



## Section II Proposed Rules

**DEPARTMENT OF HEALTH**

RULE NOS.:	RULE TITLES:
64-4.001	Definitions
64-4.002	Initial Application Requirements for Dispensing Organizations
64-4.003	Biennial Renewal Requirements for Dispensing Organizations
64-4.004	Denial or Revocation for Dispensing Organization Approval
64-4.005	Inspection Procedures
64-4.009	Compassionate Use Registry

**PURPOSE AND EFFECT:** To establish the regulatory structure supporting the Compassionate Medical Cannabis Act of 2014.

**SUMMARY:** The rulemaking establishes a regulatory structure, including creation of dispensing regions; creation of applications, approval procedures, authorization procedures, and renewal procedures for dispensing organizations, and creation of access procedures for the Compassionate Use Registry.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The agency has determined that this will 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 rule requirements and cost estimates collected during rule development.

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

**RULEMAKING AUTHORITY:** 381.986 FS.

**LAW IMPLEMENTED:** 381.986 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:**

**DATE AND TIME:** March 2, 2015, 8:00 a.m. – 5:00 p.m., Eastern Time or until the hearing is concluded

**PLACE:** Department of Health, Room 301, 4052 Bald Cypress Way, Tallahassee, Florida 32399

Any person wanting to request a hearing regarding the proposed rule must do so within 21 days of the date of publication of this notice by contacting the agency’s designated contact, as described herein.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Patricia Nelson, Director of Office of Compassionate Use, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399-1703, E-mail: Patricia.Nelson@flhealth.gov

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64-4.001 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings indicated:

(1) Applicant – A nursery that meets the requirements of Section 381.986(5)(b)1., F.S., applies for approval as a dispensing organization, and identifies a nurseryman as defined in Section 581.011, F.S., who will serve as the operator.

(2) Approval – Written notification from the department to an applicant that its application for dispensing organization approval has been found to be in compliance with the provisions of this chapter and that the department is awaiting notification that it is prepared to be inspected and authorized to begin cultivation, processing, and dispensing.

(3) Cultivation Authorization – Written notification by the department to a Dispensing Organization that it may begin cultivating low-THC cannabis.

(4) Processing Authorization – Written notification by the department to a Dispensing Organization that it may begin processing low-THC cannabis to Derivative Product.

(5) Dispensing Authorization – Written notification by the department to a Dispensing Organization that it may begin dispensing Derivative Product.

(6) Certified Financials – Financial statements that have been audited in accordance with Generally Accepted Auditing Standards (GAAS) by a Certified Public Accountant, licensed pursuant to Chapter 473, F.S.

(7) Cultivation – Growth of low-THC plant source material.

(8) Derivative Product – Forms of low-THC cannabis suitable for routes of administration.

(9) Dispensing Region – A geographical area where the cultivation and production of low-THC cannabis under the control of a Dispensing Organization occurs. The five dispensing regions shall be identified as follows:

(a) Northwest Florida Region consisting of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Santa Rosa, Okaloosa, Taylor, Wakulla, Walton, and Washington counties.

(b) Northeast Florida Region consisting of Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns, Suwannee, and Union counties.

(c) Central Florida Region consisting of Brevard, Citrus, Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia counties.

(d) Southwest Florida Region consisting of Charlotte, Collier, DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee, Okeechobee, and Sarasota counties.

(e) Southeast Florida Region consisting of Broward, Miami-Dade, Martin, Monroe, and Palm Beach counties.

(10) Dispensing Organization – A nursery that meets the requirements of Section 381.986(5)(b)1., F.S., including its contractual agents, which has been authorized by the department to cultivate, process and dispense low-THC cannabis.

(11) Dispensing Organization Facility – Any of the following facilities:

(a) Cultivation Facility: Any area designated in the application to be used for cultivation of low-THC cannabis.

(b) Processing Facility: Any area designated in the application to be used for processing of Derivative Product.

(c) Dispensing Facility: Any area designated in the application where Derivative Product is dispensed at retail.

(12) Financial Statements – A presentation of financial data, including accompanying notes, derived from accounting records that purports to show actual or anticipated financial position and intended to communicate an entity's economic resources or obligations at a point in time, and the results of operations and cash flows for a period of time, in accordance with generally accepted accounting principles or a comprehensive basis of accounting other than generally accepted accounting principles. Financial presentations included in tax returns are not financial statements. The method of preparation (for example, manual or computer preparation) is not relevant to the definition of a financial statement.

(13) Manager – Any person with the authority to exercise operational direction or management of the Dispensing Organization or the authority to supervise any employee of the Dispensing Organization.

(14) Permanent resident – A person who has his or her true, fixed and permanent home, in Florida to which, whenever absent, he or she has the intention of returning. Once a permanent residence is established in Florida it is presumed to continue until the resident shows that a change has occurred. Any person who has established a residence in this state may manifest and evidence the same by filing a sworn statement pursuant to Section 222.17, F.S.

(15) Routes of administration – means the path by which a Derivative Product is ordered by a physician to be taken into the body of the qualified patient, but does not include smoking.

(16) Visitation Protocol - A set of identified policies and procedures of an applicant or Dispensing Organization that details requirements for visitor access to any proposed or existing Dispensing Organization facility.  
Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(b) FS. History–New \_\_\_\_\_.

#### 64-4.002 Initial Application Requirements for Dispensing Organizations.

Each nursery that meets the requirements of Section 381.986(5)(b)1., F.S., desiring to be approved as a Dispensing Organization shall make application, either electronically or in hard copy, to the department using Form DH8006-OCU-2/2015, “Application for Low-THC Cannabis Dispensing Organization Approval” herein incorporated by reference and available \_\_\_\_\_ at <https://flrules.com/gateway/reference.asp?No=Ref-#####>. The completed application form must include the following:

(1) An initial application fee of \$60,063.00.

(2) An explanation or written documentation, as applicable, showing how the Applicant meets the statutory criteria listed in Section 381.986(5)(b), F.S. In any explanation, the Applicant must address each item listed for each criterion below. The Applicant must disclose the name, position, and resume of the employee(s) who provides the knowledge or experience explained for each item.

(a) The technical and technological ability to cultivate, process, and dispense low-THC cannabis. Please address the following items:

1. Experience cultivating cannabis;

2. Experience cultivating in Florida plants not native to Florida;

3. Experience introducing new varieties of plants;

4. Regional cultivation knowledge and experience;

5. Experience cultivating plants for human consumption such as food or medicine products;

6. Experience with in-house propagation;

7. Experience with genetic modification or breeding;

8. Experience using clean growing rooms;

- 9. Knowledge of cannabis cultivation, including:
  - a. Proper cultivation conditions and techniques;
  - b. Additives that can be used when growing cannabis;
  - c. Pests, disease and deficiencies common for cannabis;
  - d. Production of high quality product in a short time;
- 10. Experience with tracking each plant in a harvest;
- 11. Experience with good agricultural practices;
- 13. Experience with good handling practices;
- 14. Experience with good manufacturing practices;
- 15. Experience with analytical, organic chemistry, and micro-biology;
- 16. Experience with analytical laboratory methods;
- 17. Experience with analytical laboratory quality control, including maintaining a chain of custody;
- 18. Knowledge of and experience with cannabis extraction techniques;
- 19. Knowledge of cannabis routes of administration;
- 20. Knowledge of and experience with producing cannabis products;
- 21. Experience interacting with patients;
- 22. Experience with handling confidential information;
- 23. A marketing plan;
- 24. Experience gathering and managing data, i.e. data on patient reactions to products dispensed;
- 25. Experience with recalls;
- 26. Training programs for employees addressing:
  - a. The Health Insurance Portability and Accountability Act (HIPAA);
  - b. Patient education;
  - c. Compliance;
  - d. Patient counseling; and
  - e. Data collection.
- 27. Any awards, recognition or certifications received for relevant expertise.
  - (b) Written documentation demonstrating that the applicant must possess a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to Section 581.131 that is issued for the cultivation of more than 400,000 plants, is operated by a nurseryman as defined in Section 581.011, and has been operated as a registered nursery in this state for at least 30 continuous years.
  - (c) The ability to secure the premises, resources, and personnel necessary to operate as a Dispensing Organization. Please address the following items, and include a sketch or other illustration:
    - 1. Location of all properties Applicant proposes to utilize to cultivate, process, and dispense low-THC cannabis and Derivative Product, including ownership information for the properties and any lease terms if applicable;

- a. For any property that is leased by the Applicant, include documentation that the property owner consents to the use of the property for the purposes of cultivation, processing, or dispensing of low-THC cannabis and Derivative Products and documentation that the mortgagor or lienholder has been given notice of the use of the property for the purposes of cultivation, processing, or dispensing of low-THC cannabis and Derivative Products.
- b. For any property owned by the Applicant but subject to a mortgage or lien, include documentation that the mortgagor or lienholder has been notified of the use of the property for the purposes of cultivation, processing, or dispensing of low-THC cannabis and Derivative Products.
- 2. Compliance with local regulations regarding sanitation and waste disposal;
- 3. The ability to obtain zoning approval;
- 4. Sketch or other illustration approximating the property boundaries, land topography, vegetation, proposed and/or existing structures, easements, wells, and roadways for each property proposed;
- 5. Description of the areas proposed for the cultivation of low-THC cannabis, including the following:
  - a. Capacity, in square feet of growing area;
  - b. Cultivation environment, e.g., greenhouse, clean room, aseptic, et cetera;
  - c. Irrigation system(s); and
  - d. Environmental control system(s);
- 6. A description of the ability or plan to expand any of the areas proposed for low-THC cannabis;
- 7. Back-up systems for all cultivation and processing systems;
- 8. A description of one or more strains of low-THC cannabis the applicant intends to cultivate;
- 9. Access to water resources that allow for sufficient irrigation;
- 10. Description of the areas proposed for the processing of Derivative Products, including the following:
  - a. Extraction equipment and location;
  - b. Concentration equipment and location;
  - c. Access to sufficient potable water and hot water;
  - d. Analytical equipment, including separators and detectors, and location;
  - e. Safety equipment and facilities and location;
  - f. Computer systems and software; and
  - g. Ventilation and exhaust system.
- 11. Description of the methods proposed for the dispensing of Derivative Products, including the following:
  - a. Accessibility of dispensing facilities, e.g., centrally located to several populated areas, located on a main roadway, not in a high crime area, et cetera;

b. Proximity of dispensing facilities to patient populations; and

c. Alternative dispensing, e.g. delivery.

12. A list of current and proposed staffing, including:

a. Position, duties and responsibilities;

b. Resume; and

c. Professional licensure disciplinary action in all jurisdictions.

13. An organizational chart illustrating the supervisory structure of the proposed Dispensing Organization;

14. Plans and procedures for loss of key personnel;

15. Plans and procedures for complying with OSHA regulations for workplace safety; and

16. Relationship(s) with an independent laboratory(ies) with cannabis testing protocols and methods.

(d) The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances. Please address the following items for each property or location:

1. Floor plan of each facility or proposed floor plans for proposed facilities, including the following:

a. Locking options for each means of ingress and egress;

b. Alarm systems;

c. Video surveillance;

d. Name and function of each room;

e. Layout and dimensions of each room;

2. Storage, including the following:

a. Safes;

b. Vaults;

c. Climate control;

3. Diversion and trafficking prevention procedures;

4. A facility emergency management plan;

5. System for tracking low-THC source plant material throughout cultivation, processing, and dispensing;

6. Inventory control system for low-THC cannabis and Derivative Products;

7. Policies and procedures for recordkeeping;

8. Vehicle tracking systems;

9. Vehicle security systems;

10. Methods of screening and monitoring employees;

11. Personnel qualifications and experience with chain of custody or other tracking mechanisms;

12. Personnel reserved solely for inventory control purposes;

13. Personnel reserved solely for security purposes;

14. Waste disposal plan;

15. Plans for the recall of any Derivative Products that have a reasonable probability of causing adverse health consequences based on a testing result, bad patient reaction, or other reason; and

16. Access to specialized resources or expertise regarding data collection, security, and tracking.

(e) An infrastructure reasonably located to dispense low-THC cannabis to registered patients statewide or regionally as determined by the department. Please address the following items:

1. A map showing the location of the applicant's proposed dispensing facilities;

2. A sketch or other illustration of the actual or proposed dispensing location showing streets; property lines; buildings; parking areas; outdoor areas, if applicable; fences; security features; fire hydrants, if applicable; and access to water and sanitation systems; and

3. A floor plan of the actual or proposed building or buildings where dispensing activities will occur showing:

a. Areas designed to protect patient privacy;

b. Areas designed for retail sales;

4. A HIPAA compliant computer network utilized by all facilities;

5. Vehicles that will be used to transport product among cultivating, processing, and dispensing facilities;

6. Communication systems;

7. Hours of operation of each dispensing facility; and

8. Methods of mitigating odors if applicable.

(f) The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of Certified Financials to the department. Please provide the following items:

1. Certified Financials issued within the immediately preceding 12 months;

2. Applicant's corporate structure;

3. All owners of the Applicant;

4. All individuals and entities that can exercise control of the Applicant;

5. All individuals and entities that share in the profits and losses of the Applicant;

6. All subsidiaries of the Applicant;

7. Any other individuals or entities for which the Applicant is financially responsible;

8. Assets of the Applicant and Applicant's subsidiaries;

9. Liabilities of the Applicant and Applicant's subsidiaries;

10. Any pending lawsuits to which the Applicant is a party;

11. Any lawsuits within the past 7 years to which the Applicant was a party;

12. All financial obligations of Applicant that are not listed as a "liability" in the Certified Financials;

13. A projected two year budget; and

14. Specific reference to sufficient assets available to support the Dispensing Organization activities.

(g) That all owners and managers have been fingerprinted and have successfully passed a level 2 background screening pursuant to Section 435.04, F.S., within the calendar year prior to application. Each owner and manager should present to FDLE or one of its approved vendors for fingerprinting. At that time, give the entity ORI number FL924890Z (DOH – OFFICE OF COMPASSIONATE USE). The report will be sent directly to the Office of Compassionate Use. Please submit a list of all owners and managers indicating the date of each individual’s most recent Level-2 background screening.

(h) The employment of a medical director who is a physician licensed pursuant to Chapter 458 or Chapter 459, F.S., to supervise the activities of the proposed Dispensing Organization. Please address the following items for the physician chosen as medical director:

1. Specialty area, if any;
2. Experience with epileptic patients;
3. Experience with cancer patients;
4. Experience with patients with severe seizures or muscle spasms;
5. Knowledge of the use of low-THC cannabis for treatment of cancer or physical medical conditions that chronically produce symptoms of seizures or severe and persistent muscle spasms;
6. Knowledge of good manufacturing practices;
7. Knowledge of analytical and organic chemistry;
8. Knowledge of analytical laboratory methods;
9. Knowledge of analytical laboratory quality control, including maintaining a chain of custody;
10. Knowledge of and experience with CBD/low-THC extraction techniques;
11. Knowledge of CBD/low-THC routes of administration;
12. Experience in or knowledge of clinical trials or observational studies;
13. Knowledge of and experience with producing CBD/low-THC products;
14. Experience with or knowledge of botanical medicines;
15. Experience with dispensing medications;
16. Description of how the medical director will supervise the activities of the Dispensing Organization; and
17. Description of how the Dispensing Organization will ensure it has a medical director at all times.

(i) The ability to post a \$5 million performance bond for the biennial approval cycle.

(3) If the Applicant intends to claim any exemption from public records disclosure under Section 119.07, F.S., or any other exemption from public records disclosure provided by law for any part of its application, it shall indicate on the application the specific sections for which it claims an exemption and the statutory basis for the exemption. The Applicant shall submit a redacted copy of the application redacting those items identified as exempt.

(4) Failure to submit the \$60,063.00 application fee or documentation sufficient to establish the Applicant meets the requirements of Section 381.986(5)(b), F.S., shall result in the application being denied prior to any scoring as contemplated in Section (5) of this rule.

(5) Any “Application for Low-THC Cannabis Dispensing Organization Approval” and all required exhibits and supporting documents shall be delivered to the Agency Clerk of the Department of Health physically located at 2585 Merchants Row Boulevard in Tallahassee, Florida, no earlier than 10:00 AM, Eastern Time, on the effective date of this rule and no later than 5:00 PM, Eastern Time, 21 calendar days after the effective date of this rule.

(a) The department will substantively review, evaluate, and score applications using Form DH8007-OCU-2/2015, “Scorecard for Low-THC Cannabis Dispensing Organization Selection” herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-#####>. The department’s substantive review will be completed by:

1. Director of the Office of Compassionate Use;
2. A member of the Drug Policy Advisory Council appointed by the State Surgeon General; and
3. A Certified Public Accountant appointed by the State Surgeon General.

(b) Each reviewer will independently review each application and score using Form DH8007-OCU-2/2015, “Scorecard for Low-THC Cannabis Dispensing Organization Selection.” Scorecards from each reviewer will be combined to generate an aggregate score for each application. The Applicant with the highest aggregate score in each dispensing region shall be selected as the region’s Dispensing Organization.

(c) In the event of a tie in a region, each reviewer will re-review the tied applications and select a winning application. The department will approve the application selected by the majority of the reviewers.

(d) In the event one nursery receives the high score in multiple regions, one of which is the region represented by the address on the nursery's certificate of registration, the Applicant will be approved for that region, and the second highest scored Applicant will be approved for the other region(s). In the event one nursery receives the high score in multiple regions, none of which is the region represented by the address on the nursery's certificate of registration, the Applicant will be approved for the region for which it had the highest aggregate infrastructure score, and the second highest scored Applicant will be approved for the other region(s).

(e) Upon notification that it has been approved as a region's Dispensing Organization, the Applicant shall have 10 business days to post a \$5 million performance bond. The bond shall:

1. Be payable to the department in the event the Dispensing Organization's approval is revoked;
2. Be written by a surety company licensed by the Florida Office of Insurance Regulation.
3. Be written so that the nursery name on the bond corresponds exactly with the Applicant name.
4. If a bond is canceled and the Dispensing Organization fails to file a new bond with the department in the required amount on or before the effective date of cancellation, the Dispensing Organization's approval shall be revoked.

(f) If the selected Applicant fails to post the bond within the required timeframe, the Applicant with the next highest score in the dispensing region shall be selected and notified.

(g) The surety company can use any form it prefers for the performance bond as long as it complies with this rule. For convenience, the surety company can also use Form DH8008-OCU-2/2015, "Florida Low-THC Cannabis Performance Bond" herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-#####>. Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(b) FS. History--New \_\_\_\_\_.

#### 64-4.003 Biennial Renewal Requirements for Dispensing Organizations.

(1) No less than six months prior to the expiration of an existing Dispensing Organization's two year approval to dispense Derivative Products, the Dispensing Organization shall make application for renewal of the Dispensing Organization approval using Form DH8006-OCU-2/2015, "Application for Low-THC Cannabis Dispensing Organization Approval" herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-#####>, indicating that the application is a renewal application.

(2) In addition to the completed application form, Dispensing Organization renewal applicants shall:

(a) Provide proof that a \$5 million performance bond remains in effect.

(b) Report how much Derivative Product was processed, dispensed, and destroyed in the previous two years of operation; and

(c) Report how many patients were served in the previous two years of operation.

(3) If the Dispensing Organization meets the requirements of Section 381.986(5)(b), F.S., and this chapter, the department shall notify the Dispensing Organization that it intends to renew the approval.

(4) Upon notification that its renewal will be approved, the Dispensing Organization shall have 30 calendar days to pay a nonrefundable renewal fee equal to the biennial costs of administering Section 381.986 F.S., divided by the number of renewal applicants.

(5) If the Dispensing Organization fails to renew within the required timeframes, the department shall seek new applications for a Dispensing Organization in the applicable dispensing region by posting notice in the Florida Administrative Register and thereafter following the procedures in Rule 64-4.002, F.A.C.

(6) A Dispensing Organization that fails to renew its approval shall not dispense Derivative Products after midnight local time on the date that its authorization expires and shall destroy through incineration all low-THC cannabis and Derivative Product in its possession within 48 hours of the last dispensing day.

Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(a); 837.06 FS. History--New \_\_\_\_\_.

#### 64-4.004 Revocation of Dispensing Organization Approval.

(1) The department shall revoke its approval of the Dispensing Organization if the Dispensing Organization does any of the following:

(a) Cultivates low-THC cannabis before obtaining department authorization;

(b) Knowingly dispenses Derivative Product to an individual other than a qualified patient or a qualified patient's legal representative without noticing the department and taking appropriate corrective action;

(2) The department may revoke its approval of the Dispensing Organization if any of the following failures impact the accessibility, availability, or safety of the Derivative Product and are not corrected within 30 calendar days after notification to the Dispensing Organization of the failure;

(a) Failure to comply with the requirements in Section 381.986, F.S., or this rule chapter;

(b) Failure to implement the policies and procedures or comply with the statements provided to the department with the original or renewal application;

(3) The department may revoke its approval of the Dispensing Organization for failure to meet the following deadlines if failure is not corrected within 10 calendar days:

(a) Failure to seek Cultivation Authorization within 75 calendar days of application approval; or

(b) Failure to begin dispensing within 210 calendar days of the being granted the Cultivation Authorization requested in subsection 64-4.005(2), F.A.C.

Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(b) FS. History–New \_\_\_\_\_.

#### 64-4.005 Inspection and Authorization Procedures.

(1) Submission of an application for Dispensing Organization approval or renewal constitutes permission for entry by the department at any reasonable time during the approval or renewal process, into any Dispensing Organization facility to inspect any portion of the facility; review the records required pursuant to Section 381.986, F.S., or this chapter; and identify samples of any low-THC cannabis or Derivative Product for laboratory analysis, the results of which shall be forwarded to the department. All inspectors shall follow the Dispensing Organization’s Visitation Protocol when conducting any inspection.

(2) A Dispensing Organization must request Cultivation Authorization within 75 days of being notified that it has been approved as a region’s Dispensing Organization. No less than 30 calendar days prior to the initial cultivation of low-THC cannabis, the Dispensing Organization shall notify the department that the Dispensing Organization is ready to begin cultivation, the Dispensing Organization is in compliance with Section 381.986, F.S., and this rule chapter and is seeking Cultivation Authorization. No low-THC cannabis plant source material, may be present in any Dispensing Organization facility prior to Cultivation Authorization.

(3) No less than 10 calendar days prior to the initial processing of low-THC cannabis, the Dispensing Organization shall notify the department that the Dispensing Organization is ready to begin processing, the Dispensing Organization is in compliance with Section 381.986, F.S., and this chapter, and is seeking Processing Authorization.

(4) A Dispensing Organization must begin dispensing Derivative Product within 210 days of being granted Cultivation Authorization. No less than 10 calendar days prior to the initial dispensing of Derivative Product, the Dispensing Organization shall notify the department that the Dispensing Organization is ready to begin dispensing, the Dispensing Organization is in compliance with Section 381.986, F.S., and this chapter, and is seeking Dispensing Authorization.

(5) If the department identifies a violation of Section 381.986, F.S., or this chapter during an inspection of a Dispensing Organization facility, the Dispensing Organization shall notify the department in writing, within 20 calendar days after the date of receipt of the written notice of violation, identifying the corrective action taken and the date of the correction.

Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(b) FS. History–New \_\_\_\_\_.

#### 64-4.009 Compassionate Use Registry.

(1) Ordering physicians licensed under Chapter 458 or 459, F.S., meeting the educational requirements of Section 381.986(4), F.S., may access the Compassionate Use Registry using their existing MQA Services credentials.

(2) Other persons may request access to the Compassionate Use Registry by completing form DH8009-OCU-2/2015, “Request for Access to the Compassionate Use Registry,” herein incorporated by reference and available at <https://flrules.com/gateway/reference.asp?No=Ref-####>.

Those requesting access must meet one of the following criteria:

(a) Authorized employee of a Dispensing Organization;

(b) Law enforcement official; or

(c) Authorized employee of the department.

(3) Persons seeking to access to the registry shall have successfully completed a department-approved course in their responsibilities related to patient confidentiality and shall make documentation of completion available to the department upon request.

(4) Before dispensing any Derivative Product to a qualified registered patient or the patient’s legal representative, the Dispensing Organization must verify that the patient has an active registration, the order presented matches the order contents as recorded by the physician in the registry, and the order has not already been dispensed.

(5) The Dispensing Organization shall enter a dispensing action into the registry immediately upon dispensing the Derivative Product to the qualified registered patient or the patient’s legal representative.

Rulemaking Authority 381.986(5)(d) FS. Law Implemented 381.986(5)(a); 837.06 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Patricia Nelson  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon  
 General and Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: February 5, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: January 5, 2015

**DEPARTMENT OF HEALTH**  
**Division of Environmental Health**

RULE NOS.:      RULE TITLES:  
 64E-4.001      Registration  
 64E-4.002      Definitions  
 64E-4.011      Notification and Reports of Incidents  
 64E-4.015      Report to Department

PURPOSE AND EFFECT: To update and provide current contact information and addresses for the Department, update references for applicable national standards, forms and federal regulations in the rule, and update forms for laser machine registration and reporting criteria for notifying the department about laser light shows.

SUMMARY: Updates required forms for laser registration, updates standards for safe operation and use of lasers, reporting of laser light shows to the Department, updates and specifies the editions of Title 21 CFR part 1040 that are applicable to laser machines generally and applicable to laser machines when they are manufactured. Updates contact information for interacting with the Department.

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: In making a decision concerning whether a SERC is required for this rule the Department has determined that the rule will not cause an increase in regulatory costs associated with compliance with this rule chapter. The rule offers a more cost effective means of submitting registration forms to the department. Additionally, there are few entities that are required to register under these rules. Therefore this rulemaking will not have an adverse impact or regulatory costs

in excess of \$1 million within five years as established in paragraph 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 501.122 FS.

LAW IMPLEMENTED: 501.122(2), 501.122(2)(a), (c), (d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brenda Andrews, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-4.001 Registration.

(1) No change.

(2) A separate registration is required for each location with a laser device, on DH Form 1605, ~~09/14 Jul 96~~, "Laser Device Registration Form," which is herein incorporated by reference and which is available from the internet at \_\_\_\_\_ or www.FloridaHealth.gov/radiation department. Laser manufacturers must register on DH Form 1604, ~~09/14 Jul 96~~, "Manufacturer's Laser Device Registration Form," which is herein incorporated by reference and which is available from the internet at \_\_\_\_\_ or www.FloridaHealth.gov/radiation department. Subsequent registrations for each facility or mobile laser facility are required whenever additional laser devices are installed or previously registered laser devices are disposed of, altered, destroyed or moved to new locations. Subsequent registrations for each manufacturer are required only when the description of the laser devices manufactured by the manufacturer changes.

(3) through (4) No change.

(5) Completed registration forms or other correspondence or reports required by Chapter 64E-4, F.A.C., to be sent in writing to the Department can be mailed to Florida Department of Health, Bureau of Radiation Control, 4052 Bald Cypress Way, Bin C-21, Tallahassee, Florida 32399-1741; or faxed to (850)487-0435; or scanned and emailed to RadiationControl@FlHealth.gov in PDF, JPG, or TIF format. Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.101, Amended \_\_\_\_\_.

64E-4.002 Definitions.

As used in these rules:

(1) No change.

(2) "Accessible emission limit" means the maximum accessible emission level permitted within a particular class as set forth in 21 C.F.R. Part 1040 (see subsection 64E-4.002(59), F.A.C.) ~~and ANSI.~~

(3) No change.

(4) "Act" means Section 501.122, Florida Statutes (F.S.).

(5) "~~American National Standards Institute (ANSI)~~" means ANSI Z136.1-2007, American National Standard for Safe Use of Lasers, which is herein incorporated by reference and which is available from the Laser Institute of America at www.lia.org (ANSI Z136.1 1980) national standards for safe use of lasers. This publication may be examined and inspected at the Florida Department of Health, Bureau of Radiation Control at Building 4042, Suite 210, Tallahassee, Florida 32399-1741, and at the Florida Department of State at Room 701, The Capitol, Tallahassee, Florida 32399-0250. The agency has determined that posting the publication on the internet for purposes of public inspection and examination would constitute a violation of federal copyright law.

(6) through (8) No change.

(9) "Certified laser product" means that the product is certified by a manufacturer pursuant to the requirements of 21 C.F.R. Part 1040 in effect at the time of manufacture.

(10) through (58) No change.

(59) "21 C.F.R. Part 1040" means Title 21 of the Code of Federal Regulations, Sections 1040.10 and 1040.11 that were in effect at the time of manufacture for those laser products certified by a manufacturer to be compliant with these sections on the date of manufacture. For all other laser products, it means Title 21 of the Code of Federal Regulations, Sections 1040.10 and 1040.11, April 1, 2013 edition, which is herein incorporated by reference and is available from the internet at \_\_\_\_\_ or <http://www.gpo.gov/fdsys/pkg/CFR-2013-title21-vol8/pdf/CFR-2013-title21-vol8-part1040.pdf> or <http://www.FloridaHealth.gov/radiation>.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(1) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.102, Amended 10-8-00, \_\_\_\_\_.

64E-4.011 Notification and Reports of Incidents.

(1) Immediate Notification. Each registrant shall notify the Department immediately by telephone at (407)297-2095 of any incident involving any source of laser or collateral radiation possessed by the registrant and which has or may have caused:

(a) An exposure to an individual of greater than 100 times the MPE ~~or 21 C.F.R. Part 1040~~ limits of laser or collateral radiation; or

(b) through (c) No change.

(2) Twenty-four Hour Notification. Each registrant shall notify the Department by telephone at (407)297-2095 within 24 hours of any incident involving any source of laser or collateral radiation possessed by the registrant and which has or may have caused:

(a) An exposure to an individual of greater than five times the MPE ~~or 21 C.F.R. Part 1040~~ limits of laser or collateral radiation; or

(b) No change.

(3) Each registrant shall make a report in writing within 30 days to the Department of:

(a) Each exposure of an individual to laser and collateral radiation in excess of the MPE limits ~~or 21 C.F.R. Part 1040~~,

(b) No change.

(4) through (6) No change.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, Formerly 10D-89.124, Amended \_\_\_\_\_.

64E-4.015 Report to Department About Laser Light Shows.

In addition to the requirements of Rule 64E-4.005, F.A.C., before the laser light show is permitted to operate either at a permanent or temporary job site, the laser light show operator or an authorized representative shall provide the Department with sufficient information, data, and measurements to establish that the requirements of Rules 64E-4.013 and 64E-4.014, F.A.C., above criteria will be met during use. This shall include sketches showing the location of laser, operators, performers, viewers, beam paths, viewing screens, walls, mirror balls, and other reflective or diffuse surfaces which may be struck by laser beam, scanning beam patterns, scanning velocity and frequency in occupied areas and where beam strikes wall or other structure, radiometric measurement data including output power and location of all measurements. In the case of open air shows where a laser beam is projected into the sky, the information submitted shall also include beam spot size, beam divergence, and beam power measured at the projector, and a copy of the notification provided to the Federal Aviation Administration.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(a), (b), (c), (d) FS. History—New 9-6-84, Formerly 10D-89.133, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Cynthia Becker, Bureau Chief, Bureau of Radiation Control

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon

General & Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 25, 2014

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

RULE NO.: 68D-24.017  
 RULE TITLE: Palm Beach County Boating Restricted Areas.

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes affecting vessel speeds on the Florida Intracoastal Waterway within Palm Beach County, updating rule maps and making other changes to rule language where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUMMARY: This rule amendment extends one (1) zone in the Florida Intracoastal Waterway in Palm Beach County, specifically the expansion of the zone surrounding the SR 806 (East Atlantic Ave.) Bridge to provide safety to those utilizing a landing facility available for use by the general boating public. The amendment also updates the rule maps.

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: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Major Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.017 Palm Beach County Boating Restricted Areas.

(1) For the purpose of regulating speed and operation of vessel traffic on the Intracoastal Waterway within Palm Beach County, Florida, the following boating restricted areas are established:

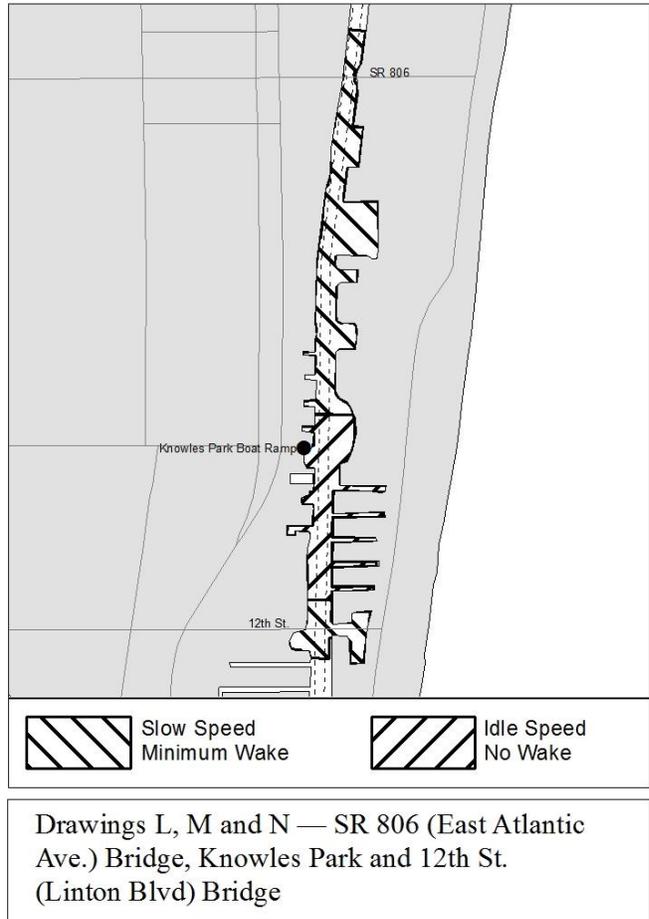
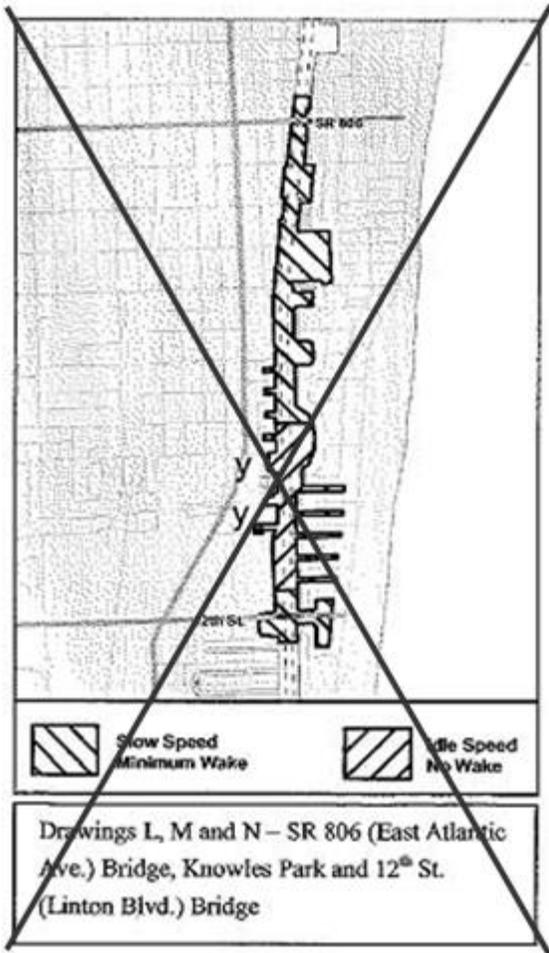
(a) through (k) No Change.

(l) SR 806 (East Atlantic Ave.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~300~~ 675 feet north of the north end of the fender of the SR 806 (East Atlantic Ave.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway, 500 feet north of the centerline of the Knowles Park boat ramp, as depicted in drawing L.

(m) through (r) No Change.

(2) The boating restricted areas described in Rule 68D-24.017, F.A.C., are depicted on the following drawings:

Drawings A through K, No Change.



Drawings O through R, No Change.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 2-28-91, Amended 8-6-92, 6-14-93, Formerly 16N-24.017, Amended 10-27-97, 3-3-99, Formerly 62N-24.017, Amended 5-20-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Major Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 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: February 4, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 21, 2015

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69L-6.027	Penalty Calculation Worksheet
69L-6.028	Procedures for Imputing Payroll and Penalty Calculations
69L-6.035	Definition of Payroll for Calculating Penalty

**PURPOSE AND EFFECT:** The amendment to Rule 69L-6.027, F.A.C. revises a penalty calculation worksheet to provide the premium credit for the initial payment of premium made to secure coverage against an assessed penalty and to adjust the penalty look back period and the penalty multiplier to conform to statutory changes. The amendment to Rule 69L-6.028, F.A.C. changes the timeframe to impute the employer's payroll in the absence of business records from 20 to 28 days after receipt of the department's request to produce records, and changes the factor to calculate employee payroll from 1.5 to 2 times state average weekly wage, to conform to Section 440.107, F.S., as it now reads. Also, the timeframe for the employer to provide additional records is revised to twenty business days after the service of the first amended order of penalty assessment. The amendment to Rule 69L-6.035, F.A.C. also changes the factor to calculate employee payroll from 1.5 to 2 times state average weekly wage, to conform to Section 440.107, F.S., as it now reads. Additionally the amendments change citations in Rules 69L-6.028 and 69L-6.035, F.A.C. to reflect the current convention of naming to the specific subdivision cited.

**SUMMARY:** The worksheet used to calculate penalties for failure to maintain required workers' compensation coverage provides a credit against the assessed penalty for the initial premium payment made to secure coverage. The time for an employer to produce records after a request from the department is 28 days. If records are not produced in that time employee payroll is imputed to be two times the Florida average weekly wage. The time period to produce additional records after service of the first amended order of penalty assessment is 20 days.

**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: Statutory changes are inconsistent with the rule as it was adopted prior to those changes. The statutory changes were self-implementing. They are already in effect, and the rules are being amended to conform to the existing statutes. Therefore, the rule has no impact.

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:** 440.107(9), 40.591 FS.

**LAW IMPLEMENTED:** 440.107(7)(d)1., (e) 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:** March 4, 2015, 9:00 a.m.

**PLACE:** Rm 102, Hartman Bldg., 2012 Capital Circle SE, Tallahassee, FL 32399-4225

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: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or Robin.Delaney@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:** Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or Robin.Delaney@myfloridacfo.com

**THE FULL TEXT OF THE PROPOSED RULE IS:**

69L-6.027 Penalty Calculation Worksheet.

(1) For purposes of calculating penalties to be assessed against employers pursuant to Section 440.107, F.S., the Division shall use Form form #—DFS-F4-1595, Penalty Calculation Worksheet, revised 7/14 (eff. 10-18-07) which is incorporated herein by reference.

(2) Copies of ~~Form this form~~ DFS-F4-1595, Penalty Calculation Worksheet, revised 7/14, (eff. 10-18-07) are available from the Division of Workers' Compensation, Department of Financial Services, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-4226.

*Rulemaking Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7) FS. History--New 12-29-04, Amended 10-18-07, \_\_\_\_\_.*

69L-6.028 Procedures for Imputing Payroll and Penalty Calculations.

(1) In the event an employer fails to provide business records sufficient for the department to determine the employer's payroll for the time period requested in the business records request for the calculation of the penalty pursuant to paragraph Section 440.107(7)(e), F.S., the department shall impute the employer's payroll at any time after ten, but before the expiration of twenty-eight business days after receipt by the employer of a written request to produce such business records.

(2) No Change.

(3) When an employer fails to provide business records sufficient to enable the department to determine the employer's payroll for the time period requested in the business records request for purposes of calculating the penalty provided for in paragraph Section 440.107(7)(d), F.S., the imputed weekly payroll for each employee, corporate officer, sole proprietor or partner shall be calculated as follows:

(a) For each employee, other than corporate officers, identified by the department as an employee of such employer at any time during the period of the employer's non-compliance, the imputed weekly payroll for each week of the employer's non-compliance for each such employee shall be the statewide average weekly wage as defined in subsection Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 2 1/5. Employees include sole proprietors and partners in a partnership.

(b) If the employer is a corporation, for each corporate officer of such employer identified as such on the records of the Division of Corporations at the time of issuance of the stop-work order, the imputed weekly payroll for each week of the employer's non-compliance for each such corporate officer shall be the statewide average weekly wage as defined in subsection Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 2 1/5.

(c) through (d) No Change.

(4) If the department imputes the employer's payroll, the employer shall have twenty business days after service of the first amended order of penalty assessment assessing the penalty to provide business records sufficient for the department to determine the employer's payroll for the period requested in the business records request for the calculation of the penalty or for the alternative period of non-compliance. The employer's penalty will be recalculated pursuant to paragraph 440.107(7)(d), F.S., only if ~~If~~ the employer provides all such business records within the twenty days after the service of the first amended order of penalty assessment. ~~Otherwise, the first amended order of penalty assessment will remain in effect, the department shall recalculate the employer's penalty pursuant to Section 440.107(7)(d), F.S. If business records sufficient for the department to determine the employer's payroll for the period requested in the business records request for the calculation of the penalty or for the alternative period of non-compliance are not provided to the department within twenty business days after service of the order assessing the penalty, the penalty based upon the time period requested for the calculation of the penalty imputing the employer's payroll for the time period in the business records request for the calculation of the penalty will remain in effect.~~

*Rulemaking Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(e) FS. History--New 7-12-05, Amended 8-31-06, 8-30-09, \_\_\_\_\_.*

69L-6.035 Definition of Payroll for Calculating Penalty.

(1) For purposes of determining payroll for calculating a penalty pursuant to subparagraph Section 440.107(7)(d)1., F.S., the Department shall when applicable include any one or more of the following as remuneration to employees based upon evidence received in its investigation:

(a) through (j) No Change.

(2) For the purposes of calculating a penalty pursuant to subparagraph Section 440.107(7)(d)1., F.S., payroll for an officer of a corporation as defined in subsection Section 440.02(9), F.S., shall be based on remuneration factors listed in paragraphs (1)(a) through (j) of this rule where applicable, or the state average weekly wage as defined in subsection Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 2 1/5, whichever is less.

(3) For purposes of calculating a penalty pursuant to subparagraph Section 440.107(7)(d)1., F.S., payroll for a sole proprietor or partner shall be based on remuneration factors listed in paragraphs (1)(a) through (j) of this rule where applicable, or the state average weekly wage as defined in subsection Section 440.12(2), F.S., that is in effect at the time the stop-work order was issued to the employer, multiplied by 21.5, whichever is less.

Rulemaking Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(d)1. FS. History—New 10-10-07, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, 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: February 2, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 21, 2014

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.05281      RULE TITLE: Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment, Program  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 18, January 28, 2015 issue of the Florida Administrative Register. The notice inadvertently listed the rule development date as January 1, 2015 and the correct date is January 6, 2015.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-36.005      RULE TITLE: Citations  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40 No. 197, October 9, 2014 issue of the Florida Administrative Register has been withdrawn.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-13.0001      RULE TITLE: Definitions

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. 10, January 15, 2015 issue of the Florida Administrative Register.

68A-13.0001 Definitions.

When used in this rule chapter, the terms and phrases listed below have the meaning provided:

(1) Deer management unit (DMU) – The following geographical portions of the state, less any lands established by the Commission pursuant to Rule 68A-14.001, F.A.C.:

(a) through (d) No change.

(e) DMU C1 – That portion of Zone C located west of the eastern boundary of Highlands County north of State Road 70, ~~and~~ west of the eastern boundary of Polk County south of State Road 60, and west of Interstate 75 south of State Road 50 and north of State Road 60.

(f) through (j) No change.

(k)~~(a)~~ DMU D1 – That portion of Zone D located south of Interstate 10.

(l)~~(b)~~ DMU D2 – That portion of Zone D located north of Interstate 10.

(2) Zone – The following geographical portions of the state:

(a) No change.

(b) Zone B – The counties of Hernando (south of State Road 50 and east of Interstate 75), Hillsborough (north of State Road 60 and east of Interstate 75), Lake (south of State Road 50), Orange (south of State Road 50 and west of U.S. Highway 17), Osceola (west of U.S. Highway 17, south and west of County Road 525, west of the western shoreline of Lake Tohopekaliga, west of C-35 canal, west of the western shoreline of Cypress Lake, west of C-36 canal and west of the eastern shoreline of Lake Hatchineha), Pasco (east of Interstate 75), ~~Pinellas (north of State Road 60)~~, Polk (north of State Road 60) and Sumter (south of State Road 50).

(c) Zone C – The counties of Alachua, Baker, Bradford, Brevard, Citrus, Clay, Charlotte (except east of the Peace River and east Charlotte Harbor), Columbia, DeSoto (north of State Road 70, and west of the Peace River south of State Road 70), Dixie, Duval, Flagler, Gadsden (east of U.S. Highway 27), Gilchrist, Hamilton, Hardee, Hernando (north of State Road 50 and west of Interstate 75), Highlands (north of State Road 70), Hillsborough (south of State Road 60 and west of Interstate 75), Indian River, Jefferson, Lafayette, Lake, Leon (east of U.S. Highway 27, east of State Road 61 and east

of U.S. Highway 319), Levy, Madison, Manatee, Marion, Martin (east of U.S. Highway 441), Nassau, Okeechobee (except that portion lying south of State Road 70 and west of U.S. Highway 441), Orange (north of State Road 50 and east of U.S. Highway 17), Osceola (east of U.S. Highway 17, north and east of County Road 525, east of the western shoreline of Lake Tohopekaliga, east of C-35 canal, east of the western shoreline of Cypress Lake, east of C-36 canal and east of the eastern shoreline of Lake Hatchineha), Palm Beach (east of U.S. Highway 441, east of State Road 80 north of County Road 880, north of County Road 880, and north of U.S. Highway 98/U.S. Highway 441/State Road 80/Southern Boulevard), Pasco (west of Interstate 75), Pinellas (~~south of State Road 60~~), Polk (south of State Road 60), Putnam, St. Johns, St. Lucie, Sarasota, Seminole, Sumter (north of State Road 50), Suwannee, Taylor, Union, Volusia and Wakulla (east of U.S. Highway 319, north and east of U.S. Highway 98 and east of the Wakulla and St. Marks Rivers).

(d) No change.

**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  
 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. 10, January 15, 2015 issue of the Florida Administrative Register.

Proposed amendment to Rule 68A-15.062 has been changed to include the following amended paragraph (20)(a):

(20) Goethe Wildlife Management Area.

(a) Open season:

- 1. through 4. No change.
- 5. Family hunt – January 2-3 ~~December 12-13~~.
- 6. through 8. No change.

No other changes were made to the rule amendments as proposed

**Section IV  
 Emergency Rules**

NONE

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-75.003 Minimum Technical Qualification Standards by Type of Work

NOTICE IS HEREBY GIVEN that on January 28, 2015, the Department of Transportation received a petition for variance from Agenor & Campbell Structural Engineers, LLC (d/b/a AC-Structural). The Petition seeks a variance of Rule 14-75.003, F.A.C., “Minimum Technical Qualification Standards by Type of Work”, specifically Type of Work 4.2.1: Major Bridge Design – Concrete, which requires post-tensioned concrete experience by more than (1) Professional Engineer.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Patricia A. Parsons, Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, trish.parsons@dot.state.fl.us.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice that on February 5, 2015, it has denied a petition for variance.

Petitioner’s Name: Countryway Homeowners Association, Inc. - File Tracking No. 15-4204

Date Petition Filed: November 7, 2014

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: November 17, 2014

General Basis for Agency Decision: Petitioner failed to respond to District requests for additional information. Petitioner has not demonstrated that a variance or waiver from District rules is appropriate.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, extension 2047, water.variances@watermatters.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice:

That on February 5, 2015, it has granted a petition for variance.

Petitioner’s Name: Wiregrass Community Development District - File Tracking No. 14-4200

Date Petition Filed: August 14, 2014

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: August 15, 2014

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, extension 2047, water.variances@watermatters.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on January 26, 2015, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code, and subsection 61C-4.010(5), F.A.C., from Associate Dining located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have facilities for manually washing, rinsing and sanitizing equipment and utensils. They are requesting to share the warewashing sink area with another licensed food service establishment under the same ownership and on the same premises.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on January 30, 2015, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), F.A.C., from Conrad Banquet Facility located in Fort Lauderdale. The above referenced F.A.C. addresses the requirement that each establishment have facilities for manually washing, rinsing and sanitizing equipment and utensils. They are requesting to share the warewashing sink area with another licensed food service establishment under the same ownership and on the same premises.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on January 27, 2015, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), F.A.C., and Section 5-203.13, 2009 FDA Food Code from Half Way House at Timuquana Country Club located in Jacksonville. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the mop sink located within Timuquana Country Club main kitchen.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on January 29, 2015, 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(2)(a), F.A.C., subsection 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., and Section 6-402.11, 2009 FDA Food Code from Alvarez Cafe located in Key West. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within an adjacent establishment under different ownership for use by both customers and employees.

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 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on January 26, 2015, 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(2)(a), F.A.C., subsection 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., and Section 6-402.11, 2009 FDA Food Code from Argentelle Catering located in Ft. Lauderdale. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

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 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 2, 2015, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., and subsection 61C-4.010(6), F.A.C., from Myers Subs located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent business under a different ownership for use by customers only.

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 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 3, 2015, 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), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from Oldies Pub located in North Port. 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 sink in the kitchen area.

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 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 3, 2015, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code, from Hilton Historic Bayfront located in St. Augustine. 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 sink in the omelet station.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on February 4, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for River Park Place. Petitioner seeks a temporary variance of the requirements of ASME A17.1, Section 2.27.3.3.1, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with phase II emergency in-car operation which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin,

Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-028).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On February 5, 2015, the Division issued an order. The Final Order was in response to a Petition for a Variance from 330 3rd Street South Residence, filed January 12, 2015, and advertised on January 15, 2015, in Vol. 41, No. 10, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1, and 2.24.2.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave 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 (VW2015-010).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on February 4, 2015, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), F.A.C., and subsection 61C-4.010(6), F.A.C., from Tropi Q Island Cuisine located in Melbourne. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received 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

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On January 5, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., and subsection 61C-4.010(6), F.A.C., from Zeins located in Clearwater. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent business under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 41 No. 6, F.A.R., on January 9, 2015. The Order for this Petition was signed and approved on January 15, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring ensuring the bathrooms located within the next door Laundry Mat are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the food service establishment clearly stating the location of the bathrooms. If the ownership of the Laundry Mat (Tarek Zeineding) changes, an updated signed agreement for use of the bathroom facilities is required immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On January 12, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from Mizner Country Club located in Delray 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 sink in the omelet area.

The Petition for this variance was published in Vol. 41, No. 9, F.A.R., on January 14, 2015. The Order for this Petition was signed and approved on January 21, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On January 12, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., Section 5-203.13, 2009 FDA Food Code from Kappo located in Orlando. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to utilize the mopsink facilities located within an adjacent establishment under a different ownership.

The Petition for this variance was published in Vol. 41/09 on January 14, 2015. The Order for this Petition was signed and approved on January 21, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring ensuring that the mop sink facilities within East End Market (FDACS Permit Number 1530323) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. If the ownership of East End Market changes (East End Market, LLC), an updated, signed agreement for use of the facilities is required immediately.

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

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

The Florida Elections Commission announces public meetings to which all persons are invited.

DATES AND TIMES: February 24, 2015, 9:00 a.m. until adjourned; February 25, 2015, 8:30 a.m. until adjourned

PLACE: Senate Office Building, 404 South Monroe Street, Room 110-S, Tallahassee, Florida 32399-6526

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agency matters. Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer’s reports. Rules Review. Portions of this meeting are confidential and closed to the public.

A copy of the agenda may be obtained by contacting Donna Ann Malphurs, Agency Clerk, (850)922-4539, by email: FEC@myfloridalegal.com, by writing to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 and/or by viewing the Commission’s website: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Ann Malphurs, Agency Clerk, (850)922-4539, by email: FEC@myfloridalegal.com or by writing to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050. 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: Donna Ann Malphurs, Agency Clerk, (850)922-4539, by email: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

#### DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 10, 2015, 10:00 a.m.

PLACE: Valencia College, Criminal Justice Institute Auditorium Room 100, 8600 Valencia College Lane, Orlando, FL 32825

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to determine whether or not probable cause exists to pursue disciplinary action against the certification of sworn correctional, law enforcement, or correctional probation officers.

A copy of the agenda may be obtained by contacting: Anjani Patel at (850)410-8625 or email: AnjaniPatel@fdle.state.fl.us. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anjani Patel at (850)410-8625 or email: AnjaniPatel@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Anjani Patel at (850)410-8625 or email: AnjaniPatel@fdle.state.fl.us.

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#### WATER MANAGEMENT DISTRICTS

##### St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 17, 2015, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a meeting of the Advisory Committee described above. The purpose of the meeting is to conduct administrative and procedural matters related to the committee and update the committee on the status of the MFLs and Recovery Strategy planned for the Lower Santa Fe River and the Ichetucknee River and Priority Springs, the status of the North Florida Southeast-Georgia Regional Groundwater Flow Model, and the status of the agricultural demand projections. There will also be briefings and discussion on the Regional Water Supply Plan – Reuse Water Projections, the methods for estimating the conservation potential/potential irrigation efficiency, and the water resource assessment methods and preliminary results concerning groundwater quality. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email: jgreen@sjrwmd.com or by visiting the North Florida Regional Water Supply Partnership website: www.northfloridawater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Abby Johnson, Suwannee River Water Management District, (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### WATER MANAGEMENT DISTRICTS

##### 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: Tuesday, February 24, 2015, 9:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: 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, x4703; 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: Lori.manuel@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x 4606(Ad Order EXE0387).

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

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

**DATE AND TIME:** Wednesday, February 18, 2015, 10:00 a.m.

**PLACE:** South Florida Water Management District, B-1 Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901

Okeechobee Service Center, 3800 NW 16th Boulevard, Okeechobee, FL 34972

Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website: [www.sfwmd.gov](http://www.sfwmd.gov). Hold mouse over the "Topics" tab, scroll down to "Permits" and click. Under "Upcoming Events" on the right hand column, click the "Monthly Regulatory Meetings" link. Or, subscribe to ePermitting/eNoticing: [www.sfwmd.gov/epermitting](http://www.sfwmd.gov/epermitting).

For additional information, you may also call our information line: (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

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: District Clerk's Office, (561)682-2087. 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: District Clerk's Office, (561)682-2087.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**RULE NOS.:RULE TITLES:**

61-31.701 Minimum Standards and Practices for Mold Assessors

61-31.702 Minimum Standards and Practices for Mold Remediators

The Department of Business and Professional Regulation announces a hearing to which all persons are invited.

**DATE AND TIME:** February 26, 2015, 10:00 a.m.

**PLACE:** Telephone conference number: 1(888)670-3525, participant passcode: 2295006118, then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public hearing regarding the proposed language for minimum standards of practice rules for mold remediators and mold assessors (Proposed Rules 61-31.701 and 61-31.702, F.A.C.).

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Mold-Related Services Licensing Program, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Mold-Related Services Licensing Program, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399. 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: Richard Morrison, Executive Director, Mold-Related Services Licensing Program, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

The Board of Cosmetology announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, March 5, 2015, 3:00 p.m.

**PLACE:** Conference number: 1(888)670-3525, participant code: 7335214083

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

**DEPARTMENT OF HEALTH**

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

**DATE AND TIME:** Tuesday, February 17, 2015, 9:00 a.m. – 10:00 a.m. EST

**PLACE:** Florida Department of Health, 2585 Merchants Row Blvd., Suite 345Q; by telephone at 1(888)640-7162, access code: 677-659-229; and online at <https://global.gotomeeting.com/join/677659229>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Information Clearinghouse on Developmental Disabilities Advisory Council will provide technical assistance to the Department of Health in the establishment of a website of resource information related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services.

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4465 or [Anna.Simmons@flhealth.gov](mailto:Anna.Simmons@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anna Simmons, (850)245-4465 or [Anna.Simmons@flhealth.gov](mailto:Anna.Simmons@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).

For more information, you may contact: Anna Simmons, 850-245-4465 or [Anna.Simmons@flhealth.gov](mailto:Anna.Simmons@flhealth.gov).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

The Board of Accountancy announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, March 6, 2015, 10:00 a.m. until all business is concluded

**PLACE:** Conference call; dial-in number: 1(888)670-3525, pass code number: 1368986679#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)313-6607.

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: Denise Graves. 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: Denise Graves, (352)313-6607.

**DEPARTMENT OF HEALTH**

Board of Nursing

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

**DATE AND TIME:** February 24, 2015, 2:30 p.m.

**PLACE:** Meet Me number: 1(888)670-3525, conference code number: 4920881610

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

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

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

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

For more information, you may contact: Joe Baker, Jr., Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: Thursday, February 19, 2015, 9:00 a.m. \*UPDATED START TIME\*

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: The Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pharmacy at (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Wednesday, February 18, 2015, 1:30 p.m.

PLACE: Pasco County Sheriff's CPID Office, 7601 Little Road, Suite 100, New Port Richey, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pasco Alliance Business.

A copy of the agenda may be obtained by contacting: Stephanie Allen, (727)373-7842.

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: Stephanie Allen, (727)373-7842. 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 CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: Wednesday, February 18, 2015, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Children and Families, 1317 Winewood Blvd., Building 1, Room 132, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Independent Living Services Advisory Council to conduct general Council business and continue their efforts of reviewing the implementation and operation of the Road-to-Independence Program.

A copy of the agenda, meeting materials and call-in details may be obtained by contacting: Becky Pengelley, Department of Children and Families, (850)717-4218, becky.pengelley@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 1 day before the workshop/meeting by contacting: Becky Pengelley, Department of Children and Families, (850)717-4218, becky.pengelley@myflfamilies.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).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Fish & Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2015, 9:00 a.m. – 9:30 a.m.

PLACE: The public may participate in the call in Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee Please call (850)921-1144 for admittance into the Marathon Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of the Fish & Wildlife Foundation of Florida will conduct a teleconference to discuss last minute details before Spring Board Meeting.

A copy of the agenda may be obtained by contacting: Ms. Marie Kokol, P.O. Box 11010, Tallahassee, Florida 32302, (850)717-8703.

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

For more information, you may contact: Ms. Marie Kokol, P.O. Box 11010, Tallahassee, Florida 32302, (850)717-8703.

SUNSHINE STATE ONE CALL OF FLORIDA

Sunshine State One Call of Florida, Inc., d/b/a/ Sunshine 811 announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, February 19, 2015, 12:00 Noon – 5:00 p.m.; Friday, February 20, 2015, 8:00 a.m. – 5:00 p.m.

PLACE: 11 Plantation Road, DeBary, Florida 32713

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular quarterly Committee and Board of Directors meetings to which all interested persons are invited to participate.

Operations, Damage Prevention, Legislative Ad-Hoc, Policy Ad-Hoc, Executive Director Salary Ad Hoc and Finance Committee Meetings: Thursday, February 19, 2014, 12:00 Noon – 5:00 p.m. Lunch provided at the call center for meeting participants and Sunshine 811 employees beginning at 11:00 a.m.

Board of Directors Meeting: Friday, February 20, 2015, 8:00 a.m. – 5:00 p.m. Lunch provided at the call center for meeting participants and Sunshine 811 employees beginning at 12:00 Noon.

A copy of the agenda may be obtained by contacting: Agenda for February 19 & 20, 2015: [http://www.callsunshine.com/images/stories/board/201502\\_agenda\\_bylaws.pdf](http://www.callsunshine.com/images/stories/board/201502_agenda_bylaws.pdf).

Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

NONE

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 EDUCATION

University of Central Florida

Mechanical Contractors II

NOTICE TO CONTRACTORS

The University of Central Florida has a need for several firms to provide contractor services in the trade of Mechanical on an ongoing basis for campus renovation and construction projects with construction budgets of less than \$2,000,000.

Typical projects may include new construction, renovations, remodeling, equipment installation, fire code corrections, building code corrections, aesthetic enhancements, technology enhancements, communications modifications, air quality, exterior enhancements, and sustainability modifications. Areas requiring renovation or modifications may include, but are not limited to, animal research or holding areas, research laboratories, classrooms, libraries, media centers, offices, clinics, reception and waiting areas, lobbies, corridors, atriums, courtyards, plazas, student housing, site work, parking areas, and hardscapes. Projects being implemented may border or be within occupied areas, and projects will in many cases need to be phased to allow partial occupancy during construction. ALL projects will need to ensure the safety of faculty, staff, and students. Projects may be located on the University of Central Florida main campus or branch campuses.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and General Contractor's Form may be obtained on our website: [www.fp.ucf.edu](http://www.fp.ucf.edu) or by contacting: Gina Seabrook, email: [gina.seabrook@ucf.edu](mailto:gina.seabrook@ucf.edu), phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: <https://ucf.bonfirehub.com/p/764>.

Submittals must be received by 5:00 p.m. local time February 27, 2015. Late submissions or additional documentation will not be accepted.

Continued work from the university will be based on a periodic contractor performance evaluation. Evaluations will assess the contractor's: quality of work, ability to maintain budget, ability to stay on schedule, safety, no-change orders for same scope of work, and customer service. Contractors that do not receive satisfactory evaluations may not be given additional work, and their contracts may be terminated.

DEPARTMENT OF EDUCATION

University of Central Florida

Architect/Engineer Continuing Services

The University of Central Florida has a need for several firms to provide Architectural continuing services on an ongoing basis for campus renovations, alterations, and additions that have a construction budget of less than \$2,000,000, or studies for which the fee for professional services is less than \$200,000.

Typical projects may include new construction, renovations, remodeling, equipment installation, fire code corrections, building code corrections, aesthetic enhancements, technology enhancements, communications modifications, and sustainability modifications. Areas requiring renovation or modifications may include, but are not limited to, animal research or holding areas, research laboratories, classrooms, libraries, media centers, offices, clinics, reception and waiting areas, lobbies, corridors, atriums, courtyards, plazas, student housing, site work, parking areas, and hardscapes. ALL projects will, need to ensure the safety of faculty, staff, and students. Projects may be located on University of Central Florida or UCF-affiliated properties.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and PQS Form may be obtained on our website: [www.fp.ucf.edu](http://www.fp.ucf.edu) or by contacting: Gina Seabrook, email: [gina.seabrook@ucf.edu](mailto:gina.seabrook@ucf.edu), phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: <https://ucf.bonfirehub.com/p/766>.

Submittals must be received by 5:00 p.m. local time March 2, 2015. Late submissions or additional documentation will not be accepted.

Architect/Engineers that do not receive satisfactory evaluations may not be given additional work, and their contracts may be terminated.

DEPARTMENT OF EDUCATION

School Districts

DCPS Construction Management Continuing Services -  
OFDC RFQ-001-15 and ITB-015-15

NOTICE TO CONSTRUCTION MANAGEMENT FIRMS -  
REQUEST FOR QUALIFICATIONS (RFQ)  
OFDC RFQ-001-15 AND INVITATION TO BID (ITB)  
OFDC ITB-015-15/OFFICE OF FACILITIES DESIGN AND  
CONSTRUCTION - DUVAL COUNTY PUBLIC SCHOOLS  
FOR CONSTRUCTION MANAGEMENT CONTINUING  
SERVICES-February 6, 2015. Office of Facilities Design and  
Construction (OFDC) announces that professional services are  
required for Construction Management Continuing Services  
for Duval County Public Schools. The Owner reserves the  
right to select one or more firms to perform the work. The  
firm(s) selected under a continuing contract will be  
responsible for assigned projects each having estimated  
construction costs not exceeding \$2,000,000. Total estimated  
construction contract value of all project work awarded is  
estimated at \$12,000,000 over a 3-year contract period (not  
guaranteed.) The projects may be multi-year funded and are  
subject to availability of funds as authorized by the Owner.  
The selected firm(s) shall be required to execute the Duval  
County School Board standard form of agreement. This will

be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods. This RFQ/ ITB is a 2-step selection process. OFDC RFQ-001-15 is part 1 of the process, OFDC ITB-015-15 is part 2 of the process. Responses for both the ITB and RFQ must be submitted at the same time in order to be considered. Separate responses for the RFQ and Bid are to be submitted in separate sealed envelopes. Instructions for completion of Bids and Proposals and the selection process will be in accordance with the Selection Criteria as outlined in "SELECTION OF THE CONSTRUCTION MANAGEMENT CONTINUING SERVICES FIRM-FEBRUARY 2015" selection booklet which may be obtained online at: <http://www.duvalschools.org/>. Follow website to Departments/Facilities/Projects/Selection Booklets/OFDC RFQ-001-15/ ITB-015-15 Construction Management Continuing Services Contract. The Duval County Public Schools prequalifies all contractors who intend to submit bids and proposals for all construction projects. All firms submitting proposals shall be required to be pre-qualified prior to the RFQ due date. Firms who are not approved as a pre-qualified bidder will not be considered for award of this contract. Prequalification forms and information may be obtained at <http://www.duvalschools.org/>. Follow website to Departments / Facilities/ Forms and Standards / General Documents/ THE RFQ AND ITB DOCUMENTS WILL BE REVIEWED IN DETAIL AT AN INFORMATION CONFERENCE HELD IN CONFERENCE ROOM 307 AT 1701 Prudential Drive, JACKSONVILLE, FLORIDA ON WEDNESDAY, FEBRUARY 18, 2015 AT 10:00 A.M. DCPS Project Manager: Tony Gimenez, OFDC/phone number: (904)390-2279. Documents are to be sent to: Facilities Design and Construction, 1701 Prudential Drive, Room 535, Jacksonville, FL 32207. RESPONSE DUE DATE: RFQ AND ITB RESPONSES ARE DUE ON OR BEFORE MARCH 12, 2015 AND WILL BE ACCEPTED UNTIL 2:00 P.M. OFFICE OF ECONOMIC OPPORTUNITY GOALS: If multiple contracts are awarded, at least one will be awarded to a certified Small Business Enterprise (SBE) or Minority/Women Business Enterprise (M/WBE). The remaining firms should have participation goals of 10% SBE goal and 10% M/WBE. Please note that only companies that are certified as African American or Hispanic American can count towards the M/WBE goal.

## DEPARTMENT OF CHILDREN AND FAMILIES

Project No. 15245310, Roof Replacement, Building No. 1007  
**PRE-BID MEETING:** A mandatory pre-bid meeting will be held on Tuesday, February 17, 2015 at 10:00 a.m. local time. The meeting will be held at Maintenance & Facilities Conference Room, Building #1123, Lonesome Pine Road on Florida State Hospital Campus, Chattahoochee, Florida.

**BID OPENING:** Sealed bids will be received, publicly opened and read aloud on:

**DATE:** Wednesday, February 25, 2015

**TIME:** 2:00 p.m. local time

**LOCATION:** 1317 Winewood Blvd., Building #3, Room 205G, Tallahassee, Florida. Opening and reading bids aloud will occur in Building #3, Room 202, Conference Room.

**PROJECT DISCRPTION:** All work to be performed shall be located on Building #1007, Patient Dining and Connector Hall roof, Florida State Hospital, Chattahoochee, Florida. The existing Patient dining (35 squares plus or minus) Roof System consist of Tectum Deck structure with tapered Fiberglas Insulation Board with Modified B.U.R. System, and an internal drain system. The existing Connector (5 squares plus or minus) Hall Roof System consist of cast-in-place structural concrete roof deck w/ B.U.R. system with ballast, and an external collector drain with downspout.

The project work shall consist of the removal of all insulation, B.U.R. with modified cap sheet, ballast/gravel, and close roof access panel. New roof shall be to mechanically attach/adhere 1.5 inch thick, 1/2" per foot tapered Polyisocyanurate insulation board over existing deck, adhere 1/4" thick Gypsum-Fiber cover board and adhere attach fabric-reinforced thermoplastic PVC sheet membrane (40 squares plus or minus). Remove and replace all fascia and drip edge with new aluminum fascia and Aluminum gutters and Downspouts.

## DEPARTMENT OF CHILDREN AND FAMILIES

Project No. 15245310, Roof Replacement on Bldg. 1007,  
 Florida State Hospital

Proposals are requested from **QUALIFIED ROOFING CONTRACTORS** by the State of Florida, Department of Children and Families, hereinafter referred to as **OWNER**, for the construction of:

**PROJECT NO:** DCF - 15245310

**TITLE:** Reroofing Bldg. #1007, Patient Dining Hall and Connector Corridor Roof

**SITE:** Florida State Hospital, Main Street, Chattahoochee, Florida 32324

**PREQUALIFICATION:** Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a Roofing Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.

**PROPOSAL:** Bids must be submitted in full in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the ARCHITECT/ENGINEER:

A/E: Department of Children and Families, Office of General Services, Design, and Construction, 1317 Winewood Blvd., Building #3, Room 205-G, Tallahassee, Florida 32399-0700

TEL#: (850)717-4011

CELL#. (850)524-0097

E-MAIL: bill.bridges@myflfamilies.com

**BID DOCUMENTS:**

Full sets of Drawings and Specifications may be purchased from the ARCHITECT/ENGINEER, by payment of printing and handling costs at the rate of \$20.00 per bid set.

**PRE-BID MEETING:** A mandatory pre-bid meeting will be held on Tuesday, February 17, 2015 at 10:00 a.m. local time. The meeting will be held at Maintenance & Facilities Conference Room, Building #1123, Lonesome Pine Road on Florida State Hospital Campus, Chattahoochee, Florida.

**BONDING REQUIREMENTS:** See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

**BID OPENING:** Sealed bids will be received, publicly opened and read aloud on:

DATE: Wednesday, February 25, 2015

TIME: 2:00 p.m. local time

LOCATION: 1317 Winewood Blvd., Building #3, Room 205G, Tallahassee, Florida. Opening and reading bids aloud will occur in Building #3, Room 202, Conference Room.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD**

**REQUEST FOR STATEMENTS OF QUALIFICATIONS  
for ARCHITECTURAL AND ENGINEERING SERVICES**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection and structural design work for the build-out of 1,800 square feet of shell space within an existing medical center located at 6050 Cattlebridge Boulevard, Sarasota, FL 34232, to accommodate a new MRI suite. Services required may include architectural design, civil,

mechanical, electrical, plumbing, fire protection, structural design and engineering, and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes, their local agency having jurisdiction experience, as well as AHCA experience.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience as it relates to MRI/imaging environments with aggressive schedules.
7. Specific MRI/imaging suite design experience in the State of Florida.
8. Design and permitting experience within the County of Sarasota, FL and all other applicable permitting agencies.
9. Location of the design firm’s main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm’s experience with local regulatory agency having jurisdiction, AHCA Florida experience, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Submissions shall be titled  
Statement of Qualifications  
for

**ARCHITECTURAL AND ENGINEERING SERVICES  
Sarasota Memorial Health Care System  
OUTPATIENT MRI SUITE**

5. Submittals must be received by the Hospital no later than 3:30 p.m. Thursday, February 26, 2015. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick-up.

6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

7. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

8. The selection committee will meet in a public meeting at the Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Tuesday, March 17, 2015, from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
REQUEST FOR STATEMENTS OF QUALIFICATIONS  
for GENERAL CONTRACTING WORK**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the build-out of 1,800 square feet of shell space within an existing medical center located at 6050 Cattleridge Boulevard, Sarasota, FL 34232, to accommodate a new MRI suite. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel that would be used on this project to include their AHCA experience.
7. Past renovation experience as it relates to MRI/imaging environments with aggressive schedules.

8. Construction building experience within the County of Sarasota, FL.

9. Specific MRI/imaging suite construction experience.

10. Location of the firm’s main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.

2. The basis for selecting candidates includes, but not limited to, the firm’s experience with local regulatory agency having jurisdiction, consideration of directly related project experience, AHCA experience, qualifications of proposed team, ability to respond, and project approach.

3. The Hospital reserves the right to request additional information beyond the data set forth above.

Submissions shall be titled

Statement of Qualifications

for

**GENERAL CONTRACTING WORK**

Sarasota Memorial Health Care System

**OUTPATIENT MRI SUITE**

4. Submittals shall not contain pricing information.

5. Submittals must be received by the Hospital no later than 3:30 p.m., Thursday, February 26, 2015. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239.

6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

7. Interested persons should contact Thomas Perigo, (941)917-1804, with any project-related questions.

8. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, First Floor, on Tuesday, March 17, 2015, from 8:00 a.m. to 11:30 a.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
REQUEST FOR STATEMENTS OF QUALIFICATIONS  
for ARCHITECTURAL AND ENGINEERING SERVICES**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for

all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection and structural design work for the renovation/expansion of existing surgical suites in Sarasota Memorial Hospital, 1700 S. Tamiami Trail, Sarasota, FL 34239, to accommodate two (2) new operating rooms, as well as the relocation of existing offices, control room and ancillary support space. Services required may include architectural design, civil, mechanical, electrical, plumbing, fire protection, structural design and engineering, and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes, and their AHCA experience.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience as it relates to sterile environments with aggressive schedules.
7. Specific surgical suite design experience in the State of Florida.
8. Design and permitting experience within the City of Sarasota, FL and all other applicable permitting agencies.
9. Location of the design firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm's experience with local regulatory agency having jurisdiction, AHCA Florida experience, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.

4. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Submissions shall be titled  
Statement of Qualifications

for

**ARCHITECTURAL AND ENGINEERING SERVICES  
Sarasota Memorial Hospital  
OR EXPANSION**

5. Submittals must be received by the Hospital no later than 3:30 p.m. Thursday, March 12, 2015. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

7. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

8. The selection committee will meet in a public meeting at the Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, First Floor, on Tuesday, March 31, 2015, from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
REQUEST FOR STATEMENTS OF QUALIFICATIONS  
for GENERAL CONTRACTING WORK**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the renovation/expansion of existing surgical suites in Sarasota Memorial Hospital, 1700 S. Tamiami Trail, Sarasota, FL 34239, to accommodate two (2) new operating rooms, as well as the relocation of existing offices, control room and ancillary support space. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel that would be used on this project to include their AHCA experience.
7. Past renovation experience as it relates to sterile environments with aggressive schedules.
8. Construction building experience within the City of Sarasota, FL.
9. Surgical Suite specific renovation experience.
10. Location of the firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but not limited to, the firm's experience with local regulatory agency having jurisdiction, consideration of directly related project experience, AHCA experience, qualifications of proposed team, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.

Submissions shall be titled  
Statement of Qualifications  
for

**GENERAL CONTRACTING WORK  
Sarasota Memorial Hospital  
OR EXPANSION**

4. Submittals shall not contain pricing information.
5. Submittals must be received by the Hospital no later than 3:30 p.m., Thursday, March 12, 2015. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239.
6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
7. Interested persons should contact Thomas Perigo, (941)917-1804, with any project-related questions.

8. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Tuesday, March 31, 2015, from 8:00 a.m. to 11:30 a.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

## Section XII Miscellaneous

### DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

#### NOTICE OF AVAILABILITY VOCA GRANT FUNDS

Announcement: This is a corrected notice for the previous notice that was published on January 27, 2015, ID # 15587141. The Office of the Attorney General (OAG) is pleased to announce the anticipated availability of Victims of Crime Act (VOCA) grant funds from the U.S. Department of Justice. The purpose of VOCA grant funds is to support the provision of services to victims of crime. Services are defined as those efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system, and provide victims of crime with a measure of safety and security. Eligibility to apply for VOCA funds is limited to victim assistance programs administered by state or local government agencies or not-for-profit corporations registered in Florida, or a combination thereof, that can demonstrate the following:

- 1) Proof that the Internal Revenue Service recognizes the organization as being tax exempt under 501(c)(3) of the Internal Revenue Code;
  - 2) A statement from a state taxing body or state secretary of state certifying that the organization is a nonprofit organization and that no part of the organization's net earnings may benefit any private shareholder or individual;
  - 3) A certified copy of a certificate of incorporation or similar document establishing nonprofit status; or
  - 4) Any of the above, if it applies to a state or national parent organization, with a statement by the state or national parent organization that the applicant is a local nonprofit affiliate.
- The funding cycle for the VOCA grant funds under this notice is October 1, 2015, through September 30, 2016.

Application and Deadline: Organizations may participate in the annual competitive grant process which involves submission of an application followed by an application review.

The VOCA application may be accessed at the Office of the Attorney General's website at <http://myfloridalegal.com>;

under the heading of Units, click on Victims Services, then click on Advocacy and VOCA Grants. If you are unable to download a copy of the application you may call (850)414-3380.

The deadline for applying for a VOCA grant under this notice is no later than 5:00 p.m. Eastern Standard Time on Friday, February 27, 2015. Faxed or electronic submission of the application or required documentation is not acceptable.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO GRANT VARIANCE

RULE NO.: RULE TITLE:

62-296.513 Surface Coating of Miscellaneous Metal Parts and Products

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance under Section 403.201, Florida Statutes (F.S.), from the provisions of Rule 62-296.513, Florida Administrative Code (F.A.C.), to the Lockheed Martin Aeronautics Company, an aerospace parts and components manufacturing facility located at 9300 28th Street North, Pinellas Park, Florida (OCG No.14-0521) to allow relief from compliance with the volatile organic compound (VOC) reasonably available control technology (RACT) requirements of Rule 62-296.513, F.A.C. The variance requires the petitioner to comply with the VOC content limits contained in the United States Environmental Protection Agency's Aerospace Industry Control Technology Guideline "Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations" (EPA-453/R-97-004). The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Division of Air Resource Management, Office of Business Planning, 2600 Blairstone Road, Tallahassee, Florida 32399-2400, Telephone: (850)717-9023.

The Department will grant the proposed variance unless a timely petition for administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the notice or receipt of written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice regardless of the date of publication. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; (c) the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; (d) an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (e) a statement of when and how the petitioner received notice of the agency decision; (f) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (g) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (h) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (i) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Because the administrative hearing process is designed to determine final agency action on the application, the filing of a petition for an administrative hearing means that the Department’s final action may be different from the position taken in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.  
 Mediation under Section 120.573, F.S. is not available.

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DEPARTMENT OF HEALTH  
 Board of Nursing

Notice of Emergency Action

On February 4, 2015, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Tonya L. Shrader, R.N., License #: RN 9180605. 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 (2014). 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.

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DEPARTMENT OF HEALTH  
 Board of Nursing

Notice of Emergency Action

On February 4, 2015, the State Surgeon General issued an Order of Emergency Suspension of Certification with regard to the certificate of Claudia Reed, C.N.A., Certificate #: CNA 28375. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). 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.

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DEPARTMENT OF HEALTH  
 Board of Nursing

Notice of Emergency Action

On February 4, 2015, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Melissa Posey Cessna, L.P.N., License #: PN 1208861. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). 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.

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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.

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