2013, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council - 1st floor conference room at 1926 Victoria Avenue in Fort Myers
GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the SWFRPC board.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, #232 or ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: SWFRPC's offices at (239)338-2550. 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: Visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 25, 2013, 8:45 a.m.

PLACE: The Resort and Club at Little Harbor, 611 Destiny Dr., Ruskin, FL 33570

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of the Bahia Beach Habitat Restoration Project. One or more Governing Board members may attend.

A copy of the agenda may be obtained by contacting: Estella Gray, Government Affairs Program Manager at 1(800)836-0797 (FL only), (813)985-7481, ext. 2015 or email at Estella.gray@watermatters.org.

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

For more information, you may contact: Estella.gray@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 2015 (Ad Order EXE0284).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 24, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: Lake Panasoffkee Recreation Center, 1589 CR 459, Lake Panasoffkee, FL 33538

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lake Panasoffkee Public Information Meeting – Public meeting to educate residents about the Lake Panasoffkee levels and the current condition of the lake. Starting at 6:00 p.m., there will be a presentation about how the lake functions in connection with the Wysong-Coogler water conservation

structure, the Withlacoochee River and the Tsala Apopka Chain of Lakes. Following the presentation, there will be information tables with experts available to answer residents' questions and gain public feedback. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: Chris Zajac, Government Affairs Program Manager at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4413 or email at chris.zajac@watermatters.org.

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

For more information, you may contact: Chris.zajac@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4413 (Ad Order EXE0285).

SPACE FLORIDA

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

DATE AND TIME: Wednesday, October 23, 2013, 10:00 a.m. – 11:30 a.m. EST

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governance & Compensation Committee Meeting.

A copy of the agenda may be obtained by contacting: Rhonda Rosa at rrosa@spaceflorida.gov.

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: Rhonda Rosa at rrosa@spaceflorida.gov. 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: Rhonda Rosa at rrosa@spaceflorida.gov.

SPACE FLORIDA

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

DATE AND TIME: Friday, October 25, 2013, 10:00 a.m. – 11:00 a.m. EST

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Audit & Accountability Committee Meeting.

A copy of the agenda may be obtained by contacting: Rhonda Rosa at rrosa@spaceflorida.gov.

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: Rhonda Rosa at rrosa@spaceflorida.gov. 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: Rhonda Rosa at rrosa@spaceflorida.gov.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2013, 9:00 a.m. – 11:30 a.m.

PLACE: Hilton Tampa Downtown, 211 N. Tampa St., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the Florida Region 9, 800 MHz Committee (FCC Region 9) agenda. A formal agenda will be provided on the day of the meeting. All committee members and public safety agencies, including state, municipality, county, Native American Tribal, and non-governmental organizations eligible under Section 90.523 of the Commission’s rules, are invited to attend this session. For more information contact Ray Carlson, Chairman, Florida Region 9 Planning Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406, telephone (561)688-3514 or email carlsonr@pbso.org.

A copy of the agenda may be obtained by contacting: No Agenda available until the day of the Meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Ray Carlson, Chairman, telephone (561)688-3514 or email carlsonr@pbso.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: Ray Carlson, Chairman, telephone (561)688-3514 or email carlsonr@pbso.org.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: Hilton Tampa Downtown, 211 N. Tampa St., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the Florida Region 9, 700 MHz Committee (FCC Region 9) agenda. A formal agenda will be provided on the day of the meeting. All committee members and public safety agencies, including state, municipality, county, Native American Tribal, and non-governmental organizations eligible under Section 90.523 of the Commission’s rules, are invited to attend this session.

A copy of the agenda may be obtained by contacting: Agenda will be available at the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Carlson, Chairman, Florida Region 9 Planning Committee, telephone at (561)688-3514 or email carlsonr@pbso.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: Ray Carlson, Chairman, Florida Region 9 Planning Committee, telephone at (561)688-3514 or email carlsonr@pbso.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: October 18, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Marathon Government Center, Board Meeting Room, 2798 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to update the members of the WQPP Canal Restoration Advisory Subcommittee on the progress of ongoing projects and to discuss future actions. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Gus Rios, Department of Environmental Protection, 2796 Overseas

Highway, Suite 221, Marathon, FL 33050, (305)289-7081, gus.rios@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gus Rios, Department of Environmental Protection, 2796 Overseas Highway, Suite 221, Marathon, FL 33050, (305)289-7081, gus.rios@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).

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 19, 2013, 10:30 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)670-3525, code 1135981458

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 17, 2013, 9:00 a.m.

PLACE: Conference call number: 1(888)670-3525, conference code: 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (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 Florida 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 Florida Board of Pharmacy at (850)245-4292.

NORTH FLORIDA BROADBAND AUTHORITY

The North Florida Broadband Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 9, 2013, 4:00 p.m.

PLACE: 205 NE Marion Street, Lake City, FL 32055

GENERAL SUBJECT MATTER TO BE CONSIDERED: The North Florida Broadband Authority (NFBA) Board of Directors announces that a regular monthly meeting will be held on Wednesday, October 9, 2013, and all interested persons are invited. The NFBA is a public body created by Interlocal Agreement pursuant to Section 163.01, Florida Statutes. The meeting will be held at 4:00 p.m. at 205 NE Marion Street Lake City, FL 32055. The Board will address general policy and operational matters of the NFBA.

In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this meeting should contact Springfield Law, P.A. at (352)371-9909 at least two business day prior to the date of the meeting. 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).

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 17, 2013, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Business and Professional Regulation, Professions Board Room, 1940 North Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes, Reports from Finance Committee, Operational Committee, Midrange and Mainframe

Professional Rates, Rate Based to Monthly Cost Recovery Billing, Direct Bills and Administrative Charges, Enterprise Backup Solution, Member at Large Trustee, Significant Events, Midrange Staffing, SQL and Operating System Migration Plans, State of the Data Center and Executive Director Updates.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jane.Geier@nsrc.myflorida.com, (850)487-9442. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jane.Geier@nsrc.myflorida.com, (850)487-9442.

REGION XII TRAINING COUNCIL

The Region XII Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2013, 8:35 a.m.

PLACE: West Palm Beach Police Department Community Room, 600 Banyan Boulevard, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The agenda will include but is not limited to F.D.L.E./C.J.S.T.C. updates: Palm Beach State College/Criminal Justice Institute Assessment Center Updates; Region XII budget approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola at (561)868-3403.

QCAUSA

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

DATE AND TIME: Tuesday, October 22, 2013, 5:00 p.m. – 7:00 p.m.

PLACE: The Florida Department of Transportation Auditorium, 11201 N. McKinley Drive, Tampa, FL 33615

GENERAL SUBJECT MATTER TO BE CONSIDERED:

U.S. 301 between Harney Road and Jackson Road Construction Open House.

The open house is being held to inform interested persons of improvements being made on U.S. 301 between Harney Road and Jackson Road. The improvements include widening the existing road from two lanes to four lanes, installing new

medians, building new sidewalks and adding a new traffic signal at the intersection of U.S. 301 and East Fowler Avenue. There will be no formal presentation therefore, we encourage you to drop in at your convenience during the above listed hours to review the project display boards and talk with project staff.

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

If you are unable to attend the meeting but would like information about the project, please email roadwork@dot.state.fl.us or call Tom Lay, FDOT Construction Project Manager at (813)242-2454.

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 seven days before the workshop/meeting by contacting: Lori Buck at 1(800)226-7220 or (813)975-6284 or by email to lori.buck@dot.state.fl.us or by letter to Lori Buck, Florida Department of Transportation, 11201 N. McKinley Drive, Tampa, Florida 33612-6456 or email: roadwork@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from City of Port St. Lucie, on September 26, 2013. The petition seeks the agency's opinion as to the applicability of Chapter 489, Florida Statutes as it applies to the petitioner.

The Petitioner seeks a declaratory statement on Chapter 489, Florida Statutes, regarding whether Miccosukee and Seminole Tribal members are exempt from licensure when contracting with consumers off the reservation to build "chickee." If so, must all person(s) performing the work be a Tribal member in order to be exempt, or can a company owned by a Tribal member employ non-Tribal employees and still be exempt? Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice has received the petition for declaratory statement from Amy Concilla, P.T., filed on October 2, 2013. The petition seeks the agency's opinion as to the applicability of Section 456.41, Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 456.41 Florida Statutes, and whether the term "complementary or alternative health care treatment" as defined in section 2(a) includes Supplements and vitamins; whether a physical therapist can sell, advise, and educate clients on supplements and vitamins; and whether a physical therapist can refer clients to alternative treatment practitioners such as, but not limited to, acupuncturists, massage therapists, nutritionists, functional medicine practitioners, chiropractors, and personal trainers. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, MQA_PhysicalTherapy@doh.state.fl.us.

Please refer all comments to: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, MQA_PhysicalTherapy@doh.state.fl.us.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

DCF-09245500, NEFSH Reroof Gymnasium

PROJECT NO: DCF – 09245500

TITLE: Roof Replacement for Building #38, Gymnasium

SITE: Northeast Florida State Hospital, 7487 South State Road 121, Macclenny, Florida 32063, Building #38 Gymnasium.

Project No. DCF-09245500, Roof Replacement Building #38 Gymnasium has been suspended until further notice.

Section XII

Miscellaneous

DEPARTMENT OF REVENUE

NOTICE OF ADOPTION OF COMMUNICATIONS

SERVICES TAX ADDRESS/JURISDICTION DATABASE

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic situsing database that assigns service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the Address/Jurisdiction Database, as posted on October 3, 2013, becomes effective on January 1, 2014. The database can be accessed at <https://pointmatch.state.fl.us>. The next update to the database will be effective July 1, 2014, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the July 1, 2014, update no later than March 3, 2014. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Local Government Unit by telephone at (850)717-6630 or by email at local-govt-unit@dor.state.fl.us. Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800) 955-8771 (TTY).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order no.: DEO-13-099

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF GROVELAND,
FLORIDA, ORDINANCE NO. 2013-08-15

FINAL ORDER
REJECTING CITY OF GROVELAND ORDINANCE NO.
2013-08-15

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat. (2012), rejecting land development regulations adopted by the City of Groveland, Florida, Ordinance No. 2013-8-15(the “Ordinance”).

FINDINGS OF FACT

The Green Swamp Area is designated by § 380.0551, Fla. Stat., as an area of critical state concern. The City of Groveland is a local government within the Green Swamp Area.

The Ordinance was adopted by the City of Groveland on August 19, 2013, and rendered to the Department on August 21, 2013.

The Ordinance amends Section 153-118 in Chapter 153 of the Groveland Code of Ordinances to add the State Road 50 Commercial Zoning District and Commercial PUD as allowed zoning districts in the Green Swamp Area of Critical State Concern. Although not identified in the title of the Ordinance or in the local government’s staff memorandum, the Ordinance also amends Sections 153-157 related to the GS-1 Green Swamp Residential District, which was previously amended by City of Groveland Ordinance No. 2012-06-09.

The last state land planning agency review and approval of land development regulations adopted by the City of Groveland occurred in 2009. Since that time, the City of Groveland has adopted 46 ordinances amending its land development code, including Ordinance No. 2012-06-09 related to the GS-1 zoning district, and has changed the numbering system in its land development code. None of the 46 ordinances adopted since 2009, or the subset of those ordinances that affects the Green Swamp Area of Critical State Concern, have been rendered to the Department for review and approval as required by sections 380.05(6) and (10), Fla. Stat. Until all land development regulations affecting the Green Swamp Area of Critical State Concern that have been adopted since 2009 are rendered to and approved by the Department, it is not possible to conduct an appropriate review of the Ordinance and conclude that it is consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern.

CONCLUSIONS OF LAW

The Department is required to approve or reject land development regulations that are adopted by any local

government in an area of critical state concern. §§ 380.05(6) and (11), Fla. Stat.

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

All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and (11), Fla. Stat. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-27.002, Florida Administrative Code.

The Ordinance is not consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern as a whole.

WHEREFORE, IT IS ORDERED that City of Groveland Ordinance No. 2013-08-15 is found to be inconsistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and with the requirements of sections 380.05(6) and (10), Fla. Stat., and is hereby REJECTED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/

WILLIAM B. KILLINGSWORTH
Director, Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE

REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX NUMBER (850)921-3230

CLERK'S EMAIL:

JAMES.BELLFLOWER@DEO.MYFLORIDA.COM

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A

FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 7 day of October, 2013.

/s/ _____
James W. Bellflower, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128
Telephone: (850)245-7160

By U.S. Mail:

Honorable James Gearhart, Mayor
City of Groveland
156 South Lake Avenue
Groveland, FL 34736

Teresa Begley, City Clerk
City of Groveland
156 South Lake Avenue
Groveland, FL 34736

Trudy Lovejoy
Development Coordinator
City of Groveland
156 South Lake Avenue
Groveland, FL 34736

By Hand Delivery or Interagency Mail:

Rebecca Jetton, ACSC Administrator, DEO Tallahassee

Section XIII
Index to Rules Filed During Preceding
Week

FILED BETWEEN SEPTEMBER 30, 2013 AND
OCTOBER 4, 2013

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DEPARTMENT OF EDUCATION

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DEPARTMENT OF HEALTH

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Board of Psychology

64B19-17.004 9/30/2013 10/20/2013 39/170

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