

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE NO.: RULE TITLE:

2B-1.003 Minor Violations

PURPOSE AND EFFECT: The Commission proposes the rule amendment to delete unnecessary language and to add new language to clarify minor violations and penalties.

SUBJECT AREA TO BE ADDRESSED: Minor violations.

RULEMAKING AUTHORITY: 106.26(12) FS.

LAW IMPLEMENTED: 106.26(12) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy McKeever Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 33299-1050

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

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE NO.: RULE TITLE:

2B-1.004 Hearings Before the Commission

PURPOSE AND EFFECT: The Commission proposes the substantial rewrite of the rule modify the rule language to clarify the procedures for hearings before the Commission.

SUBJECT AREA TO BE ADDRESSED: Hearing procedures.

RULEMAKING AUTHORITY: 106.24(5), 106.26 FS.

LAW IMPLEMENTED: 106.24(5), 106.26 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.

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DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE NO.: RULE TITLE:

2B-1.0045 Award of Attorney's Fees

PURPOSE AND EFFECT: The Commission proposes the substantial rewrite of the rule modify the rule language to clarify the procedures for award of attorney's fees.

SUBJECT AREA TO BE ADDRESSED: Award of attorney's fees.

RULEMAKING AUTHORITY: 106.24(5), 106.26 FS.

LAW IMPLEMENTED: 106.24(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy McKeever Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 33299-1050

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DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

RULE NO.: RULE TITLE:

2B-1.008 Public Comment

PURPOSE AND EFFECT: The Commission proposes to develop and adopt a new rule to establish procedures for public participation in public meetings.

SUBJECT AREA TO BE ADDRESSED: The new rule will establish procedures for public participation in public meetings.

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy McKeever Toman, Executive Director, Florida Elections

Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 33299-1050

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 Mobile Home Relocation Corporation

RULE NO.: RULE TITLE:

61M-1.002 Claims Procedures

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment to Rule 61M-1.002 (Claims Procedures), F.A.C., will be to set forth a specific timeframe within which mobile home owners must redeem vouchers received from the Florida Mobile Home Relocation Corporation and to identify the method of delivery of vouchers to mobile home owners. Currently, there is no specific timeframe or deadline. The addition of a specific timeframe within which vouchers must be redeemed will allow the Florida Mobile Home Relocation Corporation to better measure its future financial obligations.

The Florida Mobile Home Relocation Corporation will also address proposed amendments to its Forms. The purpose and effect of the proposed amendments to the forms is as follows: (1) to obtain additional information from applicants; (2) to implement the changes contemplated by the proposed amendments to Rule 61M-1.002 (Claims Procedures), F.A.C.; (3) to correct a clerical error on Form 1001 which conflicts with Rule 61M-1.002 (Claims Procedures), F.A.C., by giving applicants the option of submitting a signed contract with an installer with their application for relocation expenses; (4) to give additional notice to mobile home owners that vouchers must be redeemed within a specific timeframe; and (5) to make any other revisions necessary to any of its Forms.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in these rule and forms amendments are the Florida Mobile Home Relocation Corporation's claims and payment procedures and the use of applicable forms by the public.

RULEMAKING AUTHORITY: 723.0611(3) FS.

LAW IMPLEMENTED: 723.003, 723.061, 723.0611, 723.06115, 723.06116, 723.0612 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vicky Krentz, Executive Director, FMHRC, P. O. Box 7848, Clearwater, Florida 33758, 1(888)862-7010, (vicky@fmhrc.org)

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-1.007 List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes in the application form in the rule.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised application form.

RULEMAKING AUTHORITY: 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes in the application form.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised application form.

RULEMAKING AUTHORITY: 456.031, 456.033, 458.309, 458.311, 458.313 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

Section II Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:

65A-1.602 Food Assistance Program Case Processing

PURPOSE AND EFFECT: The Department is amending the rule to include citations that determine Food Assistance Program case processing. The Department is also amending the text to simplify the language.

SUMMARY: The citations were amended to provide the full scope of Food Assistance eligibility determinations and to acknowledge the Department is no longer using Food and Nutrition Service Waiver No.: 2030051. Changes to the rule must go through the rulemaking process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

herein: The agency 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 Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 402.82, 414.31, 414.32 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: May 28, 2014, 10:00 a.m., EST

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Bob Hoelzle, Economic Self-Sufficiency Program, (850)717-4066, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or bob_hoelzle@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 IS: Bob Hoelzle, Economic Self-Sufficiency Program, (850)717-4066, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or bob_hoelzle@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.602 Food Assistance Program Case Processing.

(1) Food Assistance Program case processing is done in accordance with the eligibility determination process in Rule 65A-1.205, F.A.C., and in 7 CFR 271.2, 273.1 – 273.18, 273.24 and 273.25. ~~7 CFR 273.2.~~

(2) Responsible Member is defined as any member of the Standard Filing Unit (SFU) capable of representing the

Assistance Group (AG) by providing sufficient and accurate information concerning the AG circumstances.

(3) Authorized Representative is defined as an adult non-household member authorized to represent the household during an interview. The authorized representative must be appointed in writing by the head of the AG, the spouse or responsible household member.

(4) 24-Month Certification Periods Reporting Requirements: Apply to AGs in which all members of the SFU meet all of the following criteria:

- (a) Are elderly or disabled;
- (b) Do not have any earned income; and
- (c) Have stable financial circumstances.

(5) Able Bodied Adults Without Dependents (ABAWD). ABAWDs are required to report whenever their hours of employment are less than 20 hours per week, averaged monthly. They may have their certification period shortened in order to comply with the time limit provisions assigned to them.

(6) Simplified Reporting (SR): Simplified Reporting is implemented pursuant to 7 CFR 273.12(a)(5) without a waiver and applies to all AGs except those that meet the criteria in subsection (4) or (5). AGs assigned to the SR category will have a six-month certification period except for those that meet the criteria in subsection (4). AGs assigned to SR are only required to report a change in income and circumstances during the certification period when an income change causes their gross income to exceed 130 percent of the Federal Poverty Level for their AG size. Gross income means the amount of all earned and unearned income before any deductions, such as taxes, are applied. The change in income must be reported within the first ten days of the month, following the month of change. Voluntarily reported changes will be processed as a required change when received and verification is provided according to regular food assistance processing procedures. The food assistance reporting requirements, per 7 CFR 273.12(a)(5)(v), do not change the reporting requirements for other programs such as Medicaid and Temporary Cash Assistance.

(7) Child Support Enforcement (CSE) Cooperation. In accordance with Section 414.32, F.S. and 7 CFR 273.11(o)(1), Child Support Enforcement cooperation by a custodial parent or caretaker relative is required as a condition of eligibility for their food assistance when an absent parent exists in accordance with Section 414.32, F.S., and 7 CFR 273.11(o), unless good cause for non-cooperation exists. For the purposes of this section, "absent parent" is defined as a putative or identified noncustodial parent of a child under 18 years of age.

(a) When an application for benefits is received, information on good cause criteria will be provided when application for benefits is received being made using CF-ES Form 2641, Claim Notice Good Cause for Refusal to Cooperate, 4/2014 May 05, incorporated by reference.

(b) Right to Claim Good Cause. The right to claim good cause exists when cooperation in establishing paternity of a child born out of wedlock or in establishing, modifying, or enforcing a support order for the child or the parent or caretaker relative and the child may not be against in the best interests of the child, or the parent, or ~~the~~ caretaker relative and the child pursuant to 7 CFR 273.11(o)(2)(i)(B) and (C), and ~~(2)(iii)-(4)(i), (iii), or (iv) and (2)~~, or if cooperation is expected to result in at least one of the following: In accordance with Rule 12E-1.008(5) and (5)(c)1.-4., F.A.C., good cause shall be determined by the Department on food assistance only cases when the recipient provides sufficient documentation to justify the claim of good cause.

~~1. Physical harm to the child—examples are broken bones, bruises, burns, lacerations, etc.;~~

~~2. Emotional harm to the child—examples are poor school performance, sleep disturbances, self-destructive behavior, eating disorders, etc.;~~

~~3. Physical harm to the custodial parent or caretaker relative which reduces their capacity to care for the child adequately (such as broken bones, bruises, burns, lacerations, or life threatening injury);~~

~~4. Emotional harm to the custodial parent or caretaker relative to such a degree that their capacity to adequately care for the child is diminished (such as psychological disorder or dysfunction which has a serious negative impact on their ability as a caretaker);~~

~~5. The child was conceived as a result of incest or rape;~~

~~6. Legal proceedings for the adoption of the child are pending before a court, or~~

~~7. The custodial parent or caretaker relative is being assisted by a public or licensed private social agency to determine whether or not to relinquish the child for adoption (this circumstance is valid for three months).~~

~~(e) Upon determination by the Ddepartment that the custodial parent or caretaker relative's failure to cooperate was without good cause, the application will be denied or a food assistance penalty will be imposed for the non-cooperative individual only and a notice of adverse action will be mailed to the individual pursuant to 7 C.F.R. 273.11(o)(3) and (4). The non-cooperative individual's income will be prorated and their assets will be counted in full in determining eligibility for the remaining AG members. The remaining AG members meeting eligibility requirements may be approved. The non-cooperative individual will be excluded until verification of CSE cooperation is received by the Ddepartment.~~

(d) Upon verification that the individual is cooperating with CSE and all other eligibility requirements have been met, action will be taken to add the individual to the AG or to remove the sanction and reinstate food assistance benefits pursuant to 7 C.F.R. 273.11(o)(5).

(8) Food assistance benefits are issued through the Electronic Benefit Transfer (EBT) system.

(9) Benefit Availability.

(a) Food assistance availability dates are staggered over the first 15 days of each month. Benefit availability to AGs is based on the terminal digits of the AG’s case number. AGs are able to receive their monthly allotment on their assigned availability date or any subsequent day in that month. Food assistance benefits placed in the EBT account may be accessed for 365 days after the date of their initial availability in the account.

(b) The EBT system supports mass overrides of benefit availability dates in instances of disasters or other emergencies. This permits individuals in areas where hurricanes or other disasters are threatening to be able to access their benefits earlier to prepare for such events.

Rulemaking Authority 414.45 FS. Law Implemented 402.82, 414.31, 414.32 FS. History—New 1-31-94, Formerly 10C-1.602, Amended 7-29-01, 4-17-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Dianna Laffey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Esther Jacobo

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 18, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-5.005
RULE TITLE: Lionfish

PURPOSE AND EFFECT: The purpose of this new rule is to reduce the likelihood of additional illegal releases of nonnative lionfish, including both species already established in Florida waters and species which are not currently found in state waters. The effect of this effort will be to prohibit the importation of live lionfish belonging to the genus *Pterois* into Florida and to limit aquaculture of lionfish in the state of Florida to aquaculture for the purposes of permitted research activities.

SUMMARY: Rule 68-5.005, F.A.C., will be added to prohibit the importation of live lionfish into Florida and will limit lionfish aquaculture.

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

No data is available from the United States Customs office to quantify the volume of importation of lionfish or the number of

import businesses directly involved in this industry. However, because access to lionfish from Florida waters will be available, no impact to Florida aquatic wholesalers is expected from this action.

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: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 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 June 17-19, 2014, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907

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: Kristen Sommers, Section Leader, Exotic Species Coordination Section, Division of Habitat and Species Conservation, 620 S. Meridian Street, Tallahassee, FL 32399-1600, (850)488-3831

THE FULL TEXT OF THE PROPOSED RULE IS:

68-5.005 Lionfish.

(1) As used in this rule, “lionfish” means any finfish of the genus *Pterois*.

(2) The importation of live lionfish or hybrids or eggs thereof is prohibited.

(3) Live lionfish imported from outside the State of Florida after August 1, 2014, may not be sold.

(4)(a) Except as provided in subsection (b), a wholesale or retail dealer, or any other wholesale or retail establishment possessing live lionfish, or any hybrids or eggs thereof may only possess live lionfish harvested from waters off the state of Florida. Any wholesale or retail establishment shall maintain

the invoices, receipts, bills of sale, bills of lading, or other documentation affirmatively showing that that all lionfish possessed or purchased by the dealer have been sourced from within state waters or adjacent federal waters of the Exclusive Economic Zone.

(b) A wholesale dealer or retailer may possess and offer for sale live lionfish imported prior to August 1, 2014. However, the burden shall be upon any person possessing imported live lionfish to establish the chain of possession from the initial transaction after harvest, by appropriate receipt(s), bill(s) of sale, or bill(s) of lading, and to show that such live lionfish were imported and entered the state in interstate commerce prior to August 1, 2014. Failure to maintain such documentation or to promptly produce same at the request of any duly authorized law enforcement officer shall constitute a violation of this section.

(5) No common carrier or employee of said carrier may carry, knowingly receive for carriage, or permit the carriage of any live lionfish, including hybrids or eggs thereof, except for lionfish lawfully harvested inside of the territorial limits of the State or from adjacent federal waters of the Exclusive Economic Zone.

(6) The aquaculture of lionfish is prohibited except as authorized by Conditional/Prohibited/Nonnative species permit as provided in paragraphs (a) through (f) below:

(a) Eligibility.

1. A permit for research involving lionfish cultivation shall be issued only to a principal investigator who is a faculty member of a college or university, is affiliated with an accredited institution, or is a member of a federal, state or county agency.

2. Permits shall be issued only for the purposes of researching lionfish population control measures or mitigating negative impacts to native species and ecosystems.

(b) Lionfish cultivation held outdoors may only be held in a water body that has the lowest point of the top edge of its levee, dike, bank, or tank at an elevation of at least one foot above the 100-year flood elevation determined by reference to elevation maps issued by the National Flood Insurance Program, U.S. Department of Homeland Security. Such water body shall have no water discharge or shall be constructed with a barrier system designed to prevent escape of adults, juveniles, and eggs in the water effluent discharged from the permittee's property.

(c) Lionfish cultivation held indoors may only be held in culture systems having no water discharge, having a water discharge through a closed drain system, or other system designed to prevent discharge of water containing adults, juveniles and eggs from the permittee's property.

(d) A detailed research proposal shall accompany the application for the permit. The proposal shall state the research

objectives, methodology and study duration, and outline planned safeguards to assure proper containment of the species. An annual record of progress toward the research project objectives shall be maintained, and such research proposal and record of progress shall be available for inspection upon request of Commission personnel.

(e). The permit shall expire 12 months from the date of issuance and shall not be renewed until a detailed report of research findings is received and approved by the Commission. The report shall include a description of activities undertaken in the permit period, progress toward research project objectives, and proposed additional activities to be undertaken during any renewal period. Such reports are public records subject to the requirements for public disclosure under Chapter 119, F.S.

(f) Any escape or release of lionfish, or the eggs thereof, shall be reported immediately to the Commission.

PROPOSED EFFECTIVE DATE: August 1, 2014

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-14.

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:
Thomas Eason, Director, Division of Habitat and Species Conservation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 7, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-9.004

Permits for Hunting or Other Recreational Use on Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to accommodate the requests of the private landowner of Nassau Wildlife Management Area (WMA) to remove this property from the WMA system. The effect would be to remove reference in this rule to recreational user permits for Nassau WMA.

SUMMARY: The proposed rule amendment would remove reference in this rule to recreational user permits for Nassau WMA.

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; 379.354 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.1025, 379.2223, 375.313, 379.354 FS.

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

DATES AND TIME: During the Commission’s regular meeting, June 17-19, 2014, 8:30 a.m. each day

PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907

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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or

managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Sections 379.354(8)(g) and (h), F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 379.354(8)(h)1., F.S., shall be:

~~1. Nassau WMA—\$385~~

2. through 4. renumbered 1. through 3. No change.

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 379.354(8)(h)1., F.S., shall be:

~~1. Nassau WMA—200~~

2. through 4. renumbered 1. through 3. No change.

(d) through (f) No change.

(2) through (3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 379.354, 375.591 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, 7-1-10, 5-5-11, 8-11-11, 5-2-12, 7-1-13, 9-9-13,_____.

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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: **RULE TITLE:**

68A-15.062 Specific Regulations for Wildlife

Management Areas - North Central Region

PURPOSE AND EFFECT: The proposed rule amendment would accommodate the requests of the private landowner of

Nassau Wildlife Management Area (WMA) to remove this property from the WMA system. The effect would be the removal of all references to Nassau WMA and allow this area to be disestablished.

SUMMARY: The proposed rule amendment would remove references to Nassau WMA, allowing for its disestablishment.

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; 379.2223, 375.313 FS.

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

DATES AND TIME: During the Commission's regular meeting, June 17-19, 2014, 8:30 a.m. each day

PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907

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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) through (32) No change.

~~(33) Nassau Wildlife Management Area.~~

~~(a) Open season:~~

~~1. General gun—November 1 through December 28.~~

~~2. Small game—December 29 through March 1.~~

~~3. Youth turkey hunt—March 14-15.~~

~~4. Spring turkey—March 21 through April 26.~~

~~5. Archery—September 19 through October 17.~~

~~6. Muzzleloading gun—October 18-31.~~

~~7. Fishing and frogging—During periods the area is open for hunting or scouting.~~

~~8. Trapping—January 5 through March 1.~~

~~(b) Legal to take: All legal game, fish, frogs and furbearers.~~

~~(c) Camping: Prohibited.~~

~~(d) General regulations:~~

~~1. The possession or use of dogs, other than bird dogs or waterfowl retrievers is prohibited, except as provided by paragraph 68A-15.004(7)(e) or (d), F.A.C.~~

~~2. Vehicles may be operated only on named or numbered roads.~~

~~3. Hunting with dogs is prohibited during the archery and muzzleloading gun seasons.~~

~~4. Fires are prohibited.~~

~~5. Vehicles are prohibited on the area from 1.5 hours after sunset to 1.5 hours before sunrise. Vehicles shall enter and exit at designated entrances.~~

~~6. Access to the area is allowed only by individuals possessing a valid recreational use permit and only from the Saturday prior to the archery season through the last day of the spring turkey season.~~

(34) through (41) renumbered (33) through (40) No change.

PROPOSED EFFECTIVE DATE: July 3, 2014

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, 7-1-07, 7-5-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, 7-1-12, 10-9-12, 7-1-13, 7-1-14, 7-3-14.

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:
 Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-4.012
 RULE TITLE: Diving: Powerheads and Rebreathers, Use to Harvest Fish in State Waters Prohibited; Definition; Spearfishing Marine Species in Fresh Water Prohibited

PURPOSE AND EFFECT: The purpose of this rule amendment is to allow a person diving in state waters by means of a rebreather to harvest and possess lionfish. Harvest by divers is currently the primary means of lionfish population control, but harvest of any marine species while diving by means of a rebreather is currently prohibited.

The effect of this rule amendment will be to generate additional opportunities for divers to remove invasive lionfish from Florida’s waters, by removing a regulatory impediment to their harvest.

SUMMARY: Rule 68B-4.012, F.A.C., will be amended to include a provision allowing persons diving by means of a rebreather to harvest lionfish from state waters and to possess lionfish harvested by persons diving by means of a rebreather to possess lionfish while in state waters.

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 June 17-19, 2014, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907

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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-4.012 Diving: Powerheads and Rebreathers, Use to Harvest Fish in State Waters Prohibited; Definition; Spearfishing Marine Species in Fresh Water Prohibited.

- (1) No change.
- (2) Rebreathers.

(a) Except for persons harvesting lionfish (genus *Pterois*), no person diving in state waters by means of a rebreather shall harvest any marine species. Use of rebreathers for any nonconsumptive purpose is allowed in state waters.

(b) The possession of any fish other than lionfish that has been harvested by a person diving in state waters by means of a rebreather, aboard a vessel fishing or at rest in state waters, shall constitute a violation of this subsection.

(c) The term “harvest” for purposes of this subsection means the catching or taking of a marine species by any means, followed by a reduction of the species to possession, whether or not the species has been killed or wounded.

- (3) No change.

PROPOSED EFFECTIVE DATE: August 1, 2014
 Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-26-92, Amended 7-15-96, 1-1-97, Formerly 46-4.012, Amended 7-1-01, 3-1-05, 8-1-14.

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:
Jessica McCawley, Director, Division of Marine Fisheries Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 28, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-5.006
RULE TITLE: Lionfish

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to eliminate language in the lionfish rule that prohibits the harvest of lionfish while diving with a rebreather and add a reference to Rule 68B-4.012, F.A.C., which is being modified to allow for this activity. In addition, the rule modifications would reference new prohibitions on the importation of live lionfish and lionfish aquaculture proposed under Rule 68-5, F.A.C.

The effect of the rule amendments would be the creation of additional opportunities for the removal of the invasive species from Florida waters and the inclusion of cross-references to other rules related to lionfish to help the public navigate and locate lionfish-related regulations.

SUMMARY: Rule 68B-5.006, F.A.C., will be modified to eliminate language prohibiting persons diving by means of a rebreather to possess and harvest lionfish from state waters and reference prohibitions on the importation of live lionfish and lionfish aquaculture found in Rule 68-5, F.A.C.

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 June 17-19, 2014, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907

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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-5.006 Lionfish.

(1) For purposes of this rule:

(a) No change.

(b) "Lionfish" means any fish of the genus species *Pterois volitans* or *Pterois miles*, or any part thereof.

(2) through (3) No change.

(4) The harvest of lionfish while using a rebreather is allowed in accordance with ~~Nothing herein shall be interpreted as allowing harvest while using a rebreather as prohibited by subsection 68B-4.012(2), F.A.C.~~

(5) In accordance with Rule 68-5.005, F.A.C., the importation of live lionfish and the aquaculture of lionfish are prohibited.

PROPOSED EFFECTIVE DATE: August 1, 2014

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-21-13, Amended 8-1-14.

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:
Jessica McCawley, Director, Division of Marine Fisheries Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-20.003	Spearing, Statewide Regulation; Prohibition Against Powerheads, Bangsticks, and Rebreathers; Repeal of Certain Special Acts
68B-20.004	Exception to Statewide Spearing Prohibitions

PURPOSE AND EFFECT: The purpose of these rule amendments is to allow the Executive Director or his designee to issue permits to tournaments or other approved organized events for the purposes of harvesting lionfish or other non-native invasive species with spearfishing gears in areas where spearing is otherwise prohibited. Spearfishing is among the most effective means of removing invasive lionfish and area-specific prohibitions on spearfishing limit the public’s ability to remove lionfish from those locations.

The effect of the rule amendments would be the creation of a permitting process that would allow participants in authorized tournaments or events to use spearfishing gears to harvest lionfish or other non-native invasive species in areas where spearing is otherwise prohibited.

SUMMARY: The rule amendments would allow the Executive Director or his designee to issue permits to tournaments or events to allow the harvest of lionfish or other non-native invasive species using spearfishing gears in areas where spearing is otherwise prohibited.

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 June 17-19, 2014, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza – Ft. Myers at Bell Tower Shops, 13051 Bell Tower Drive, Ft. Myers, FL 33907

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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-20.003 Spearing, Statewide Regulation; Prohibition Against Powerheads, Bangsticks, and Rebreathers; Repeal of Certain Special Acts.

(1) No change.

(2) Except as provided in Rule 68B-20.004, F.A.C., spearfishing ~~Spearfishing~~ is hereby prohibited:

(a) through (e) No change.

(3) through (8) No change.

PROPOSED EFFECTIVE DATE: August 1, 2014

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 6-17-85, Amended 1-1-98, Formerly 46-20.003, Amended 6-30-13, 8-1-14.

68B-20.004 Exception to Statewide Spearing Prohibitions.

(1) Notwithstanding anything to the contrary in Rule 68B-20.003, F.A.C. or Section 379.2425, F.S., upon request and with reasonable assurance that the take will not harm the environment nor be a danger to public health or safety, the Executive Director, or his designee, shall issue permits authorizing the harvest of non-native marine species by spearfishing from areas where the activity is otherwise prohibited. The permit shall be for the limited purpose of facilitating the removal of non-native species from Florida Waters.

(2) Permits shall only be issued to the director of an organized tournament or event. For the purposes of this rule, an "organized tournament or event" means a fishing competition or other event that involves ten or more participants.

(3) The permit shall only be issued for an organized tournament or event that does not unduly impact resources, interfere with other users, or impose significant risks to public health and safety.

(4) Permits shall be valid for a period of no longer than one week and only for harvest from the areas specified in the permit.

(5) The Commission shall impose upon any permit such reasonable conditions as are necessary to assure that the event or activity authorized will limit liability to the agency and protect fish, wildlife, and natural and cultural resources.

(6) All individuals participating in an organized tournament or event for which a permit to take lionfish has been issued shall have a copy of the permit in his or her possession at all times when conducting activities authorized by the permit.

(7) Violations of this rule or of the terms of the permit may result in the revocation of the permit and the denial of future permit applications pursuant to Rule 68-1.010, F.A.C.

(8) The authority granted under this section shall not exempt any person from purchasing a saltwater fishing license as required by Section 379.354, F.S.

(9) The permit shall not authorize any activities within the Florida Keys National Marine Sanctuary, within the boundaries of a federal park or other waters managed by the United States Department of the Interior, or within any state park or any other waters managed by the Florida Department of Environmental Protection unless it is accompanied by any and all permits that may be required by the National Oceanic and Atmospheric Association, the Department of the Interior, or the Florida Department of Environmental Protection for such activities or events.

PROPOSED EFFECTIVE DATE: August 1, 2014
Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-14.

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:
Jessica McCawley, Director, Division of Marine Fisheries Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 7, 2014

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.021	Definitions
40E-1.602	Permits Required
40E-1.603	Application Procedures for Processing Permit Applications or Notices of Intent
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications
40E-1.607	Permit Application Processing Fees
40E-1.6107	Transfer of Surface Water Management, or Water Use, or Wetland Resource Permit
40E-1.615	Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern
40E-1.659	Forms and Instructions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-2.011	Policy and Purpose
40E-2.041	Permits Required

- 40E-2.061 No-Notice General Permit by Rule
- 40E-2.071 Noticed General Permits and Individual Permits
- 40E-2.091 Publications Incorporated by Reference
- 40E-2.101 Content of Application
- 40E-2.301 Conditions for Issuance of Permits
- 40E-2.321 Duration of Permit
- 40E-2.331 Modification of Permits
- 40E-2.381 Limiting Conditions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.: RULE TITLES:**
- 40E-3.011 Policy and Purpose
 - 40E-3.021 Definitions
 - 40E-3.040 Scope of Part I
 - 40E-3.051 Exemptions
 - 40E-3.301 Conditions for Issuance of Permits
 - 40E-3.451 Emergency Authorization

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.:RULE TITLES:**
- 40E-5.011 Policy and Purpose
 - 40E-5.041 Permits Required
 - 40E-5.301 Conditions for Permit Issuance

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.: RULE TITLES:**
- 40E-8.011 Purpose and General Provisions
 - 40E-8.421 Prevention and Recovery Strategies
 - 40E-8.431 Consumptive Use Permits

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.: RULE TITLES:**
- 40E-10.011 Policy and Purpose
 - 40E-10.031 Water Reservations Implementation
 - 40E-10.051 Water Reservation Areas: Upper East Coast Planning Area

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.: RULE TITLES:**
- 40E-20.010 Review of General Water Use Permit Applications
 - 40E-20.011 Policy and Purpose
 - 40E-20.061 Delegation of Authority Pertaining to General Water Use Permits
 - 40E-20.091 Publications Incorporated by Reference
 - 40E-20.101 Content of General Water Use Permit Applications
 - 40E-20.301 Conditions for Issuance of General Water Use Permits
 - 40E-20.302 Types of General Water Use Permits
 - 40E-20.321 Duration of General Water Use Permits
 - 40E-20.331 Modification of General Water Use Permits
 - 40E-20.351 Transfer of General Water Use Permits
 - 40E-20.381 Limiting Conditions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.:RULE TITLES:**
- 40E-24.011 Policy and Purpose
 - 40E-24.101 Definitions
 - 40E-24.201 Year-Round Landscape Irrigation Conservation Measures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 238, December 10, 2013 issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-5.002	Definitions
59A-5.003	Licensure Procedure
59A-5.004	Validation, Licensure, & Life Safety Inspections and Complaint Investigations
59A-5.005	Governing Body
59A-5.0085	Departments and Services
59A-5.012	Medical Records
59A-5.018	Comprehensive Emergency Management Plan

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 76, April 18, 2014 issue of the Florida Administrative Register. The following section of the Notice should be corrected to read:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

A statement of estimated regulatory costs has been prepared for proposed Rule 59A-5.003, F.A.C., and is available from the person listed below. The following is a summary of the SERC: For proposed rule subsection 59A-5.003(7), F.A.C., license fees are increased by the Consumer Price Index pursuant to Section 408.805(2), F.S. The biennial licensure fee will increase by \$179.82 per ambulatory surgical center. Based on the number of currently licensed ambulatory surgical centers the total impact over 5 years will be \$197,442.36.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A SERC has been prepared by the Agency for rule 59A-5.003. For rules where no SERC was prepared, a checklist was prepared to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to s. 120.541, F.S., the rules will not require legislative ratification.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.:	RULE TITLE:
61G5-17.019	Public Comments

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 64, April 2, 2014 issue of the Florida Administrative Register. The correction is in response to a letter from the Joint Administrative Procedures Committee dated April 10, 2014.

The Correction will correct subsection 61G5-17.019(3) to read as “A member of the public.....who will speak on behalf of a group or faction of persons consisting of three or more persons....”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, Tallahassee, Florida 32399-0783

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on April 30, 2014, the South Florida Water Management District (SFWMD), received a petition for Variance (Application 140430-2) from Greater Orlando Aviation Authority (GOAA), 5850-B Cargo Road, Orlando, FL 32827, for the Orlando International Airport South Airport APM and ITF Complex, located in Orange County, Sections 9,10, Township 24 South, Range 30 East. The petition seeks relief from Section 5.4.2(d) of the South Florida Water Management District Environmental Resource Permit Applicant’s Handbook Volume II, effective October 1, 2013, which is incorporated by reference in paragraph 40E-4.091(1)(a) and Chapter 62-330, F.A.C., pertaining to side slopes for wet retention/detention and attenuation areas.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West

Palm Beach, FL 33406, by telephone at 682-6911, by e-mail: permits@sfwmd.gov or by accessing the District's website: (www.sfwmd.gov) using the Application/Permit Search on the ePermitting page.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 7, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Smokin Legs located in Panama City Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

The Department of Business and Professional Regulations, Division of Drugs, Devices and Cosmetics hereby gives notice: That an order disposing of the petition for variance and waiver filed by AmerisourceBergen Drug Corporation on October 3, 2013.

The following is a summary of the agency's disposition of the petition:

The petitioner is seeking a variance and waiver from the requirements of subparagraph 61N-1.012(3)(a)1., Florida Administrative Code. The Department published notice of the petition in the October 24, 2013, issue of the Florida Administrative Register, Volume 39, Number 208.

The Petitioner requests:

A.) A waiver from the requirement of subparagraph 61N-1.012(3)(a)1., that the pedigree paper include the full proprietary or generic name of the drug, and

B.) A variance permitting Petitioner to utilize the abbreviated name of each proprietary or generic drug, as supplied by the

manufacturer, in combination with the drug's unique NDC number.

Prior to November 27, 2013, the Department interpreted Section 499.012, Florida Statutes, as requiring the name of the prescription drug as it appears on the label to appear on the prescription drug pedigree.

Effective November 27, 2013, the Drug Quality and Security Act (DQSA) was signed into law. The Act is comprised of Title I, the Compounding Quality Act, and Title II, the Drug Supply Chain Security Act.

The DQSA Title II, Section 585(a), provides:

“SEC. 585. UNIFORM NATIONAL POLICY.

“(a) PRODUCT TRACING AND OTHER REQUIREMENTS.—Beginning on the date of enactment of the Drug Supply Chain Security Act, no State or political subdivision of a State may establish or continue in effect any requirements for tracing products through the distribution system (including any requirements with respect to statements of distribution history, transaction history, transaction information, or transaction statement of a product as such product changes ownership in the supply chain, or verification, investigation, disposition, notification, or recordkeeping relating to such systems, including paper or electronic pedigree systems or for tracking and tracing drugs throughout the distribution system) which are inconsistent with, more stringent than, or in addition to, any requirements applicable under section 503(e) (as amended by such Act) or this subchapter (or regulations issued thereunder), or which are inconsistent with—

“(1) any waiver, exception, or exemption pursuant to section 581 or 582; or

“(2) any restrictions specified in section 582.

In light of the language in the federal statute pre-empting states' laws regarding requirements for tracking and tracing prescription drug products through the distribution chain, including requirements for paper and electronic pedigrees, subparagraph 499.01212(2)(a)3., Florida Statutes, is preempted.

Section 120.542, Florida Statutes (2013), places the burden on Petitioner to demonstrate that the underlying purpose of the statute will be or has been achieved by some other means.

Petitioner has met the burden of demonstrating that the use of the abbreviated proprietary or generic name of prescription drugs in addition to the specific NDC number unique to such drug, on the electronic pedigrees, satisfies the safety concerns addressed by the existing subparagraph 61N-1.012(3)(a)1., F.A.C.

Petitioner has met the burden of demonstrating that substantial economic and technological hardship would result if the rule was strictly applied to Petitioner.

Granting the petition for variance/waiver would not remove the safety provisions of the Rule and would sufficiently protect the public.

Based on the foregoing, Petitioner’s request for a variance and waiver as set forth in paragraph A and B above, is granted.

Petitioner should note that effective January 1, 2015, manufacturers and wholesale distributors will begin using transaction history, transaction information, and transaction statements in the distribution of prescription drug product. “Transaction information” is defined in Section 581(26) of the DQSA, as including the proprietary or established name or names of the product.

A copy of the Order or additional information may be obtained by contacting: Dinah Green at The Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, (850)717-1800.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-31.007 Definition of a “Licensed Mental Health Counselor or the Equivalent, Who Is a Qualified Supervisor.”

NOTICE IS HEREBY GIVEN that on April 10, 2014, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for a Variance or Waiver. Elizabeth Fuentes-Martinez, M.S.Ed., LMHC. The Petitioner is seeking a variance or waiver of paragraph 64B4-31.007(2)(a), F.A.C., which requires that qualified supervisors who provide supervision in Florida for interns and trainees must meet the equivalency standards of subsection (1) and have completed five (5) years of clinical experience, two (2) years of which can be earned during a post-masters clinical internship with the remaining three (3) years of experience earned post-licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-31.007: Definition of a “Licensed Mental Health Counselor or the Equivalent, Who Is a Qualified Supervisor.”

NOTICE IS HEREBY GIVEN that on February 28, 2014, the Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for Variance or Waiver filed by Lauren Shure, Ph.D., LMHC. The Petitioner does not state in her Petition which rule she is seeking a variance or waiver, however it appears that the Petitioner is seeking a variance or waiver of paragraph 64B4-31.007(2)(a), F.A.C., which requires that qualified supervisors who provide supervision in Florida for interns and trainees must meet the equivalency standards of subsection (1) and have completed five (5) years of clinical experience, two (2) years of which can be earned during a post-masters clinical internship with the remaining three (3) years of experience earned post-licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on April 28, 2014, the Board of Medicine received a petition for waiver or variance filed by Ernest B. Leibov, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on May 7, 2014, the Board of Medicine received a petition for waiver or variance filed by Janan Ghazala, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Library and Information Services

The Division of Library and Information Services announces the Florida Statewide Digital Action Plan Steering Committee Meeting. All persons are invited.

DATE AND TIME: Thursday, May 22, 2014, 1:00 p.m. – 2:30 p.m., EDT

PLACE: Online Meeting. Please join the meeting, Meeting # 643 334 544

Participants can join by conference call only, using the following dial in number and passcode:

Dial in Number: 1(888)670-3525 (US toll-free); participant passcode: # 932 550 5699

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Statewide Digital Action Plan Steering Committee will meet to discuss work group progress.

A copy of the agenda may be obtained by contacting Sondra Taylor-Furbee at: sondra.furbee@dos.myflorida.com.

Any person requiring special accommodations or assistance due to a disability or physical impairment, should contact the agency a minimum of five (5) days prior to the meeting by calling: (850)245-6600 (or) TDD (850)922-4085.

To request copies of meeting materials associated with this agenda, but not included herein, contact Sondra Taylor-Furbee with the Division of Library and Information Services at: Sondra.Furbee@dos.myflorida.com.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees (FSCJ DBOT) announces the following Strategic Planning Day for Thursday, May 15, 2014, which is open to the public. The event will be held at the College's Advanced Technology Center, 401 West State Street, Jacksonville, FL 32202

The Florida State College at Jacksonville

STRATEGIC PLANNING DAY

Morning Session

DATE AND TIME: Thursday, May 15, 2014, 8:00 a.m. – 11:30 a.m.

PLACE: Florida State College at Jacksonville Advanced Technology Center, 401 West State Street, Jacksonville, FL 32202, Room T-140/141

GENERAL SUBJECT MATTER TO BE DISCUSSED: Morning Session: Dialogue with community, business, and industry leaders in Jacksonville and northeast Florida regarding the mission and direction of the College.

Trustee Luncheon

DATE AND TIME: Thursday, May 15, 2014, 11:30 a.m. – 12:45 p.m.

PLACE: Florida State College at Jacksonville Advanced Technology Center, 401 West State Street, Jacksonville, FL 32202; Room T-116

GENERAL SUBJECT MATTER TO BE DISCUSSED: FSCJ DBOT Luncheon.

Afternoon Session

DATE AND TIME: Thursday, May 15, 2014, 1:00 – 4:30 p.m.

PLACE: Florida State College at Jacksonville Advanced Technology Center, 401 West State Street, Jacksonville, FL 32202, Room T-140/141

GENERAL SUBJECT MATTER TO BE DISCUSSED: Dialogue with College employees regarding reactions to feedback from the morning session, and developing steps for moving forward. The feedback will serve as a springboard for a comprehensive strategic plan that will guide the College's priorities during the next three years.

All objections to this notice should be filed in writing with the College President, Florida State College at Jacksonville, on or before May 15, 2014.

If special accommodations are required, please advise Human Resources twenty-four (24) hours in advance of the meetings by contacting Associate Vice President of Human Resources Dan Richardson at (904)632-3381 or Dan.Richardson@fscj.edu.

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: May 15, 2014, 4:30 p.m. – 6:30 p.m.

PLACE: Middleburg Civic Center, 2102 Palmetto Street, Middleburg, FL 32050

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 208211-5 and 208211-8 otherwise known as SR-21 (Blanding Boulevard) from CR-218 to Allie Murray Road in Middleburg, Clay County, Florida. A previous public hearing was held on this project in August 2013. Since that time, the Department has evaluated the public comments received at the hearing and is implementing some of the recommendations. These changes will be presented at this workshop. The proposed improvements include widening the existing roadway from four to six lanes with curb and gutter, adding bike lanes and lighting, upgrading traffic signals, improving intersection geometry, and installing signalized crosswalks throughout the project limits. This workshop will be an "Open House" format to allow visitors to drop by anytime from 4:30 to 6:30 p.m. to talk with Department staff, ask questions and submit written comments. Public participation is solicited without regard to race, color, sex, age, religion, national origin, disability or family status.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. 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).

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.028 Reimbursement Premium Formula

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

DATE AND TIME: May 15, 2014, 1:30 p.m. (ET) until conclusion of meeting

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida. Persons wishing to participate may dial: 1(888)670-3525 and enter conference code: 7135858151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The discussion will include the May claims-paying capacity estimates. In addition, a Notice of Proposed Rule for Rule 19-8.028, F.A.C., Reimbursement Premium Formula, was

published on April 23, 2014, providing the public with 21 days from that date to request a rule hearing. If a rule hearing is held, the Advisory Council will review comments made by the public at the rule hearing. Other general business of the Advisory Council may also be addressed.

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).

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations (FCHR) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2014, 10:00 a.m., ET

PLACE: Call: 1(888)670-3525 and when prompted, enter passcode: 1760507820, followed by the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (727)570-5151, ext. 13 or Jim.Mallue@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

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: Jim Mallue at (727)570-5151, ext. 13 or Jim.Mallue@fchr.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:RULE TITLES:

62-762.201 Definitions

62-762.501 Performance Standards for Category-C Storage Tank Systems

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

DATE AND TIME: May 20, 2014, 9:00 a.m. – 3:00 p.m.
 PLACE: Port Everglades Headquarters Building, 1850 Eller Drive, Ft. Lauderdale, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: AST Technical Advisory Group. Technical discussion for those providing in-depth technical information regarding regulated aboveground storage tanks.
 Teleconference Info: call-in number: 1(888)670-3525, participant code: 813 505 3297 #

A copy of the agenda may be obtained by contacting: William E. Burns, Jr., Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399, bill.burns@dep.state.fl.us or (850)245-8842.

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: William E. Burns, Jr., Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399, bill.burns@dep.state.fl.us or (850)245-8842. 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: William E. Burns, Jr., Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399, bill.burns@dep.state.fl.us or (850)245-8842.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine, Dietetics and Nutrition Practice Council announces a public meeting to which all persons are invited.

DATE AND TIME: NOTICE OF CHANGE- Please note the July 18, 2014, 9:00 a.m., EDT. or soon thereafter, has been rescheduled to take place at 9:30 a.m., E.D.T. or soon thereafter via conference call

PLACE: Conference call: 1(888)670-3525. After dialing the meet me number, when prompted, insert the participant code: 6808029433 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, BIN C-05, Tallahassee, FL 32399-3255, by visiting our website at: www.floridahealth.gov/licensing-and-regulation or by calling the board office at (850)245-4373, ext. 3475.

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/council office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: May 29, 2014, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)670-3525, code: 9638257208

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

A copy of the agenda may be obtained by writing 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 FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services, Division of State Fire Marshal, announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 20, 2014, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium Building, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board. Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone conference call should dial (850)413-1558, (Cisco VoIP Internal callers may reach the conference call by dialing 11558). Once you have

dial the initial number you will be prompted to enter the Conference ID which is 13372. The connection will be available 5 to 10 minutes before 10:00 a.m.

A copy of the agenda may be obtained by contacting: Shelia Thomas, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342 or by calling her at (850)413-3628.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Shelia Thomas at the number and address 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).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

The Department of Economic Opportunity announces a hearing to which all persons are invited.

DATE AND TIME: Monday, May 19, 2014, 9:00 a.m. – 10:00 a.m.

PLACE: Shuster's Café, 4055 Esplanade Way, Tallahassee, Florida 32399, telephone: (850)717-8450, Tele-conference number: 1(888)670-3525; Participant Code: 7003422410 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the Weatherization Assistance Program State Plan for FFY 2014, which will be submitted to the United States Department of Energy.

A copy of the agenda may be obtained by contacting: The Department of Economic Opportunity, Mr. Norm Gempel, Manager, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120. Copies may also be obtained by telephone: (850)717-8467, by fax: (850)488-2488 or by appearing in person at the agency headquarters.

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 Department of Economic Opportunity, Mr. Norm Gempel, Manager, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120. 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 Department of Economic Opportunity, Mr. Norm Gempel, Manager, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Claims Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2014, 1:00 p.m.

PLACE: Conference call: 1(866)361-7525, conference ID: 5219676193#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Claim Committee.

A copy of the agenda may be obtained by contacting: Connie Bryan, (904)208-7238 or by visiting Citizens' website: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Connie Bryan, (904)08-7238. 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: Connie Bryan, (904)208-7238.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 28, 2014, 3:30 p.m.

PLACE: Dial-in: 1(866)361-7525, conference ID: 6487811620#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics include but are not limited to the Consumer Services Committee Report.

A copy of the agenda may be obtained by contacting: Citizens website: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at 1(800)807-7647. 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).

COUNCIL OF COMMUNITY COLLEGE PRESIDENTS

The Florida College System Council of Presidents announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 16, 2014, 9:00 a.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingramm, (850)222-3222.

For more information, you may contact: Michael Brawer, (850)222-3222.

ATKINS - BARTOW

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

DATE AND TIMES: Tuesday, May 20, 2014, 5:00 p.m. – 7:00 p.m. (or until last comment is received); Open House, 5:00 p.m. – 5:30 p.m.; Formal Presentation, 5:30 p.m.

PLACE: Brevard County Commission Chamber, 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, FL 32940

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial 428238-1-22-01

Management No.

Project Description: Viera Boulevard at I-95 from Power Line Road to US 1 in Brevard County Project Development and Environment (PD&E) Study

The Florida Department of Transportation is holding a public hearing for the Interstate 95 (I-95)/Viera Boulevard Interchange PD&E Study. We will present the recommended design alternative for a new interchange on I-95 at Viera Boulevard and improvements to Viera Boulevard between Power Line Drive and US 1.

The hearing is Tuesday, May 20, 2014 at the Brevard County Commission Chambers located at 2725 Judge Fran Jamieson Way, Bldg. C, Viera, FL. It will begin with an open house from 5:00 p.m. to 5:30 p.m. followed by a formal presentation at 5:30 p.m. At the conclusion of the presentation, attendees who complete a speaker’s card will be given the opportunity to make an oral statement that will become part of the public hearing record. Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to: Jazlyn Heywood, 719 S. Woodland Boulevard, MS 501, DeLand, FL 32720. All exhibits or statements postmarked on or before the 3rd of June will become part of the public hearing record.

The environmental and engineering documents developed by the Department are available for public review from 8 a.m. to 5:00 p.m. on weekdays through June 3rd at 719 S. Woodland Boulevard, DeLand, FL and at the Brevard Government Center located at 2725 Judge Fran Jamieson Way, lobby of Bldg. C,

Viera, FL. The documents are also available for downloading from the study website: www.i95viera.com and will be available at the public hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 7 days before the hearing by contacting Ms. Jazlyn Heywood, (386)943-5388. If you are hearing or speech impaired, please contact the agency using the Florida Relay Services, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services (free of charge) should contact Jazlyn Heywood, (386)943-5388 at least 7 days before the meeting.

A copy of the agenda may be obtained by contacting Jazlyn Heywood, (386)943-5388 or by e-mail: jazlyn.heywood@dot.state.fl.us.

For more information, you may contact: Ms. Jazlyn Heywood, the FDOT Project Manager, (386)943-5388 or by email: jazlyn.heywood@dot.state.fl.us.

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

NOTICE IS HEREBY GIVEN that Board of Respiratory Care has received the petition for declaratory statement from Vanessa A. Reynolds, Esq. on behalf of Michael A. Maranto. The petition seeks the agency’s opinion as to the applicability of Chapters 456.072(1), 468.352, and 468.365(1), Florida Statutes, and subsection 64B32-5.001(1), Florida Administrative Code, as it applies to the petitioner: whether apnea testing falls within the scope of licensure for a respiratory therapist, and whether petitioner can perform apnea testing without violating subsections 456.072(1) and 468.365(1), Florida Statutes, which could subject the petitioner to sanctions against his license. 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 Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or at Allen.Hall@flhealth.gov.

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

Notice of Emergency Action

On May 6, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Keeley Cecile Bremer, I.S.W., Registration Number: ISW 7146. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On May 6, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Emelia Gonzalez, L.P.N., License No.: PN 5183502. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**Section XIII
Index to Rules Filed During Preceding
Week**

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