

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

1S-2.051 Federal Write-In Absentee Ballot

PURPOSE AND EFFECT: Rulemaking is needed in response to legislative changes to section 101.6952 and 102.166, Florida Statutes, which now require the Department of State to adopt rules for how to determine a voter’s definite choice for ballot measures and judicial merit retention races using a federal write-in absentee ballot. Makes clarification regarding when choice cannot be determined in primary and special primary elections. Makes clarification regarding use of consistency of entire ballot.

SUMMARY: Contains procedures for determining a voter’s definite choice for ballot measures and judicial merit retention races using a federal write-in absentee ballot. Adds standard for concluding that voter’s definite choice cannot be determined and vote not counted in primary and special primary elections using a federal write-in absentee ballot. Deletes language requiring review of entire ballot for consistency to make determination of voter’s definite choice.

SUBJECT AREA TO BE ADDRESSED: Elections; federal write-in absentee ballots.

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: Legislative ratification will not be required pursuant to Section 120.541(3), F.S. Based upon past experiences with rules of this nature, this rule will not have an adverse effect on businesses or private-sector economic growth, job-creation, employment or investment; it is not likely to have an adverse

impact on business competitiveness nor innovation in excess of the statutory threshold; nor will it increase regulatory costs in excess of the threshold mandating legislative ratification. No other statute requires legislative ratification for this rule.

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

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 101.6952, 102.166 FS.

LAW IMPLEMENTED: 101.5614, 101.6952, 102.166 FS.

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

DATE AND TIME: July 27, 2015, 11:00 a.m.

PLACE: Room 307, R.A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brandy Hedges, at (850)245-6536 or Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lydia Strom, Assistant General Counsel, at (850)245-6536 or Lydia.Strom@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS BELOW:

1S-2.051 Standards for Determining Voter’s Choice on a Federal Write-In Absentee Ballot.

(1) Application. The standards in this rule apply to determine whether the voter has clearly indicated a definite choice for purposes of counting ~~during a recount~~ a vote cast on a Federal Write-in Absentee Ballot (**FWAB**) during a recount under s. 102.166(4), F.S., and during the canvassing and duplication of the FWAB under s. 101.5614(5), F.S. The FWAB is issued by the Federal Voting Assistance Program (FVAP) as a back-up ballot, and is available by download from the FVAP’s webpage at: <http://www.fvap.gov/uploads/FVAP/Forms/fwab2013.pdf> <http://www.fvap.gov/reference/forms.html>.

(2) Use. Section 101.6952(2), F.S., governs when a federal write-in absentee ballot may be used in an election and by whom it may be used.

(3) Manual review and tabulation. Subject to Section 102.166(4)(b) and (c), F.S., a vote shall count when it is determined to be a valid vote pursuant to this rule.

(4) Standards. The following standards supplement the applicable standards already set out in Section 101.6952(2)(b)-(e), F.S., for determining whether there is a clear indication that the voter has made a definite choice, whether the vote shall be counted, and for whom or what issue. ~~The canvassing board shall first look at the entire ballot for consistency to make the determination.~~

(a) ~~Unless the consistency of the ballot clearly indicates otherwise,~~ the following standards apply and will constitute clear indications of a definite choice for which the vote shall count:

1. Except for judicial merit retention races (see subparagraph 6.), if the voter writes the candidate's local or state office under the column "Office/Ballot Initiative," and in close proximity either on the same line, directly below or above the line, or on the line directly opposite in the next column, the voter writes a qualified candidate's name or party, the vote shall count for the qualified candidate regardless of party affiliation, or for the qualified candidate associated with the party written, whichever is applicable.

2. Except for judicial merit retention races (see subparagraph 6.), if the voter writes the qualified candidate's first or last name and no other qualified candidate in the race or on the ballot has the same or similar first or last name, the vote shall count for that qualified candidate regardless of proper or improper office designation.

3. If the voter uses symbols, marks, or words, such as "same" or "ditto," or arrows, or quotation marks to indicate the same political party for all offices voted, the vote shall count for each qualified candidate of that political party, except in those races in which more than one candidate of the same political party may properly be nominated or in which two or more candidates may properly be elected.

4. If the voter fails to include any district or other numbered designation associated with the office but designates the correct office name, the vote shall count for that office.

5. If the voter writes a candidate's partial or full name, but incorrectly writes the political party, the vote shall count for that candidate.

6. For a judicial merit retention race, if the voter writes the candidate's first or last name or current office under the column "Office/Ballot Initiative," or "Candidate Name, Party Affiliation, or Initiative Vote," and in close proximity either on the same line, directly below or above the line, or on the line directly opposite in the adjacent column, the voter writes "yes" or "no," the vote shall count as a vote for or against retention, respectively. A voter may use symbols, marks, or

words, such as "same" or "ditto," or arrows, or quotation marks to indicate a yes or no vote, as applicable, for a subsequent judicial merit retention race after indicating a "yes" or "no" vote for a preceding races.

7. For a ballot measure, if the voter writes the name of the ballot measure in any identifiable form under the column "Office/Ballot Initiative," and in close proximity either on the same line, directly below or above the line, or on the line directly opposite in the next column, the voter writes "yes" or "no," the vote shall count as a vote for or against the ballot measure, respectively. A voter may use symbols, marks, or words, such as "same" or "ditto," or arrows, or quotation marks to indicate a yes or no vote, as applicable, for a subsequent ballot measure after indicating a "yes" or "no" vote for a preceding ballot measure.

(b) ~~Unless the consistency of the ballot clearly indicates otherwise,~~ the following standards apply and will constitute instances where clear indications of a definite choice cannot be determined and for which the vote shall not count:

1. If the voter writes a candidate's first or last name, or both, but incorrectly designates the office for which the candidate has qualified.

2. If the voter writes in a candidate's name that is not on the official primary ballot of any political party.

3. If the voter designates a qualified candidate's partial or full name that is the same or similar to an opposing candidate's partial or full name in the same race without some additional mark or wording to indicate clearly that the voter has made a definite choice. (Such additional marks or wording may consist of a candidate's nickname, first name and first initial, middle name(s) and middle initial(s), other commonly known name or names, generational suffix, or professional title such as doctor, professor, counselor or judge).

4. If, in a primary election or special primary election, a voter writes in the name or abbreviation of a political party without associating the political party designation with the name of a qualified candidate.

5. In a judicial retention race, if the voter writes an entry other than one specified in subparagraph (4)(a)6., the vote shall not count as either a vote for or against retention.

6. For a ballot measure, if the voter writes an entry other than one specified in subparagraph (4)(a)7., the vote shall not count as either a vote for or against the ballot measure.

(c) ~~Unless the consistency of the ballot or the writing of the candidate's or political party's name clearly indicates otherwise (e.g., the voter writes the first and last name of the candidate or the full name of the political party on the ballot),~~ the following standards apply when the abbreviation, initials, or name of a candidate is the same as the abbreviation or name of a political party:

1. If the political party does not have a candidate in the applicable race, the vote shall count for the candidate.

2. If the political party has only one candidate in the applicable race and the candidate is a member of the political party whose abbreviation or name is the same as the candidate, the vote shall count for the candidate.

3. If the political party has more than one candidate on the ballot, the vote shall not count for either the candidate or the party.

(d) If the voter writes in or otherwise indicates more choices than there are positions or choices for that office, it shall be considered an overvote and none of the designations by the voter are valid for that race.

Rulemaking Authority 20.10(3), 97.012, 102.166(4)(b) FS. Law Implemented 101.5614(5)(b), 101.6952, 102.166(4)(c) FS. History—New 11-28-13, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lydia Strom, Assistant General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth W. Detzner
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2016

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.0355 Hospice Programs

PURPOSE AND EFFECT: The Agency is proposing to amend the rule to remove materials incorporated by reference.

SUMMARY: The proposed amendment will remove the materials incorporated by reference in this rule pursuant to the recommended order and subsequently filed final order in Case #14-5121.

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.

Based on the fact that the updates to the proposed rule are solely removing materials incorporated by reference, the Agency has determined that no SERC is required.

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: Based on the fact that the updates to the proposed rule

are solely removing materials incorporated by reference, the Agency has determined that legislative ratification is not 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: 408.15 (8), 408.034 (3) and (8), FS.

LAW IMPLEMENTED: 408.035, 408.036 (1)(d) and 408.043 (2) 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: July 23, 2015, 8:30 a.m. – 10:30 a.m.

PLACE: The Agency for Health Care Administration, 2727 Mahan Drive, Ft. Knox Building Three, Conference Room C, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Marisol Fitch at (850)412-4346 or at marisol.fitch@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marisol Fitch at (850)412-4346 or at marisol.fitch@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.0355 Hospice Programs.

(1) through (3) No change.

(4) Criteria for Determination of Need for a New Hospice Program.

(a) Numeric Need for a New Hospice Program. Numeric need for an additional hospice program is demonstrated if the projected number of unserved patients who would elect a hospice program is 350 or greater. The net need for a new hospice program in a service area is calculated as follows:

$$(HPH) - (HP) \geq 350$$

where:

(HPH) is the projected number of patients electing a hospice program in the service area during the 12 month period beginning at the planning horizon. (HP) is the sum of $(U65C \times P1) + (65C \times P2) + (U65NC \times P3) + (65NC \times P4)$

where:

U65C is the projected number of service area resident cancer deaths under age 65, and P1 is the projected proportion of U65C electing a hospice program.

65C is the projected number of service area resident cancer deaths age 65 and over, and P2 is the projected proportion of 65C electing a hospice program.

U65NC is the projected number of service area resident deaths under age 65 from all causes except cancer, and P3 is the projected proportion of U65NC electing a hospice program.

65NC is the projected number of service area resident deaths age 65 and over from all causes except cancer, and P4 is the projected proportion of 65NC electing a hospice program.

The projections of U65C, 65C, U65NC, and 65NC for a service area are calculated as follows:

U65C	(u65c/CT)	×PT
65C	(65c/CT)	×PT
U65NC	(u65nc/CT)	×PT
65NC	(65nc/CT)	×PT

where:

u65c, 65c, u65nc, and 65nc are the service area’s current number of resident cancer deaths under age 65, cancer deaths age 65 and over, deaths under age 65 from all causes except cancer, and deaths age 65 and over from all causes except cancer.

CT is the service area’s current total of resident deaths, excluding deaths with age unknown, and is the sum of u65c, 65c, u65nc, and 65nc.

PT is the service area’s projected total of resident deaths for the 12-month period beginning at the planning horizon.

“Current” deaths means the number of deaths during the most recent calendar year for which data are available from the Department of Health Office of Vital Statistics at least 3 months prior to publication of the fixed need pool.

“Projected” deaths means the number derived by first calculating a 3-year average resident death rate, which is the sum of the service area resident deaths for the three most recent calendar years available from the Department of Health Office of Vital Statistics at least 3 months- prior to publication of the fixed need pool, divided by the sum of the July 1 estimates of the service area population for the same 3 years. The resulting average death rate is then multiplied by the projected total population for the service area at the mid-point of the 12-month period which begins with the applicable planning horizon. Population estimates for each year will be the most recent population estimates from the Office of the Governor at least 3 months to publication of the fixed need pool. ~~The following materials are incorporated by reference within this rule; Department of Health Office of Vital Statistics Florida Vital Statistics Annual Reports entitled “Deaths” for 2012, 2011 and 2010, and Florida Population Estimates and Projections by AHCA District 2010 To 2030,~~

~~released September, 2013. These publications are available on the _____ Agency _____ website _____ at http://ahca.myflorida.com/MCHQ/CON_FA/Publications/index.shtml _____ and http://www.flrules.org/Gateway/reference.asp?No=Ref_03907.~~

The projected values of P1, P2, P3, and P4 are equal to current statewide proportions calculated as follows:

- P1 = (Hu65c/Tu65c)
- P2 = (H65c/T65c)
- P3 = (Hu65nc/Tu65nc)
- P4 = (H65nc/T65nc)

where:

Hu65c, H65c, Hu65nc, and H65nc are the current 12-month statewide total admissions of hospice cancer patients under age 65, hospice cancer patients age 65 and over, hospice patients under age 65 admitted with all other diagnoses, and hospice patients age 65 and over admitted with all other diagnoses. The current totals are derived from reports submitted under subsection (8) of this rule.

Tu65c, T65c, Tu65nc, and T65nc are the current 12-month statewide total resident deaths for the four categories used above.

(HP) is the number of patients admitted to hospice programs serving an area during the most recent 12-month period ending on June 30 or December 31. The number is derived from reports submitted under subsection (8) of this rule.

350 is the targeted minimum 12-month total of patients admitted to a hospice program.

4 (b) through (9) No changes

Rulemaking Authority 408.034(3), ~~(8)~~ ~~(6)~~, 408.15(8) FS. Law Implemented ~~408.034(8)~~, 408.035, 408.036(1)(d), 408.043(2) FS. History—New 4-17-95, Amended 7-30-95, 7-21-09, 5-3-10, 10-14-12, 4-14-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Marisol Fitch

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 28, 2015

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-51.0012 RULE TITLE: Uniform Classification of Accounts for Units of Local Government

PURPOSE AND EFFECT: The proposed rule is amended to adopt the Department’s “Uniform Accounting System Manual, 2014 Edition.” The Manual provides updated guidance regarding uniform accounting practices and procedures that

local government entities are required to follow, pursuant to Section 218.33, F.S. The Manual includes a classification of accounts organized by fund groups and details specific standards that local governmental entities must follow in the recording and reporting of financial information required by the state of Florida. The proposed rule also provides a website through which the Manual can be accessed and includes certain technical changes.

SUMMARY: The proposed rule adopts the Department's "Uniform Accounting System Manual, 2014 Edition." The Manual provides updated guidance on uniform accounting practices that local governmental entities are required to follow, pursuant to Section 218.33, F.S.

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 Department has performed an economic analysis of the proposed rule and has determined there are no adverse impacts or potential regulatory costs for the proposed rule exceeding criteria established under paragraphs 120.541(1)(b) or 120.541(2)(a), F.S. The Department has incorporated its experience in estimating regulatory and transactional costs associated with the rulemaking process into its economic analysis of the proposed rule.

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

RULEMAKING AUTHORITY: 17.14, 17.29, 120.53(1), 218.33(2) FS.

LAW IMPLEMENTED: 129.01, 218.32, 218.33(2) 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: Thursday, July 23, 2015, 2:30 p.m.

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

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

contacting: Gina Ballard, (850)413-5687, Gina.Ballard@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gina Ballard, CPA, Chief, Bureau of Financial Reporting, Division of Accounting and Auditing, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0364, (850)413-5687, Gina.Ballard@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-51.0012 Uniform Classification of Accounts for Units of Local Government.

(1) Pursuant to Section 218.33, F.S., the Department of Financial Services has authorized a uniform-classification of accounts for use by local governmental entities. The aforementioned uniform classification of accounts, as organized under the Department's "Uniform Accounting System Manual, 2014 Edition," provides detailed guidance regarding the required reporting by local governmental entities of their respective assets, deferred outflows of resources, liabilities, deferred inflows of resources, revenues, and expenditures. ~~the responsibility and authority to make such rules regarding uniform accounting practices and procedures to be followed by units of local government in this state. In order to implement this uniform accounting system, the Department of Financial Services has developed a manual entitled "Uniform Accounting System Manual, 1996 Edition."~~ Said Manual consists of the following sections: Introduction; Chapter 1, Classification of Funds; Chapter 2, Chart of Accounts — Balance Sheet; Chapter 3, Chart of Accounts — Revenues; Chapter 4, Chart of Accounts — Expenditures/Expenses; Chapter 5, Chart of Accounts — Object Classification; and Appendices A — Statutory References, and B — Text References. The Uniform Accounting System Manual, 1996 Edition is hereby incorporated and made part of this rule by reference.

(2) The "Uniform Accounting System Manual, 2014 Edition," is incorporated by reference herein and is available on-line at the Department's website at <http://www.myfloridacfo.com/Division/AA/Manuals/default.htm> Copies of the above referenced Manual will be provided upon request. All requests should be directed to: Bureau of Accounting, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0354, Telephone Number (850)414-1805.

Rulemaking Authority 17.14, 17.29, 120.53(1), 218.33(2) FS. Law Implemented 129.01, 218.32, 218.33(2) FS. History—New 12-3-82,

Formerly 3A-61.011, Amended 7-9-84, Formerly 3A-61.012, Amended 7-30-86, 1-30-89, 7-15-96, Formerly 3A-61.0012, 69I-61.0012, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gina Ballard, CPA, Chief, Bureau of Financial Reporting, Division of Accounting and Auditing, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 3, 2015

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

RULE NOS.:	RULE TITLES:
64I-4.001	Procedures for Investigations of Florida Clean Indoor Air Act (FCIAA) Complaints .
64I-4.005	Smoking Cessation Program Designations.
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 127, July 1, 2015 issue of the Florida Administrative Register.

64I-4.001 Investigation Procedures for Complaints and Notifications of Observed Violations.

- (1) through (3) No change.
- (4) During an on-site inspection all violations of the FCIAA shall be documented.

(a) Evidence of cigarette and cigar butts, ashes, and receptacles in the enclosed indoor workplace shall be documented as "Smoking in a prohibited area."

- (4)(b) through (6) No change.

Rulemaking Authority 386.207, 386.2125 FS. Law Implemented 381.0012, 386.206, 386.207 FS. History--New 2-27-94, Amended 4-2-96, Formerly 10D-105.008, 64D-1.001, Amended 11-5-02, 8-16-04, Formerly 64E-25.001, Amended 5-25-08, _____.

64I-4.005 Smoking Cessation Program Approval.

No changes to the rule text.

The following changes were made to the Department of Health Application for Smoking Cessation Programs, DH9000-CHP-06/2015:

The following language was added to the footer: "Incorporated by reference: Rule 64I-4.005, F.A.C."

On page one "(optional)" was added after "Email Address" and the following disclaimer was added: "Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not include it on this form."

The citation in Section IX a) changed to "section 386.206(3), F.S."

A signature line has been added to the form.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 29, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Park at Deerwood. Petitioner seeks a temporary variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-156).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On July 1, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency Permanent Variance from Uptown Delray, filed May 18, 2015, and advertised on May 22, 2015, in Vol.41, No. 100, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.6.2(c), ASME A17.1, 2007 edition and 2.10.2.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., to request the use of a folding car top handrail because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-126).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On July 1, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Firkins Auto, filed June 1, 2015, and advertised on June 3, 2015, in Vol. 41, No. 107, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.4, 2.2.2.5, and 2.2.2.6 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., from limiting travel to 14 feet because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-132).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Bureau of

Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NOS.:RULE TITLES:

62B-33.002 Definitions

62B-33.0051 Coastal Armoring and Related Structures

NOTICE IS HEREBY GIVEN that on June 8, 2015, the Department of Environmental Protection's Coastal Construction Control Line Program received a petition for permanent variance from Robert and Patricia Garfield seeking a variance from the rule provisions of subsections 62B-33.002(18), F.A.C., which defines "Eligible Structures", and 62B-33.002(43), F.A.C., which defines "Nonconforming Structures", and subparagraph 62B-33.0051(1)(a)1, F.A.C., which states that "[c]onstruction of armoring shall be authorized under the following conditions: 1. The proposed armoring is for the protection of an eligible structure."

The Petitioners seek a variance to construct a coastal armoring structure to protect their conforming home from additional erosion. The proposed activities associated with the variance request are located at 2828 North Beach Road, Englewood, Florida, also known as Lot 19 Lemon Bay Estates Unit 1A. The petition has been assigned CCCL File # CH-597 V and OGC File #15-0403. An after-the-fact application for coastal armoring was received on January 14, 2015.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry Teich, DEP Coastal Construction Control Line Program, 2600 Blairstone Road, MS 3522, Tallahassee, Florida 32399-2400, cccl.dep.state.fl.us, (850)245-8841, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on June 26, 2015, the Board of Massage Therapy received a petition for Myra Segui, seeking a variance or waiver of the requirement that official transcripts be submitted in order to obtain a re-issue of her license. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin

#C06, Tallahassee, Florida 32399-3258, (850)245-4588, christy.robinson@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support

RULE NO.: RULE TITLE:

64J-2.011 Trauma Center Requirements

NOTICE IS HEREBY GIVEN that on June 26, 2015, the Department of Health received a petition for an emergency variance or waiver from Tallahassee Memorial Healthcare, Inc. The petition seeks a variance to the requirement for oral/maxillofacial surgery call coverage and proposes alternative means to meet the requirement. Any interested person or other agency may submit written comments within 5 days after the publication of this notice to Susan Bulecza, Department of Health, Trauma Program, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399-1703.

A copy of the Petition for variance or waiver may be obtained by contacting: Susan Bulecza, Department of Health, Trauma Program, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399-1703.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

DATE AND TIME: July 7, 2015, 1:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach, Awards & Recognition, Women's Hall of Fame, Public Policy, and Executive Committees.

DATE AND TIME: July 8, 2015, 8:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2nd Quarterly Meeting of 2015 of the Florida Commission on the Status of Women.

NOTE: In the absence of a quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: July 13, 2015, 4:00 p.m. – 6:00 p.m.

PLACE: Conference call: 1(888)670-3525, passcode: 7513637441

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

A copy of the agenda may be obtained by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Keep Florida Learning Committee announces a meeting to which all persons are invited.

DATE AND TIME: July 13, 2015, 1:00 p.m. – 5:00 p.m.

PLACE: Webcast at www.fldoe.org

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will consist of discussion and recommendations regarding deregulation opportunities for the school system.

A copy of the agenda may be obtained by visiting the Department's website at: <http://www.fldoe.org/about-us/kflcommittee.stml>.

Comments may be submitted online at <http://www.fldoe.org/about-us/kflreview.stml>, by phone: 1(866)507-1109, by email: keepfloridalearning@fldoe.org or by mail: 325 West Gaines Street, Suite 1524, Tallahassee, FL 32399.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council
 The Local Emergency Planning Committee District VI announces a public meeting to which all persons are invited.
 DATE AND TIME: Friday, July 31, 2015, 10:30 a.m.
 PLACE: East Central Florida Regional Planning Council, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Boardroom, Altamonte Springs, FL 32701
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Material related to EPCRA Community right-to-know.
 A copy of the agenda may be obtained by contacting: Michelle Cechowski, (407)262-7772, ext. 317, michelle@ecfrpc.org.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council
 The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.
 DATE AND TIME: Wednesday, July 22, 2015, 9:00 a.m.
 PLACE: ECFRPC Office, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Board Room, Altamonte Springs, FL 32701
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Bi-Monthly meeting of the Executive Committee.
 A copy of the agenda may be obtained by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.
 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 two (2) days before the workshop/meeting by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300. 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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

METROPOLITAN PLANNING ORGANIZATIONS

Orlando Urban Area
 The Central Florida MPO Alliance (CFMPOA) announces a public meeting to which all persons are invited.
 DATE AND TIME: Friday, July 10, 2015, 10:00 a.m.
 PLACE: Florida Polytechnic University, 4700 Research Way, Lakeland, FL 33805
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled CFMPOA meeting followed by a joint

meeting of the CFMPOA and the West Central Florida Chairs Coordinating Committee (CCC).

A copy of the agenda may be obtained by contacting: Ms. Cathy Goldfarb, 315 E. Robinson Street, Suite 355, Orlando, FL 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ms. Cathy Goldfarb, 315 E. Robinson Street, Suite 355, Orlando, FL 32801. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 For more information, you may contact: Ms. Cathy Goldfarb, 315 E. Robinson Street, Suite 355, Orlando, FL 32801.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.
 DATE AND TIME: Thursday, July 23, 2015, 4:30 p.m. – 7:30 p.m.
 PLACE: Cornerstone Baptist Church, 1100 W. Highland Blvd., Inverness, FL 34452
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public workshop for the draft 2015 Regional Water Supply Plan. The Public Information Workshop will start with an open house from 4:30 p.m. – 5:30 p.m., a presentation and discussion starting at 5:30 p.m., and the open house will continue until 7:30 p.m.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: George.schlutermann@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4212 (Ad Order EXE0442).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: July 10, 2015, 1:30 p.m.

PLACE: Lake County Agricultural Center, Auditorium, 1951 Woodlea Road, Tavares, Florida 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Upper Ocklawaha Basin Working Group will hold a meeting on July 10 in Tavares at the Lake County Agricultural Center. This meeting is open to the public. Topics to be discussed are the calculation of loadings from different nutrient sources and changes in land use and type, and distribution of nutrient sources. The Upper Ocklawaha Basin Working Group was formed to provide a forum for stakeholders to discuss issues related to the basin's nutrient Total Maximum Daily Loads for the Harris Chain of Lakes, Palatlahaha River, and Lake Apopka. The Second Phase of the Upper Ocklawaha Basin Management Action Plan was adopted in 2014 to address nutrient problems in the previously listed waterbodies.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

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: Ms. Mary Paulic, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

The Board of Orthotists and Prosthetists announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 29, 2015, 9:00 a.m.

PLACE: Sanibel Harbour Marriott Resort & Spa, 17260 Harbour Pointe Drive, Fort Myers, FL 33908, (239)466-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov, or by accessing the board's website at: <http://floridasorthotistsprosthetists.gov/meeting-information/>.

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: Edith Rogers at edith.rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Edith Rogers at edith.rogers@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Thursday, July 23, 2015, 4:45 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Title: Reply Opening and Review of Mandatory Requirements for the Unaccompanied Refugee Minor Program in Miami-Dade County (ITN# SNR15K02).

Description: As provided for in Sections 2.5 and 2.9 of this ITN which was published to the Vendor Bid System (VBS) on March 26, 2015. The VBS can be accessed at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

The purpose of the Reply Opening and Review of Mandatory Requirements is to ensure prospective Vendors have complied with all Mandatory Requirements as required in Section 5.1 in order to be considered for selection under this ITN.

A copy of the agenda may be obtained by contacting: David.Draper@myflfamilies.com.

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

For more information, you may contact: David.Draper@myflfamilies.com.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 14, 2015, 2:00 p.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

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

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Claims Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 14, 2015, immediately following the Audit Committee Meeting

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

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

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Compensation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 14, 2015, immediately following the Claims & Underwriting Committee Meeting

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

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

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

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

DATE AND TIME: Wednesday, July 15, 2015, 9:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

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

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Vincent L. Castellucci Jr., Petitioner/Unit Owner, In Re: Celebration Point Master Association, Inc., Docket No. 2015017923, on April 13, 2015. The following is a summary of the agency’s disposition of the petition:

A unit owner who does not reside at the unit at any time during the year and continuously rents the unit to tenants on an annual basis, is not prohibited from serving as a director pursuant to Section 718.112(2)(d), Florida Statutes. The statement was filed with the Agency Clerk on June 29, 2015.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1415, Rikki.Anderson@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on July 1, 2015, the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Quotanda, LLC on April 7, 2015. The following is a summary of the agency’s disposition of the petition:

Quotanda, LLC, (“Petitioner”), will operate a retail installment seller business providing international students with access to educational loans. As part of its business, Petitioner is considering obtaining a license under Chapter 516, Florida Statutes, so that it can start issuing consumer finance loans directly to students. Given that tuition can cost more than \$25,000, which is the maximum amount for consumer finance loans, Petitioner is inquiring whether Chapter 516, Florida Statutes, places a limit on the number of consumer finance loans that a licensee can make to a single individual. Resolution: Chapter 516, Florida Statutes, which authorizes a licensee to make loans with interest rates of over 18%, does not authorize a licensee to make consumer finance loans in excess of \$25,000. The Final Order responds that Petitioner

could make consumer finance loans that aggregate to no more than \$25,000 to a single borrower.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES**

Division of Administration

STATEMENT OF QUALIFICATIONS

As a Mechanical Engineer, you are invited to submit an SOQ to the FLORIDA DEPARTMENT OF AGRICULTURE AND

CONSUMER SERVICES, FLORIDA FOREST SERVICE, hereinafter referred to as Owner.

The Department is seeking the services of a mechanical engineering firm for the laboratory renovation project at the Bronson Animal Diagnostic Disease Laboratory, 2700 John Young Parkway, Kissimmee, Florida 34741. The total project budget is estimated at \$1.7 million.

PROJECT NAME & LOCATION: Bronson Animal Diagnostic Disease Laboratory, 2700 John Young Parkway, Kissimmee, Florida 34741.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number SOQ/DA-15/16-11, or by calling the Purchasing Office at (850)617-7181.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

Statements of Qualifications will be received and publicly opened:

DATE AND TIME: July 30, 2015, 2:00 p.m.

PLACE: Florida Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, Florida 32399, (850)617-7181.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at

http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified bidder in accordance with Chapter 60D-5 by the Owner.

DEPARTMENT OF EDUCATION

University of South Florida

Notice to Construction Managers

The University of South Florida announces that continuing construction management services are required for the following discipline:

Construction Manager (Up to 5) (Tampa Campus with the ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction, and/or additions for University facilities that have a basic construction budget that does not exceed \$2,000,000 or survey or studies for which the fee for services that does not exceed \$200,000. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service Contracts for these projects provide that the Construction Manager will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Construction Management services only. The Construction Managers receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional Continuing Service Construction Managers under contract during the same time period. Continuing Service projects include projects that are awarded based upon competitive proposals from Continuing Service Construction Managers under contract and may include projects that are negotiated individually with a specific construction manager. Services required to be provided under the Continuing Services Contracts include the recording of as-built conditions by the Continuing Service Construction Manager for projects constructed by that Construction Manager for use in developing record drawings to facilitate the University's space management program Any new construction projects should have the ability to be USGBC LEED certified, to a minimum certification level of Silver, if required by the Owner and shall be included as part of basic services and will not be considered as an additional service. Performance and Payment Bonds shall be provided for individual projects exceeding \$100,000 and liability and worker's compensation insurance shall be

required for the contract. Builder's Risk insurance may be required for specific projects based upon need.

INSTRUCTIONS:

Firms desiring to provide Construction Management services shall submit one (1) original submittal and four (4) spiral bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Construction Manager Qualifications Supplement" dated July 2015 and any required or additional information within the proposal limits as described in the CMQS Instructions, addressing the criteria contained therein, in the order listed, in a clear and concise manner. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals are not to exceed forty (40) pages, including the Construction Manager Qualifications Supplement, letter of interest, attachments and additional information. Pages must be numbered consecutively. Submittals are part of the public record and no submittal material will be returned. Applications submitted in any other format may not be considered.

An applicant must be licensed to practice as a general contractor in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm(s) must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

PROJECT SELECTION CRITERIA:

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications including applicant's experience, applicant's personnel, applicant's ability to provide service, (record-keeping/administrative ability, recording of as-built conditions, critical path scheduling expertise, conceptual cost estimating and cost control ability, quality control capability, etc.) and the applicant's license, bondability and insurability. As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the

provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Construction Manager and/or the Construction Manager's consultants, for this contract, shall be provided by the Construction Manager in response to a periodic request from the University's Supplier Diversity Manager's office.

The University of South Florida Construction Manager Qualifications Supplement Form, dated July 2015, and the Project Fact Sheet may be obtained by contacting: Ms. Tracy Colley, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550; via email, tcolley@usf.edu; by phone: (813)974-0843, (813)974-2625 or by fax: (813)974-3542. All interested firms are invited to and encouraged to attend a Pre-Submittal Meeting to be held at 2:00 p.m. (Eastern Time), Thursday, July 16, 2015 at the University of South Florida in the PTB Training Center, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, at the campus map website: <http://www.usf.edu/About-USF/visiting-campus.asp>, and at the parking information website: http://usfweb2.usf.edu/parking_services/default.asp. Click here for map and directions. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the CMQS and Project Fact Sheet. Requests for any project information must be in writing to the above email address.

One (1) original and four (4) spiral bound copies of the above requested proposal data, bound in the order listed, shall be addressed to: Ray Gonzalez, Assistant Director, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Submittals are to be received in the University of South Florida, Facilities Planning and Construction office, FPC110, by 2:00 p.m. (Eastern Time), Friday, July 31, 2015. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

Request for Bids - Paddling Guide

The North Central Florida Regional Planning Council, on behalf of The Original Florida Tourism Task Force, is seeking bids for printing a waterproof paddling guide. Requirements are described below. Interested parties must respond using the prescribed bid form. FAXED and emailed responses will not be accepted. The bid forms must be submitted to:

Suwannee River Wilderness Paddling Guide Bid

The Original Florida Tourism Task Force

2009 NW 67th Place

Gainesville, FL 32653-1603

Bids must be received by the North Central Florida Regional Planning Council by:

5:00 p.m. Eastern Daylight Savings Time, July 31, 2015

Bids received after the above specified time and date will not be accepted.

The complete request for bids, which includes the bid form, is available at www.ncfrpc.org.

All bids received will be reviewed by The Original Florida Tourism Task Force or their designee. The North Central Florida Regional Planning Council reserves the right to accept or reject any bid and to award the contract in the best interest of the Council and The Original Florida Tourism Task Force.

If you have any questions concerning this matter, please call Steven Dopp at the Council office at (352)955-2200, extension 109 or email: dopp@ncfrpc.org.

Section XII
Miscellaneous

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-095

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY MONROE COUNTY,

FLORIDA, ORDINANCE NO. 011-2015

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 011-2015

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida, Ordinance No. 011-2015 (the “Ordinance”).

FINDINGS OF FACT

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

2. The Ordinance was adopted by Monroe County on April 15, 2015, and rendered to the Department on June 22, 2015.

3. The Ordinance imposes a Moratorium and defers the approval of applications (including applications to Transfer Development Rights to offshore islands, applications to Transfer ROGO Exemptions to offshore islands), Tier amendments to offshore islands, and any Comprehensive Plan Future Land Use Map or Text Amendments that have the effect of increasing development potential on offshore islands. The Moratorium commenced January 21, 2015 and will run for 365 days from the effective date of Ordinance 011-2015.

CONCLUSIONS OF LAW

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

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

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

7. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, and specifically with Objective 101.4.

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

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation;
- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat;
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

1. The Florida Keys Aqueduct and water supply facilities;
2. Sewage collection, treatment, and disposal facilities;
3. Solid waste treatment, collection, and disposal facilities;
4. Key West Naval Air Station and other military facilities;
5. Transportation facilities;
6. Federal parks, wildlife refuges, and marine sanctuaries;
7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
8. City electric service and Florida Keys Electric Co-op; and
9. Other utilities, as appropriate.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 011-2015 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

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

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN

THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 1st day of July, 2015.

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

By Certified U.S. Mail:

Danny Kolhage, Mayor
 Monroe County Board of County Commissioners
 530 Whitehead Street, Suite 102
 Key West, FL 33040

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

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

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.
