

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.0315 Common Placement Testing and Instruction

PURPOSE AND EFFECT: The purpose of this rule development is to align the rule with Section 1008.30(4), F.S. and to address provisions in Section 1004.93(4)(c), F.S. Also, the rule specifies that a degree-seeking student who must complete developmental education instruction requirements may accumulate up to 12 college credits prior to enrollment in developmental education; thereafter, the student must be concurrently enrolled in developmental education instruction while enrolled in college credit coursework for each subsequent semester until the requirements are met. Developmental education courses will be identifiable as a zero level course designated in the Statewide Course Numbering System with a course prefix that indicates the subject area.

SUBJECT AREA TO BE ADDRESSED: Common Placement Testing, and Instruction.

RULEMAKING AUTHORITY: 1001.02, 1008.30 FS.

LAW IMPLEMENTED: 1008.30 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Julie Alexander, Vice Chancellor for Academic and Student Affairs, Division of Florida Colleges, Florida Department of Education, 325 West Gaines Street, Tallahassee, FL, 32399, (850)245-9523. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.005 Disciplinary Guidelines

PURPOSE AND EFFECT: To correct penalties assessed, revise disciplinary options, and clarify violation descriptions.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments remove duplicate language, clarify violation descriptions, conform penalties for violation of the Clean Indoor Air Act to the penalties listed in the controlling statute, and modify aggravating and mitigating factors considered.

RULEMAKING AUTHORITY: 455.2273, 509.032 FS.

LAW IMPLEMENTED: 213.50(3), 386.207, 500.451, 509.032, 509.092, 509.215(5), 509.261, 509.281, 509.292 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32399, DHR.Rules@myfloridalicense.com, (850)488-1133

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

Section II

Proposed Rules

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-11.012 Application Forms

PURPOSE AND EFFECT: To revise the application processing and licensure fees on form DH-MQA 1187, Psychologist Licensure Application.

SUMMARY: Update form DH-MQA 1187.

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

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

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

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 456.0635, 490.005, 490.006, 490.007(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

THE TEXT OF THE PROPOSED RULE IS:

64B19-11.012 Application Forms.

(1) All applicants for licensure pursuant to Chapter 490, F.S., shall complete and submit form DH-MQA 1187, (Revised ~~11/14 06/14~~), "Application for Psychologist Licensure," which is incorporated herein by reference and which may be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-05092_04740, the Board office, or at <http://floridapsychology.gov/applications/psychology-licensure-app.pdf>.

(2) through (4) No change.

Rulemaking Authority 490.004(4) FS. Law Implemented 456.0635, 490.005, 490.006, 490.007(1) FS. History—New 6-25-02, Amended 5-24-09, 3-1-10, 5-23-10, 11-10-11, 6-18-12, 12-25-12, 10-28-13, 5-1-14, 11-2-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2014

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

69J-7.007 Grants-Medical Condition Exception

PURPOSE AND EFFECT: The purpose of this amendment is to repeal Rule 69J-7.007, F.A.C., which provides that if an existing and compliant opening protection system of a home is unlikely to be deployed due to medical limitations on the homeowner, a replacement system that is more likely to be deployed because the medical limitations do not impede deployment of the system shall qualify for a grant from the My Safe Florida Home program. This rule is being repealed because it is an invalid exercise of delegated legislative authority.

SUMMARY: This rulemaking is part of the agency's comprehensive review of existing rules that focused on eliminating those that were determined to be unnecessary or duplicative. The repeal of this rule will remove provisions that provide grants for mitigating the risk of hurricane damage when compliant opening protection systems are unlikely to be deployed due to medical limitations on the homeowner. The statute implemented does not address grants based on medical limitations on the homeowner. Grants may be provided to persons of low income for mitigating the risk of hurricane damage.

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 repeal of the rule will not have a direct or indirect adverse financial impact on small businesses. It has been determined that a SERC was not necessary and that the rule amendment will not require ratification by the legislature.

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: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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 11, 2015, 10:00 a.m.
PLACE: 200 E. Gaines Street, Room 139, Larson Building, Tallahassee, FL 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Tasha Carter, by email: tasha.carter@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: Tasha Carter, Director of the Division of Consumer Services, Florida Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL, 32399-0300 or by email: tasha.carter@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.007 Grants – Medical Condition Exception.
Rulemaking Authority 215.5586(6), FS. Law Implemented 215.5586FS. History—New 10-8-08, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tasha Carter, Director of the Division of Consumer Services, Florida 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 10, 2015

DEPARTMENT OF FINANCIAL SERVICES
Division of Consumer Services

RULE NO.: 69J-9.001
RULE TITLE: Database of Information Relating to Sinkholes.

PURPOSE AND EFFECT: The purpose of this amendment is to repeal Rule 69J-9.001, F.A.C., relating to a sinkhole insurance claim database, because the rulemaking authority and law implemented were repealed in 2011. The effect of the amendment will be that insurers will not be required to electronically submit data for all sinkhole or catastrophic ground cover collapse claims confirmed on or after January 1, 2005, to the Department of Financial Services.

SUMMARY: This rulemaking is part of the agency’s comprehensive review of existing rules. The repeal of this rule will remove provisions that were adopted pursuant to laws that have since been repealed. The rule requires insurers to electronically submit data for all sinkhole or catastrophic ground cover collapse claims confirmed on or after January 1, 2005, to the Department of Financial Services.

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 repeal of the rule will not have a direct or indirect adverse financial impact on small businesses. It has been determined that a SERC was not necessary and that the rule amendment will not require ratification by the legislature.

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: 624.308(1), 627.7065(6) FS.

LAW IMPLEMENTED: 627.706, 627.7065 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 11, 2015, 11:00 a.m.
PLACE: 200 East Gaines Street, Room 139, Larson Building, Tallahassee, Florida 32301

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: Tasha Carter, by email: tasha.carter@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: Tasha Carter, Director of the Division of Consumer Services, 200 East Gaines Street, Tallahassee, Florida, 32399-0300 or by email: tasha.carter@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-9.001 Database of Information Relating To Sinkholes.
Rulemaking Authority 624.308(1), 627.7065(6) FS. Law Implemented 627.706, 627.7065 FS. History—New 4-28-10, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Tasha Carter, Director of the Division of Consumer Services,
 Florida 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 10, 2015

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.010 Supervision and Training of Registered Trainee
 Appraisers

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. 12, January 20, 2015 issue of the Florida Administrative Register.

The change is in response to concerns stated by the Board at its meeting held on February 9, 2015. The changes are as follows:

61J1-4.010 shall read as:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers.

(1) All registered trainee appraisers shall be subject to direct supervision by a supervisory appraiser. In order to qualify as a supervisory appraiser and be responsible for the direct supervision of registered trainee appraisers, not to exceed three (3), the following conditions must be met:

- (a) No change;
- (b) A supervisory appraiser must be a current certified general or certified residential appraiser in good standing with the Board and shall not have been subject to any disciplinary action in any jurisdiction within the last three (3) years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice. In addition, an appraiser who is currently under probation may not act as a supervisory appraiser.

(c) Supervisory appraisers shall have been state-certified for a minimum of four (4) years prior to being eligible to become a supervisory appraiser. Supervisory appraisers shall be in good standing in the same jurisdiction in which the trainee appraiser practices for a minimum of four (4) years. Effective December 10, 2010, a supervisory appraiser must have been certified as a residential or general appraiser for at least 48 months;

(d) Prior to registering as a supervisor to any registered trainee appraiser, a certified appraiser shall complete a board approved supervisory course of a minimum of three (3) hours. The course must comply with the course content adopted by the Appraiser Qualifications Board of the Appraisal Foundation on December 9, 2011. Trainee appraisers who took the course to qualify for the trainee appraiser registration will not be required to complete the course once certified in order to supervise. A supervisory appraiser must not have had a registration or certification, suspended by the Board or have been disciplined by the Board in two (2) or more disciplinary cases in the past five (5) years; and

(e) A supervisory appraiser's registration, certification, or license must not be currently subjected to discipline or practice restrictions by the Board. A supervisory appraiser who is currently subjected to discipline may not act as a supervisory appraiser until he or she successfully completes all disciplinary terms and conditions.

(2) The supervisory appraiser shall be responsible for the training and direct supervision of the registered trainee appraiser trainee by:

- (a) through (b) No change.
- (c) Personally inspecting each appraised property with the registered trainee appraiser trainee for a minimum of the first twelve (12) months of the registered trainee's initial registration, and thereafter until the registered trainee appraiser is competent in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, as required by Rule 61J1-9.001, F.A.C. This provision shall not be construed to require that the registered trainee appraiser attend all inspections.

(d) through (f) No change.

(3) through (4) No change.

(5) An appraisal experience log shall be maintained jointly by the supervisory appraiser and the registered trainee appraiser. It is the responsibility of both the supervisory appraiser and the registered trainee appraiser to ensure the experience log is accurate, current and complies with the requirements of the registered trainee appraiser's credentialing jurisdiction. Separate appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser through use of DBPR Form RE-2300, entitled Appraisal Experience Log, effective 1-14-10, hereby

incorporated by reference and available at <http://www.myfloridalicense.com/dbpr/re/documents/RE-23002-Page.pdf>.

(6) A supervisory appraiser may not be employed by a registered trainee appraiser or by a corporation, partnership, firm, or group in which the registered trainee appraiser has a controlling interest.

(7) through (9) No change.

(10) A registered trainee appraiser may not sign an appraisal certification within the first twelve (12) months of his or her registration as a trainee appraiser.

(11) A supervisory appraiser must include the following statement in any report in which a registered trainee appraiser contributed to the development of the appraisal or the writing of the appraisal report.

“I, the supervisory appraiser of a registered trainee appraiser trainee who contributed to the development or communication of this appraisal, hereby accepts full and complete responsibility for any work performed by the registered appraise trainee named in this report as if it were my own work.”

Rulemaking Authority 475.614 FS. Law Implemented 475.611, 475.6221, 475.6222 FS. History—New 2-16-04, Amended 3-1-06, 12-4-06, 8-12-07, 11-25-07, 5-3-10, 12-11-11, 6-3-13,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-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 a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), F.A.C., Subparagraph 3-A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), F.A.C., from Frostbite Freddie's located in Lake Buena Vista. 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; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage. They are requesting to share the mop sink, dishwashing, food preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premises.

The Petition for this variance was published in Vol. 41, No. 14, F.A.R., on January 22, 2015. The Order for this Petition was signed and approved on February 9, 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, dishwashing sink and food preparation and storage areas within Lottawatta Lodge (SEA5807667) 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. The handwash sinks must also be provided with soap, an approved hand drying device and a handwashing sign. If the ownership of Lottawatta Lodge (Walt Disney) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division 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-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 12, 2015 the Division issued an order. The Final

Order was in response to a Petition for an emergency Variance from Naples Square, filed February 3, 2015, and advertised on February 5, 2015 in Vol. 41, No. 24, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME A17.1b, 2009 edition, as adopted by Rule 61C-5.001(1)(a) Florida Administrative Code from the ~~requirement that the pit be 5' deep and are seeking permission~~ to use a retractable toe guard for the existing 4' pit 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 (VW2015-027).

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 10, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2009 FDA Food Code, and subsection 61C-4.010(5), F.A.C., from Lee County Sports Complex Suite Level Pantry located in Fort Myers. 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 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.

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

**JOINT ADMINISTRATIVE PROCEDURES COMMITTEE
COMMITTEE MEETING AGENDA**

February 16, 2015
12 House Office Building
1:30 p.m. – 3:30 p.m.

CALL TO ORDER AND ROLL CALL

INTRODUCTORY COMMENTS

TAB 1 Appearance of Respective Agencies on Mandatory Rulemaking

TAB 2 Status Update on Citizens Property Insurance Corporation Implementation of Section 627.351(6)(c)1.g., Florida Statutes (s.11, Chapter 2012-151, Laws of Florida)

TAB 3 Discussion of PCB ROR 15-01 by Representative Lake Ray

REPORTS AND APPEARANCES

DEPARTMENT OF EDUCATION

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

DATE AND TIME: March 4, 2015, 12:00 Noon – 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Conference Call; General Executive Business.

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

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

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

DEPARTMENT OF EDUCATION

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

DATE AND TIME: March 10, 2015, 9:00 a.m. – 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Legislative Committee.

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

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

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-15.0081 Toll Facilities Description and Toll Rate Schedule

The Department of Transportation announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, March 5, 2015, 6:00 p.m.

PLACE: This rule development workshop is being held as a statewide webinar proceeding which can be accessed by registering at the following website: <http://www.floridasturnpike.com/rulemakingnotice2015.cfm>.

Those persons wishing to participate in person may attend at one of the following locations:

PLACE: Florida Department of Transportation, District 2 Urban Office Training Facility, 2198 Edison Avenue, Jacksonville, FL 32204

PLACE: Florida's Turnpike Enterprise Headquarters Auditorium, Turnpike Mile Post 263, Building 5315, Ocoee, FL 34761

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed changes to Rule Chapter 14-15.0081, Florida Administrative Code, Toll Facility Description and Toll Rate Schedule. The Department is proposing to add a toll schedule for the Department segment of the Wekiva Parkway a new limited access facility that will extend from Mount Plymouth Road (County Road 435) northward approximately 15 miles to Interstate 4. The Department further proposes to eliminate a minimum toll for the First Coast Expressway and to include a combined toll on the Beachline West Expressway to be imposed upon the

removal of the toll plaza owned by Central Florida Expressway Authority. A copy of the proposed rule text and proposed rate schedule is available for viewing at: <http://www.floridasturnpike.com/rulemakingnotice2015.cfm>.

A copy of the agenda may be obtained by contacting: Carol Scott, Project Manager, Florida's Turnpike Enterprise, carol.scott@dot.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 7 days before the workshop/meeting by contacting: Carol Scott, Project Manager, Florida's Turnpike Enterprise, carol.scott@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2015, 10:30 a.m.

PLACE: 4000 Gateway Centre Blvd, Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the LEPC.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Ms. Wren Krahl, (727)570-5151, ext. 22. 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: John Meyer, (727)570-5151, ext. 29 or johnm@tbrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: February 26, 2015, 9:30 a.m. – 11:00 a.m.

PLACE: Southwest Florida Regional Planning Council

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Region IX - Local Emergency Planning Committee (LEPC) to discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act.

A copy of the agenda may be obtained by contacting: Mr. John L. Gibbons at (239)338-2550, ext. 229 or jgibbons@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: John L. Gibbons. 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 you may visit the SWFRPC's website at www.swfrpc.org.

METROPOLITAN PLANNING ORGANIZATIONS

The Metropolitan Planning Organization Advisory Council Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 20, 2015, 3:30 p.m. – 5:00 p.m.

PLACE: Florida Department of Transportation Lafayette room (Second Floor), 605 Suwannee Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning.

A copy of the agenda may be obtained by contacting: Brigitte Messina at (850)414-4037 or brigitte.messina@mpoac.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Brigitte Messina at (850)414-4037 or brigitte.messina@mpoac.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brigitte Messina at (850)414-4037 or brigitte.messina@mpoac.org.

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: Monday, February 23, 2015, 12:00 p.m., Loxahatchee River Preservation Initiative Meeting

PLACE: Jupiter Emergency Operations Center, 3133 Washington Street, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2015 Voting Member/Officer Selection.

A copy of the agenda may be obtained by contacting: Rod Braun, Office of Everglades Policy and Coordination, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2925, rbraun@sfwmd.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 5 days before the workshop/meeting by contacting: Rod Braun at (561)682-2925. 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: Rod Braun, Office of Everglades Policy and Coordination, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2925, rbraun@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

The Florida Department of Elder Affairs, State Plan Advisory Group announces a workshop to which all persons are invited.

DATE AND TIME: Monday, February 23, 2015, 9:30 a.m. – 3:30 p.m.

PLACE: Department of Elder Affairs Headquarters, 4040 Esplanade Way, Suite 301, Tallahassee, FL 32399 or by conference call: 1(888)670-3525, participant code: 9127852672

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Elder Affairs State Plan Advisory Group will update the Department on how their organization's activities in the past year supported the goals, objectives, and strategies in the State Plan on Aging.

A copy of the agenda may be obtained by contacting: Fran Brooks by email at brooksfm@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 72 hours before the workshop/meeting by contacting: Fran Brooks, (850)414-2095, brooksfm@elderaffairs.org If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Fran Brooks, Florida Department of Elder Affairs, Planning and Evaluation, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2095, brooksfm@elderaffairs.org.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

The Agency for Health Care Administration’s Pharmaceutical & Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 27, 2015, 1:00 p.m. – 5:00 p.m.

PLACE: Hilton Garden Inn, 5312 Avion Park Dr., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com; the number of speakers is limited and will be accommodated in the order of notification to Mr. Hamilton. Because of unforeseen events that may cause changes, interested parties are encouraged to monitor the website at http://www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

The Agency for Health Care Administration’s Drug Utilization Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, March 28, 2015, 8:00 a.m. – 12:00 Noon

PLACE: Hilton Garden Inn, 5312 Avion Park Dr., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting involves review and approval of drug use criteria and standards for both prospective and retrospective drug use reviews. Application of criteria and standards in the DUR activities. Review and report results of drug use reviews. Recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

**DEPARTMENT OF MANAGEMENT SERVICES
State Retirement Commission**

The State of Florida Retirement Commission announces a hearing to which all persons are invited.

DATE AND TIME: February 26, 2015, 9:00 a.m.; February 27, 2015, 9:00 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephone: (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephone: (850)487-2410. 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: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, telephone: (850)487-2410.

**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 12, 2015 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Naples Square, filed February 3, 2015, and advertised on February 5, 2015 in Vol. 41, No. 24, of the Florida Administrative Register. No comments were received in

response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME A17.1b, 2009 edition, as adopted by Rule 61C-5.001(1)(a) Florida Administrative Code from the requirement that the pit be 5' deep and are seeking permission to use a retractable toe guard for the existing 4' pit 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 (VW2015-027).

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

Board of Accountancy

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

DATE AND TIME: Monday, February 23, 2015, 1:00 p.m., EST 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 Legislative Committee will meet to discuss Legislative matters affecting the Board of Accountancy and other issues.

A copy of the agenda may be obtained by contacting: Denise Graves.

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). For more information, you may contact: Denise Graves, (352)313-6607.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

The Dept. of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: February 19, 2014, 9:30-11:30 a.m.

PLACE: 2600 Blair Stone Rd., Tallahassee, Florida, Bob Martinez Center, Room 672E

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop 3: Rate Standardization and Continued Discussion of Conflicts of Interest

Auditor General's Recommendations in Audit Report 2014-064

Space is limited. Please contact Beaches Funding through the email below if you plan to attend in person.

Teleconference Line: 1(888)670-3525; Pass code: 550 921 3632 #

The webinar will be presented using Lync Meeting. Please access through the link provided at the bottom of the DEP webpage, or it may be accessed from <https://meet.lync.com/floridadep/alex.reed/PK8PPM7V>

Webinar will open 15 minutes before the workshop begins.

A copy of the agenda may be obtained by contacting: The agenda will be posted by February 12, 2015 to the program webpage under the workshop date.

Link to the webpage: <http://www.dep.state.fl.us/beaches/programs/becp/ag-rpt.htm> .

If you would like to add items to the agenda, please send topics to Beaches_funding@dep.state.fl.us for inclusion.

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: Alex Reed, alex.reed@dep.state.fl.us, (850)245-8421. 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 ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Division of Recreation and Parks, Myakka River Management Coordinating Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2015, 9:00 a.m. – 12:00 Noon

PLACE: Twin Lakes Park, 6700 Clark Rd., Sarasota, FL 34241

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Chris Oliver, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Trail, Osprey, FL 34229 or by calling (941)486-2052.

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: Chris Oliver, (941)486-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Nursing

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

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

PLACE: Department of Health, Tallahassee at Meet Me number: 1(888) 670-3525, code: 1309076053

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

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

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

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

DEPARTMENT OF HEALTH

Board of Optometry

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

DATE AND TIME: Tuesday, March 10, 2015, 10:00 a.m., Meet Me number: 1(888)670-3525, participant code: 7342425515

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Edith Rogers at edith.rogers@flhealth.gov. If you

are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF 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: Monday, February 23, 2015, 1:00 p.m. EST 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 Legislative Committee will meet to discuss Legislative matters affecting the Board of Accountancy and other issues.

A copy of the agenda may be obtained by contacting: Denise Graves.

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).

For more information, you may contact: Denise Graves (352)313-6607.

JUSTICE ADMINISTRATIVE COMMISSION

The Justice Administrative Commission announces a public meeting to which all persons are invited.

DATE AND TIME: March 3, 2015, 10:00 a.m.

PLACE: Justice Administrative Commission, Commission Meeting Room - City Centre Building, Suite 2100, 227 North Bronough Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Justice Administrative Commission Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Barbara Siplin at (850)488-2415, ext. 225 or email: Barbara.Siplin@justiceadmin.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 2 days before the workshop/meeting by contacting: Barbara Siplin at (850)488-2415, ext. 225 or Barbara.Siplin@justiceadmin.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
 The Florida Department of Transportation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 25, 2015, 6:00 p.m. – 8:00 p.m.

PLACE: Coral Gables Library, 3443 Segovia Street, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Florida Department of Transportation (FDOT) District Six will hold a Public Hearing for two roadway projects along State Road (SR) 90/SW 8 Street from SW 39 Avenue to west of SW 33 Avenue and at the intersection of Le Jeune Road, in Miami-Dade County, to discuss the projects’ design and scope of work. The project identification numbers are 433451-1-52-01 and 433266-1-52-01. The public hearing will follow an informal format allowing the public to arrive at any time from 6:00 p.m. to 8:00 p.m. Graphic displays will be shown during the hearing, and FDOT representatives will be available to discuss the project.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Sandra Bello at (305)470-5349, email: sandra.bello@dot.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 7 days before the workshop/meeting by contacting: Ivette Ruiz-Paz at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: Ivette.ruiz-paz@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist Sandra Bello at (305)470-5349, email: sandra.bello@dot.state.fl.us.

Section VI

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION
 Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that The Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from Food and Beverage Innovations, LLC. The petition seeks the agency’s opinion as to the applicability of Section 561.42, F.S, as it applies to the petitioner.

The Petitioner, Food & Beverage Innovations, LLC, has a proposed business model that includes selling or leasing specialty cocktail machines to licensed retailers throughout Florida while not being in possession of an Alcoholic Beverage License of their own. In addition, they would like to be able to sell the marketing and advertising rights displayed on the machine to beverage manufacturers and distributors and want to ensure that all of these plans will abide by the rules and qualifications as they are set forth in Section 561.42, F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Kelly.Vickery@myfloridalicense.com, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

Please refer all comments to: Sean Anderson, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Barry B. Ansbacher, Esq. and Christene M. Ertl, Esq., In Re: Windsor Falls Condominium Association, Inc., Docket No. 2014044478, on October 21, 2014. The following is a summary of the agency’s declination of the petition:

The Division declined to issue a Declaratory Statement because a Declaratory Statement is not the proper forum to resolve disputes of fact. The order was filed with the Agency Clerk on January 29, 2015.

A copy of the Order Declining the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1486, Daniel.Brown@myfloridalicense.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-4.014 Eligibility for Services

NOTICE IS HEREBY GIVEN that Agency for Persons with Disabilities has issued an order disposing of the petition for declaratory statement filed by Disability Rights Florida on January 15, 2015. The following is a summary of the agency’s disposition of the petition:

The petition requests answers to two question. In its first question petitioners asks: “How does the Agency operationalize the interplay between [Section 393.063(3), F.S, and Rule 65G-4.014(1), F.A.C.], and does this operationalization render the finding of a severe learning disability in an applicant for services a threshold requirement that must be satisfied before a consideration may be made concerning the presence of a severe behavior disorder and/or a severe communication disorder in an applicant?” A summary of the answer to the first question is that the Agency operationalizes the interplay between the statute and rule by using ordinary rules of statutory construction giving the words of the text their plain and ordinary meaning. While under the current phrasing of the rule “severe learning disorder” may be construed as a threshold consideration or the first among the three disorders which must be present, the particular order in which the Agency determines the presence of the disorders has no practical effect in a final determination of eligibility. Regardless of the order in which the Agency determines the existence of the three disorders, all three must nevertheless be present in order for a person to be found eligible for services. In the second question the petitioner asks: “Does the Agency operationalize the ‘severe learning disorder’ requirement to mean that an applicant is barred from meeting the eligibility criteria if he or she has received a standard high school diploma (as opposed to a special education diploma)?” A summary of the answer to the second question is that the Agency does not believe it is in the public interest to categorically determine that specific issue for all applicants without the benefit of knowing the specific circumstances of each applicant for services. The Agency position with respect to the receipt of a standard high school diploma is that, generally speaking, it is strong evidence that the person does not have a severe learning disorder. However, the Agency will review each application on a case by case basis. In the event an applicant has earned a standard high school diploma, the Agency will consider all the facts and circumstances surrounding the issuance of the diploma, along with all other relevant facts and information submitted with the application, in determining whether the applicant has a severe learning disorder.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: David De La Paz, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way Suite 380, Tallahassee, FL 32399-0950, (850)922-9512 or david.delapaz@apdcares.org.

Please refer all comments to: David De La Paz, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way Suite 380, Tallahassee, FL 32399-0950, (850)922-9512 or david.delapaz@apdcares.org.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that on February 2, 2015, the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by PennyMac Corp. on November 4, 2014. The following is a summary of the agency’s disposition of the petition:

Petitioner’s activities pursuant to the Petition fall within Florida’s mortgage lender licensing statutes. Petitioner is required to have and maintain a mortgage lender branch office license for its Tampa Office.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

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

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF MILITARY AFFAIRS
 215014 Tampa NGA Roof
 STATE OF FLORIDA, DEPARTMENT OF MILITARY
 AFFAIRS
 PUBLIC ANNOUNCEMENT
 INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General or Building Contractors (GC) for the following project located at Maxwell C. Snyder NGA, Jacksonville, FL.

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 2/18/2015 AT

http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT: 215014 Tampa BMMC Roof.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

STATEMENT OF WORK: Re-Roofing of Tampa BMMC Roof. Roof totals approximately 9,424 sq. ft. Please refer to the MyFlorida.com Vendor Bid System for complete details.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch, (904)823-0255 or 827-8544 or e-mail: ng.fl.flarnng.list.ngfl-cfmo-contracting@mail.mil.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

Section XII
Miscellaneous

REGIONAL PLANNING COUNCILS
 Treasure Coast Regional Planning Council
 PUBLIC AVAILABILITY OF HAZARDOUS MATERIAL
 INFORMATION

Pursuant to Section 324 of the Emergency Planning and Community Right-to-Know Act (EPCRA), the following information is available to the public upon request during normal working hours by the Treasure Coast Regional Planning Council's Local Emergency Planning Committee, 421 SW Camden Avenue, Stuart, FL 34994.

- Hazardous Chemical Inventory (Tier Two) Forms
- Material Safety Data Sheets (MSDS)
- Emergency Release Follow-up Reports
- Hazardous Analyses for Facilities with Extremely Hazardous Substances

- LEPC Hazardous Materials Emergency Response Plan
- How-to-Comply Information Training for First Responders

- "Are You Prepared for a Hazardous Materials Emergency?" Video and Brochure for the General Public
- Other Public Education Materials

Your Telephone Book may contain Hazardous Materials Emergency Information that you could be asked to follow in an actual emergency

The Treasure Coast Regional Planning Council's Local Emergency Planning Committee (Florida District 10 LEPC) serves Indian River, Martin, Palm Beach, and St. Lucie Counties. To obtain information on the above items, please contact Kathryn E. Boer at (772)221-4060, ext. 24, email: kboer@tcrpc.org or visit www.tcrpc.org.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

Florida’s Statewide Transition Plan for Implementing the Home and Community-Based Settings Rule Requirements

The Agency for Health Care Administration (Agency) is submitting to the Centers for Medicare and Medicaid Services (CMS) a statewide transition plan in compliance with the Home and Community-Based (HCB) Settings Rule CMS 2249-F. The statewide plan includes the following Section 1915(c) home and community based waivers and Section 1915(i) state plan program: the Long-term Care Managed Care Waiver (FL.0962), the Developmental Disabilities Individual Budgeting Waiver (FL.0867), the Familial Dysautonomia Waiver (FL.40205), the Project AIDS Care Waiver (FL.0194), the Traumatic Brain Injury and Spinal Cord Injury Waiver (FL.0342), the Adults Cystic Fibrosis Waiver (FL.0392), the Model Waiver (FL.40166) and the Redirections program (SPA13-013). The public process used to solicit public input on Florida’s draft statewide transition plan is described in this notice.

Description of the Draft Statewide Transition Plan

The Agency is submitting to CMS a statewide transition plan for the waivers and state plan program listed above in compliance with the Home and Community-Based (HCB) Settings Rule CMS 2249-F. The draft statewide transition plan is designed to ensure that individuals receiving home and community-based services in the listed waivers and state plan program are integrated in, and have access to, supports in the community, including opportunities to seek employment, work in competitive integrated settings, engage in community life, control personal resources and maintain the rights of privacy, dignity, respect and freedom. The draft statewide transition plan describes how the State will assess, determine compliance, remediate and monitor the waivers and state plan program to ensure continued compliance with the HCB settings requirements. This draft transition plan outlines the State’s process with time frames for the waivers and state plan program that will be used to ensure compliance with the HCB Settings Rule.

The HCB Settings Rule requires public notice and a 30-day public comment period to solicit meaningful public input for consideration in the development of the transition plan prior to submission to CMS. The Agency is providing public notice on the draft statewide transition plan to solicit meaningful public input from recipients, providers and all stakeholders prior to submission of the transition plan to CMS. The Agency will post the draft transition plan on its website for public comment beginning February 13, 2015 and ending March 14, 2015. The

draft statewide transition plan can be viewed on the Agency’s website at the following link:

http://ahca.myflorida.com/Medicaid/hcbs_waivers/index.shtml
When submitting written comments by postal service or email, please have “Statewide Transition Plan” contained in the subject line. Mail comments and suggestions to: Agency for Health Care Administration, Attention: HCBS Waivers, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308. Email your comments and suggestions to: FLMedicaidWaivers@ahca.myflorida.com.

For more information, you may contact: Nicholas Warner at (850)412-4179 or email: FLMedicaidWaivers@ahca.myflorida.com. If you are hearing or speech impaired, please contact us using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA

Cedar Key Water and Sewer District

The Florida Department of Environmental Protection (DEP) has determined that the Cedar Key Water and Sewer District project involving construction of a new well and a new drinking water treatment facility is not expected to generate controversy over potential environmental effects. The total estimated project cost is \$5.2 million. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Brian Moody, SRF Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, calling (850)245-7546 or email: Brian.Moody@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

City of Gulfport, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Gulfport’s project to repair portions of the collection system to reduce inflow and infiltration is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$1,500,000. The project may qualify for a

Clean Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Mahnaz Massoudi, SRF Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, calling (850)245-8388 or email: mahnaz.massoudi@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of the Secretary

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NOS.:RULE TITLES:

65G-4.0210 Definitions

65G-4.0211 General Provisions

65G-4.0212 Establishing the Final iBudget Allocation Amount

65G-4.022 iBudget Cost Plan Development and Approval

65G-4.024 Cost Plan Changes

65G-4.027 Cost Plan Funding and Review

Notice of Invalidation of Effective Rule

The Agency for Persons with Disabilities HEREBY GIVES NOTICE that on July 21, 2014, the First District Court of Appeal determined that Rule Numbers 65G-4.0210, 65G-4.0211, 65G-4.0212, 65G-4.022, 65G-4.024 and 65G-4.027 are invalid.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-029

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY CITY OF MARATHON

ORDINANCE NO. 2014-22

FINAL ORDER

APPROVING CITY OF MARATHON ORDINANCE NO.
2014-22

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2014-22 (the “Ordinance.”)

FINDINGS OF FACT

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

2. The Ordinance was adopted by the City of Marathon on January 13, 2015, and rendered to the Department on January 15, 2015.

3. The Ordinance amends the City of Marathon Code of Ordinances Chapter 101, Article 2. – City Council, Section 101.01 Power and Duties., Paragraphs F. and G., and Article 3. – Planning Commission, Section 101.02. – Powers and Duties. These amendments provide authority to the City Council to repeal previously adopted comprehensive plan and land development regulation ordinances without prior review of the proposed repealer ordinance by the planning commission and provides for the repeal of all code provisions and ordinances inconsistent with the Ordinance.

CONCLUSIONS OF LAW

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

1. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes, and Florida Administrative Code Chapter 28-26.

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

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

4. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, and specifically the purpose of Chapter 9, Implementation and Review Element Goals, Objectives, and Policies.

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

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2014-22 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

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

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 11th day of February, 2015.

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

By Certified U.S. Mail:

The Honorable Chris Bull, Mayor
City of Marathon, City Council
9805 Overseas Highway
Marathon, FL 33050

Diane Clavier, Clerk
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

George Garrett, Director
City of Marathon, Planning Department
9805 Overseas Highway
Marathon, FL 33050

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.