

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:

6A-6.0253       Diabetes Management

PURPOSE AND EFFECT: The purpose and effect of this rule development is to update the rule to reflect the new position statement by the National Association of School Nurses incorporated by reference in the rule. The new position statement expands the title to add “The Role of the School Nurse,” updates terminology and references.

SUBJECT AREA TO BE ADDRESSED: Diabetes Management.

RULEMAKING AUTHORITY: 1002.20(3)(j) FS.

LAW IMPLEMENTED: 1002.20(3)(j), 1006.062(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Monica Verra-Tirado, Chief, Bureau of Exceptional Education and Student Services, K-12 Public Schools, 325 West Gaines St., Room 614, Tallahassee, FL 32399, (850)245-0475. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@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>.

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

RULE NO.:       RULE TITLE:

29D-7.001       Strategic Regional Policy Plan

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

SUBJECT AREA TO BE ADDRESSED: The Council proposes to update the name of the Council and amend the Northeast Florida Strategic Regional Policy Plan to incorporate the recommendations of its evaluation and appraisal report completed in accordance with Section 186.511, Florida Statutes.

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

LAW IMPLEMENTED: 186.511 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Brian D. Teeple, Chief Executive Officer, Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.:       RULE TITLE:

61G4-12.011       Definitions

PURPOSE AND EFFECT: Add definition.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 489.103(1), 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

LAW IMPLEMENTED: 489.103(1), 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS.

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

DATE AND TIME: January 8, 2014, 10:00 a.m.

PLACE: Embassy Suites Orlando – North, 225 Shorecrest Drive, Altamonte Springs, Florida 32701

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:

64B8-40.002 Organization

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify the rule.

SUBJECT AREA TO BE ADDRESSED: Update and clarify title and content

RULEMAKING AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 468.507 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:

64B8-40.004 Organization

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and clarify the rule.

SUBJECT AREA TO BE ADDRESSED: Update and clarify title and content, and to remove duplicate information.

RULEMAKING AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 456.011 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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

**Section II  
Proposed Rules**

**FLORIDA PAROLE COMMISSION**

RULE NOS.: RULE TITLES:

23-21.002 Definitions

23-21.0051 Full Commission Reviews

23-21.011 Calculating Time in Custody

23-21.013 Subsequent Interview Procedure

23-21.015 Effective Parole Release Date Interview Procedure

PURPOSE AND EFFECT: The Commission proposes to amend current rules for consistency in the subject areas, for clarification of practice and to remove redundancies.

SUMMARY: The changes will clarify the definitions for aggravation and mitigation, remove redundancies and clarify current full Commission review practices, further define "time begins date", clarify requirements for subsequent interview procedures, and match effective interview procedures for out-of-state inmates with other interview procedures for out-of-state inmates.

**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: 1) there is no requirement for SERC triggered under Section 120.541(1), F.S., and 2) based on direct past experiences with Agency rules, there are no adverse impacts or regulatory costs as defined by the economic analysis criteria set forth in Section 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: 947.07 FS.

LAW IMPLEMENTED: 947.002, 947.06, 947.07, 947.149, 947.165, 947.174, 947.1745, 947.18, 947.20, 947.24 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: Sarah Rumph, 4070 Esplanade Way, Tallahassee, FL 32399-2450

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.002 Definitions.

The following definitions are provided for the clarification of all terms used throughout Chapter 23, F.A.C.:

(1) Aggravate means to add a number of months to ~~the upper month limit~~ of the matrix time range.

(2) through (27) No change.

(28) Mitigate means to reduce ~~below~~ the matrix time range's ~~lower month limit~~ or ~~below~~ the previously established presumptive parole release date.

(29) through (51) No change.

Rulemaking Authority 947.07, 947.149, 947.174(5) FS. Law Implemented 947.1745 FS. History—New 9-10-81, Amended 10-1-82, 8-1-83, 7-1-84, Formerly 23-21.02, Amended 7-9-87, 1-29-93, 1-5-94, 8-19-04, 8-17-06, 2-12-13, \_\_\_\_\_.

23-21.0051 Full Commission Reviews.

The Commission, consisting of three Commissioners, appointed by the Chair, shall vote the following types of cases:

~~(1) Extraordinary Review cases shall automatically be placed on the docket by staff;~~

(2) through (8) renumbered (1) through (7) No change.

~~(8)(9) All parole and conditional medical release violation cases following final hearing;~~

~~(9)(10) No change.~~

~~(10)(11) Decisions on granting conditional medical release cases;~~

~~(12) Reports of improved medical condition or requests to modify a condition in a Conditional Medical Release case;~~

~~(13) Reviewing terms and conditions for Conditional Medical Release cases;~~

~~(11)(14) No change.~~

~~(12)(15) Reviewing presumptive parole release dates requests filed pursuant to Section 947.173, F.S., for capital felony offenders whose sentence includes a 25-year mandatory minimum term;~~

~~(16) Directing an early initial parole interview, except in cases where the inmate is serving a mandatory minimum term;~~

(17) through (21) renumbered (13) through (17) No change.

Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.06, 947.07, 947.149, 947.18, 947.20 FS. History—New 1-26-93, Amended 1-5-94, 8-17-06, \_\_\_\_\_.

23-21.011 Calculating Time in Custody.

(1) Single Conviction Commitments:

(a) through (d) No change.

(e) Determine if the inmate spent any time out of incarceration. Time out of incarceration shall include for example, mandatory conditional release, supersedes bond, escape, grant of reprieve or parole. If the inmate was out of incarceration, ascertain the exact number of days out of incarceration and add those days to the date found in paragraph (c) above. This computation will produce the "TIME BEGINS" date. If the "TIME BEGINS" date calculation results in a date prior to the date of the present offense of conviction, the "TIME BEGINS" date will be reset to the actual date of the offense.

(f) No change.

(2) Multiple Conviction Commitments:

(a) through (b) No change.

(c) Determine if the inmate spent any time out of incarceration. Time out of incarceration shall include, for example, mandatory conditional release, supersedes bond, escape, grant of reprieve or parole. If the inmate was out of incarceration, add those days to the date found in paragraph (a) above. If the inmate is paroled to a non-parole eligible sentence(s), the time served on those sentences may be considered for the purposes of computing the time begins date. If the "TIME BEGINS" date calculation results in a date prior to the date of the earliest offense of conviction, the "TIME BEGINS" date will be reset to the actual date of the earliest offense.

(d) No change.

(3) No change.

Rulemaking Authority 947.07, FS. Law Implemented 947.002, 947.165 FS. History—New 9-10-81, Amended 8-1-83, Formerly 23-21.11, Amended 1-26-93, 8-17-06, \_\_\_\_\_.

23-21.013 Subsequent Interview Procedure.

(1) through (5) No change.

(6) Within ninety days following the subsequent interview or receipt of the out-of-state materials, the quorum shall reach a decision on each recommendation made by the parole examiner and notify the inmate of the decision. Based upon competent and persuasive evidence, the quorum may accept or reject the parole examiner's recommendation and may independently determine whether or not information has been gathered which affects the inmate's presumptive parole date. The Commissioners shall each identify the reasons for rejecting a parole examiner recommendation to modify. The

Commissioners shall also each identify the reasons for any final determinations modifying the presumptive parole release date.

(7) No change.

Rulemaking Authority 947.07, 947.174 FS. Law Implemented 947.174 FS. History—New 9-10-81, Amended 8-1-83, Formerly 23-21.13, Amended 1-26-93, 1-5-94, 8-17-06, 2-12-13,\_\_\_\_\_.

23-21.015 Effective Parole Release Date Interview Procedure.

(1) through (2) No change.

(3) For inmates serving parole-eligible sentences imposed by a court of this state and housed in a facility outside Florida, the Commission shall request, through the Department of Corrections' Interstate Compact Office, an inmate progress report and any additional information the Commission needs from the other state. The Department of Corrections shall forward the Commission's Inmate Input Form to the other state for the inmate to provide comments to the Commission. The inmate may include material(s) which the inmate wants the Commission to consider. The parole examiner shall reduce the recommendation to writing and send it to the Chair within 10 days of receipt of the out-of-state materials.

(3) through (13) renumbered (4) through (14) No change.

Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.1745, 947.24 FS. History—New 9-10-81, Amended 10-1-82, 8-1-83, Formerly 23-21.15, Amended 1-26-93, 1-5-94, 8-16-94, 8-17-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Sarah Rumph

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Tena Pate

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 30, 2013

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

RULE NO.: RULE TITLE:

29D-7.001 Strategic Regional Policy Plan

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

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

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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 Council conducted an economic analysis of the economic impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increase that will require legislative ratification.

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

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

LAW IMPLEMENTED: 186.511 FS.

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

DATE AND TIME: December 5, 2013, 10:30 a.m.

PLACE: University of North Florida's University Center, 12000 Alumni Drive, Jacksonville, FL 32224

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brian D. Teeple, Chief Executive Officer, Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 29D-7.001 follows. See Florida Administrative Code for present text).

29D-7.001 Strategic Regional Policy Plan.

There is hereby adopted for the Northeast Florida Region, the Strategic Regional Policy Plan of the Northeast Florida Regional Council, dated December 5, 2013, which is incorporated herein by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref> and copies of which are available at the Council office at 6850 Belfort Oaks Place, Jacksonville, FL 32216. The reference document which is the subject of this proposed rulemaking notice is available free of charge at [www.nefrc.org/Proposed-SRPP.htm](http://www.nefrc.org/Proposed-SRPP.htm).

Rulemaking Authority 186.508(1), 186.511 FS. Law implemented 120.535(1), 186.507, 185.501(1), 186.511 FS. History—New 9-18-97, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Brian D. Teeple, Chief Executive Officer

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Northeast Florida Regional Council

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2013

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-343.020	General Provisions
62-343.030	Transferability of Definitions
62-343.050	Permits Required
62-343.060	Conceptual Approval Permits
62-343.070	Procedures to Obtain a Permit
62-343.075	Additional Requirements and Procedures for Concurrent Review of Related Applications
62-343.080	Applications Processed by District and Division Offices of the Department
62-343.090	Processing of Notices and Applications
62-343.100	Modification of Permits
62-343.110	Duration of Permits
62-343.120	Permit Extensions
62-343.130	Transfer of Ownership or Permit
62-343.140	Suspension and Revocation
62-343.900	Environmental Resource Permit Forms

PURPOSE AND EFFECT: To repeal rules in Chapter 62-343, F.A.C., Environmental Resource Permit Procedures, pursuant

to paragraph 373.4131(2)(c), F.S., because the substance of these rules has been superseded by the rules adopted in Chapter 62-330, F.A.C., Environmental Resource Permitting, that applies statewide as of October 1, 2013. There will be no rules remaining in this chapter because Rule 62-343.010 was repealed February 16, 2012, and Rule 62-343.040 was transferred to Rule 62-330.201, F.A.C., on May 15, 2012.

Section 373.4131(2)(c), F.S., provides that these rules can be repealed without further rulemaking under Section 120.54, F.S. Therefore, no hearing will be scheduled and the repeals will become effective upon filing a list of the repealed rules with the Department of State.

SUMMARY: Repeal remaining rules in the chapter because they are superseded by Chapter 62-330, F.A.C., effective October 1, 2013.

OTHER RULES INCORPORATING THIS RULE: 62-45.140, 62-110.105, 62-110.106, 62-110.107, 62-342.750, 62-342.800, 62-343.060, 62-343.070, 62-343.075, 62-343.090, 62-343.100, 62-343.110, 62-343.120, 62-343.130, 62-343.900, 62-348.100, 62-348.300, 62-348.500, 62-348.600, and 62-348.700.

EFFECT ON THOSE OTHER RULES: For those projects that were either permitted under the above rules or had complete applications under the above rules before October 1, 2013, Chapter 62-343 will continue to apply, except in the case of a modification to the project that is reasonably expected to lead to additional or substantially different outcomes. For applications received under the above rules after October 1, 2013, the rules in Chapter 62-343 have been superseded by the statewide environmental resource permitting rules in Chapter 62-330, and will no longer apply. The citation in Rule 62-348.300 to Form 343.900(1) will need to be changed to Form 62-330.060(1) for applications submitted after October 1, 2013.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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 substance of the rules being repealed in this chapter are now addressed in Chapter 62-330, F.A.C.,

Environmental Resource Permitting, which applies statewide effective October 1, 2013.

**RULEMAKING AUTHORITY:** 120.53, 120.54(5)(a), 373.026, 373.026(7), 373.043, 373.044, 373.118, 373.413, 373.4131, 373.414, 373.418, 373.421, 373.427, 380.06(9)(b), 403.0877 FS.

**LAW IMPLEMENTED:** 120.54(5)(a), 120.60, 120.60(1), 120.60(6), 373.026, 373.026(7), 373.043, 373.109, 373.118, 373.406(5), 373.413, 373.4131, 373.414, 373.4141, 373.416, 373.416(2), 373.418, 373.421, 373.426, 373.427, 373.428, 373.429, 380.06(9)(b), 403.9328 FS.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Alice Heathcock, Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Coordination Program, 2600 Blair Stone Road – MS 2500, Tallahassee, FL 32399-2400, telephone (850)245-8483 or e-mail: alice.heathcock@dep.state.fl.us. (OGC No. 13-1249)

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

**62-343.020 General Provisions.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.413, 373.414, 373.416, 373.421, 373.426 FS. History–New 7-4-95, Repealed.

**62-343.030 Transferability of Definitions.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.413, 373.414, 373.418, 373.421 FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.050 Permits Required.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418 FS. Law Implemented 373.413, 373.414, 373.416, 373.426 FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.060 Conceptual Approval Permits.**

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.418, 380.06(9)(b) FS. Law Implemented 373.413, 373.414, 373.416, 373.426, 380.06(9)(b) FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.070 Procedures to Obtain a Permit.**

Rulemaking Authority 120.54(5)(a), 373.026(7), 373.043, 373.118, 373.414, 373.418, 403.0877 FS. Law Implemented 373.026(7), 373.109, 373.413, 373.414, 373.4141, 373.416, 373.426, 403.9328 FS. History–New 7-4-95, Amended 8-14-96, 5-9-13, Repealed.

**62-343.075 Additional Requirements and Procedures for Concurrent Review of Related Applications.**

Rulemaking Authority 373.427 FS. Law Implemented 373.427 FS. History–New 10-12-95, Amended 8-14-96, Repealed.

**62-343.080 Applications Processed by District and Division Offices of the Department.**

Rulemaking Authority 120.53, 373.026, 373.043, 373.044, 373.118, 373.414, 373.418 FS. Law Implemented 120.60, 373.026, 373.118, 373.413, 373.414, 373.416, 373.421, 373.426 FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.090 Processing of Notices and Applications.**

Rulemaking Authority 120.54(5)(a), 373.026(7), 373.043, 373.118, 373.413, 373.414, 373.418 FS. Law Implemented 120.54(5)(a), 120.60(1), 373.109, 373.406(5), 373.413, 373.414, 373.4141, 373.416, 373.426, 373.428 FS. History–New 7-4-95, Amended 8-14-96, 8-16-98, Repealed.

**62-343.100 Modification of Permits.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.026(7), 373.043, 373.109, 373.118, 373.414, 373.418, 373.421 FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.110 Duration of Permits.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.413, 373.414, 373.416, 373.426 FS. History–New 7-4-95, Amended 8-14-96, 10-10-07, Repealed.

**62-343.120 Permit Extensions.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.413, 373.414, 373.416, 373.426 FS. History–New 7-4-95, Repealed.

**62-343.130 Transfer of Ownership or Permit.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.109, 373.413, 373.414, 373.416(2), 373.426 FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.140 Suspension and Revocation.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 120.60(6), 373.429 FS. History–New 7-4-95, Amended 8-14-96, Repealed.

**62-343.900 Environmental Resource Permit Forms.**

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.418, 373.421 FS. Law Implemented 373.109, 373.413, 373.414, 373.416, 373.421, 373.426 FS. History–New 7-4-95, Amended 8-14-96, 2-19-03, Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Mark Thomasson

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Herschel T. Vinyard Jr.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 31, 2013

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-346.010	Policy and Purpose
62-346.020	General Provisions
62-346.030	Definitions
62-346.040	Formal-Determinations of the Landward Extent of Wetlands and Other Surface Waters
62-346.050	Permits Required
62-346.051	Exemptions from Permitting
62-346.060	Conceptual Approval Permits
62-346.070	Procedures to Prepare Applications and Notices for Permits, Water Quality Certification, Coastal Zone Consistency Concurrence, and to Request Verification of Qualification for an Exemption
62-346.071	Fees
62-346.075	Additional Requirements and Procedures for Concurrent Review of Related Applications
62-346.080	Submittal of Applications and Notices for Permits and Petitions for Formal Determinations to Department and NFWFMD Offices
62-346.090	Processing of Notices and Applications
62-346.095	Operation, Maintenance, and Inspections
62-346.100	Modification of Permits
62-346.110	Duration of Permits
62-346.120	Permit Extensions
62-346.130	Transfer of Ownership
62-346.301	Conditions for Issuance of Individual Permits
62-346.302	Additional Conditions for Issuance of Individual and Conceptual Approval Permits
62-346.381	General and Special Limiting Conditions
62-346.451	Emergency Authorizations and Actions

**PURPOSE AND EFFECT:** To repeal rules in Chapter 62-346, F.A.C., Environmental Resource Permitting in Northwest Florida, pursuant to paragraph 373.4131(2)(c), F.S., because the substance of these rules has been superseded by the rules adopted in Chapter 62-330, F.A.C., Environmental Resource Permitting, that applies statewide as of October 1, 2013. There will be no rules remaining in this chapter.

Section 373.4131(2)(c), F.S., provides that these rules can be repealed without further rulemaking under Section 120.54, F.S. Therefore, no hearing will be scheduled and the repeals will become effective upon filing a list of the repealed rules with the Department of State.

**SUMMARY:** Repeal remaining rules in the chapter because they are superseded by Chapter 62-330, F.A.C., effective October 1, 2013.

**OTHER RULES INCORPORATING THIS RULE:** 62-330.315, 62-346.020, 62-346.050, 62-346.051, 62-346.060, 62-346.070, 62-346.071, 62-346.075, 62-346.080, 62-346.090, 62-346.095, 62-346.100, 62-346.110, 62-346.130, 62-346.301, 62-346.302, 62-346.381, 62-348.100, 62-348.300, 62-348.500, 62-348.600, and 62-348.700.

**EFFECT ON THOSE OTHER RULES:** Repeal of 62-346 will have no effect on 62-330.315. There will be no effect on any of the citations to 62-346 within Chapter 62-346 because all the rules are being repealed. For applications received under rules 62-348.100, 62-348.500, 62-348.600, and 62-348.700 after October 1, 2013, the rules in Chapter 62-346 have been superseded by the statewide environmental resource permitting rules in Chapter 62-330, and will no longer apply. The citation in Rule 62-348.300 to Form 346.900(1) will need to be changed to Form 62-330.060(1) for applications submitted after October 1, 2013.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** 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 substance of the rules being repealed in this chapter are now addressed in Chapter 62-330, F.A.C., Environmental Resource Permitting, which applies statewide effective October 1, 2013.

**RULEMAKING AUTHORITY:** 161.055, 253.03(7), 253.77, 258.43, 373.026, 373.026(7), 373.043, 373.044, 373.109, 373.118, 373.413, 373.414, 373.4141, 373.414(9), 373.4145, 373.416, 373.418, 373.421, 373.421(2), 373.427, 380.06, 403.0877, 403.805(1) FS.

**LAW IMPLEMENTED:** 120.569(2), 120.60, 161.041, 161.055, 218.075, 253.03, 253.77, 258.42, 258.43, 373.019, 373.026, 373.026(7), 373.042, 373.043, 373.109, 373.117, 373.118, 373.119, 373.403, 373.406, 373.409, 373.413, 373.4132, 373.414, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.419, 373.421, 373.421(2), 373.4211, 373.422, 373.423, 373.426, 373.427, 373.4275, 373.428, 373.429, 373.439, 380.06, 380.23, 403.0877, 403.813(1) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Heathcock, Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Coordination Program, 2600 Blair Stone Road – MS 2500, Tallahassee, FL 32399-2400; telephone (850)245-8483; or e-mail: [alice.heathcock@dep.state.fl.us](mailto:alice.heathcock@dep.state.fl.us). (OGC No. 13-1250)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-346.010 Policy and Purpose.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.418, 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.423, 373.426, 373.428, 373.429 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.020 General Provisions.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.4145, 373.418, 373.421, 403.805(1) FS. Law Implemented 373.413, 373.414, 373.4145, 373.416, 373.421, 373.426 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.030 Definitions.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.4145, 373.418, 373.421, 403.805(1) FS. Law Implemented 373.019, 373.117, 373.403, 373.413, 373.414, 373.4145, 373.416, 373.418, 373.421, 373.4211, 373.426, 403.0877, 403.813(1) FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.040 Formal-Determinations of the Landward Extent of Wetlands and Other Surface Waters.

Rulemaking Authority 373.026(7), 373.043, 373.4145, 373.421(2), 403.0877 FS. Law Implemented 373.4145, 373.421(2) FS. History–New 10-1-07, Repromulgated 11-1-10, Repealed.

62-346.050 Permits Required.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.117, 373.118, 373.409, 373.413, 373.4132, 373.4145, 373.416, 373.426, 403.0877 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.051 Exemptions from Permitting.

Rulemaking Authority 373.026(7), 373.043, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4145, 403.813(1) FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.060 Conceptual Approval Permits.

Rulemaking Authority 373.026, 373.043, 373.044, 373.4145, 373.418, 380.06, 403.805(1) FS. Law Implemented 373.026, 373.409, 373.413, 373.4141, 373.4142, 373.4145, 373.416, 380.06 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.070 Procedures to Prepare Applications and Notices for Permits, Water Quality Certification, Costal Zone Consistency Concurrence, and to Request Verification of Qualification for an Exemption.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.0877, 403.805(1) FS. Law Implemented 373.026(7), 373.109, 373.117, 373.118, 373.413, 373.4141, 373.4145, 373.416, 373.426, 373.428, 403.0877 FS. History–New 10-1-07, Amended 11-1-10, 5-9-13, Repealed.

62-346.071 Fees.

Rulemaking Authority 373.026(7), 373.043, 373.109, 373.4145, 373.418, 403.805(1) FS. Law Implemented 218.075, 373.109, 373.4145, 373.418, 373.421 FS. History–New 10-1-07, Amended 4-21-09, 11-1-10, Repealed.

62-346.075 Additional Requirements and Procedures for Concurrent Review of Related Applications.

Rulemaking Authority 161.055, 253.03(7), 253.77, 258.43, 373.026, 373.043, 373.044, 373.418, 373.427, 403.805(1), FS. Law Implemented 120.60, 161.041, 161.055, 253.03, 253.77, 258.42, 258.43, 373.026, 373.413, 373.416, 373.427, 373.4275 FS. History–New 11-1-10, Repealed.

62-346.080 Submittal of Applications and Notices for Permits and Petitions for Formal Determinations to Department and NFWFMD Offices.

Rulemaking Authority 373.026, 373.043, 373.044, 373.118, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.026, 373.118, 373.413, 373.4145, 373.416, 373.426 FS. History–New 10-1-07, Amended 11-1-10, 5-9-13, Repealed.

62-346.090 Processing of Notices and Applications.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.413, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.109, 373.118, 373.4141, 373.4145 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.095 Operation, Maintenance, and Inspections.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.416, 373.418, 403.805(1) FS. Law Implemented 373.118, 373.4141, 373.4145, 373.416 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.100 Modification of Permits.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.026(7), 373.043, 373.109, 373.118, 373.409, 373.413, 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.429 FS. History–New 10-1-07, Amended 11-1-10, Repealed.

62-346.110 Duration of Permits.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118, 373.409, 373.413, 373.4142, 373.4145, 373.416, 373.426 FS. History–New 10-1-07, Amended 11-1-10, Repealed.



62-346.120 Permit Extensions.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1), FS. Law Implemented 373.118, 373.409, 373.413, 373.4145, 373.416, 373.426, 373.429 FS. History—New 10-1-07, Amended 11-1-10, Repealed.

62-346.130 Transfer of Ownership.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1), FS. Law Implemented 373.118, 373.109, 373.409, 373.413, 373.4142, 373.4145, 373.416, 373.426 FS. History—New 10-1-07, Amended 11-1-10, Repealed.

62-346.301 Conditions for Issuance of Individual Permits.

Rulemaking Authority 373.026(7), 373.043, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.042, 373.409, 373.413, 373.4142, 373.4145, 373.416, 373.4132, 373.426, 373.429 FS. History—New 10-1-07, Amended 11-1-10, Repealed.

62-346.302 Additional Conditions for Issuance of Individual and Conceptual Approval Permits.

Rulemaking Authority 373.026(7), 373.043, 373.414(9), 403.805(1) FS. Law Implemented 373.042, 373.413, 373.414, 373.416, 373.426, 380.23 FS. History—New 11-1-10, Repealed.

62-346.381 General and Special Limiting Conditions.

Rulemaking Authority 373.026(7), 373.043, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.117, 373.409, 373.413, 373.4142, 373.4145, 373.416, 373.418, 373.419, 373.422, 373.423, 373.426, 373.428, 403.0877 FS. History—New 10-1-07, Amended 11-1-10, Repealed.

62-346.451 Emergency Authorizations and Actions.

Rulemaking Authority 373.026(7), 373.043, 373.4145, 373.418, 403.805(1) FS. Law Implemented 120.569(2), 373.026(7), 373.119, 373.409, 373.413, 373.4145, 373.416, 373.418, 373.426, 373.439 FS. History—New 10-1-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mark Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 31, 2013

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.: RULE TITLE:

69A-37.0527 Retention of Certification

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to conform Rule 69A-37.0527, Florida Administrative Code, “Retention of Certification,” to the provisions of recently enacted legislative amendments and to make other clarifications and updates. The retention requirements and retention time periods were amended by the Florida Legislature in SB 1410, which became effective July

1, 2013. The specific effect of the proposed rule amendments is to provide individuals who did not maintain their firefighter certificates of compliance under the law as it existed prior to the recent amendments the opportunity to request that the Department place them on probation in lieu of the Department taking action to revoke their certificates. During the probationary period, an individual would have to successfully complete the Firefighter Retention Examination in order to become compliant.

SUMMARY: The proposed rule amendments provide individuals who did not maintain their firefighter certificates of compliance under the law as it existed prior to recent amendments the opportunity to both be placed on probation in lieu of having their certificates revoked and to become compliant by completing the Minimum Standards Course examination. The proposed rule also creates the new 40-hour refresher course that was added to the law by the recent legislation as one of the options that firefighters certified on or after July 1, 2013, can utilize in order to retain their certificates of compliance.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis prepared by the Department determined that the proposed rule’s potential economic impact did not exceed any of the criteria established in subsection 120.541(1), F.S., and is therefore not subject to legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 633.128(2)(a), 633.418(1)(a) FS.

LAW IMPLEMENTED: 633.106, 633.128, 633.408, 633.414 FS.

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

DATE AND TIME: Thursday, December 12, 2013, 10:30 a.m.

PLACE: Florida State Fire College, Auditorium, 11655 NW Gainesville Road, Ocala, Florida 34482

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: Bill Wentlandt, Assistant Superintendent, Bureau of Firefighter Standards and Training, Division of State Fire Marshal at bill.wentlandt@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: Bill Wentlandt, Assistant Superintendent, Bureau of Firefighter Standards and Training, Division of State Fire Marshal at (352)369-2829 or bill.wentlandt@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-37.0527 Retention of Certification.

(1) Section 633.414, F.S., which took effect on July 1, 2013, requires firefighters to meet certain requirements every 4 years in order to retain their firefighter certificates of compliance.

(a) For the purpose of this rule, "certification" or "certified" shall have the same meaning as set forth in Section 633.426, Florida Statutes. Section 633.426, Florida Statutes, states that "certification" or "certified" means the act of holding a current and valid certificate.

(b) The 4-year period for individuals who were certified on or after July 1, 2013, begins on the date of issuance of the certificate by the Division or the date of termination of employment or service with a fire department after issuance of the certificate.

(c) The 4-year period for individuals who were certified as of June 30, 2013, begins on July 1, 2014 or on the date of termination of employment or service with a fire department on or after July 1, 2013.

(d) Individuals who obtained a firefighter certificate on any date prior to July 1, 2013, but failed to maintain the certificate, in accordance with the retention requirements of Section 633.352, Florida Statutes (2012), by June 30, 2013, are not currently certified.

(e) Pursuant to Section 633.106, Florida Statutes (2013), the State Fire Marshal may deny, suspend, or revoke the certificate of any individual who does not meet the qualifications established by Chapter 633, Florida Statutes. In

lieu of these actions, the Division may also place an individual who has been issued a certificate but no longer qualifies for the certificate under Chapter 633, Florida Statutes, on probation for a period not to exceed 2 years. Firefighters who were no longer certified as of June 30, 2013, due to failure to meet the retention requirements of Section 633.352, Florida Statutes (2012), may petition the Division to be placed on probation for a period of 2 years. The terms of probation will require these individuals to successfully complete the Firefighter Retention Examination within the period of probation in order to have their certification as a firefighter reinstated. Reinstatement is conditional on meeting all other qualifications for firefighter certification under the provisions of Chapter 633, Florida Statutes. Failure to complete the Firefighter Retention Examination within the period of probation will result in administrative action by the Department to revoke an individual's certificate. Probation will not be granted to any individual who files a petition to be placed on probation more than 180 days after the effective date of this paragraph. Failure of an individual who is subject to this paragraph to petition for probation within 180 days after the effective date of this paragraph will result in administrative action by the Department to revoke the individual's certificate.

(f) Paragraph (e) does not apply to individuals who, prior to July 1, 2013, attempted to maintain their certificates but failed the practical portion of the Firefighter Retention Examination twice or failed the examination once and forfeited the opportunity to retake the examination; however, any individual who failed the examination once and is within the time period for retaking the examination, may re-take the examination after July 1, 2013.

(2)(+) Pursuant to Section 633.35, Florida Statutes, the Division adopted Rule 69A-37.055, F.A.C., to establish the Minimum Standards Course and course examination to provide the training required to obtain a Firefighter Certificate of Compliance. The Minimum Standards Course Examination may also be completed ~~examination~~ for retention of a firefighter certificate as provided referenced in paragraph 633.414(1)(d) Section 633.352, Florida Statutes, F.S., In this context, the examination is referred to herein shall be known as the Firefighter Retention Examination retention examination. The examination includes both a written and practical examination. ~~Being active as a volunteer firefighter with an organized fire department means the individual has been actively involved for a continuous period of time of not less than 6 months during the 3-year period since certified or the certification was last renewed, or since termination from a~~

~~fire department. Verification of being active shall be evidenced by documentation from the chief or ranking person of the volunteer fire department.~~

~~(3)(2) To be eligible to participate in the Firefighter Retention Examination retention examination, an individual shall:~~

~~(a) Apply apply on-line at www.floridastatefirecollege.org, or submit to the Bureau Form DFS-K4-1308, "Application for Firefighter Certification Retention Examination", which is incorporated by reference adopted in subsection 69A-37.039(2), F.A.C., and can be obtained where indicated in subsection 69A-37.039(1), F.A.C., which shall include;~~

~~(b) Complete a medical examination in accordance with Rule 69A-37.037, F.A.C. An individual shall not be permitted to participate in the practical examination unless a completed Form DFS-K4-1022, "Medical Examination to Determine Fitness for Firefighter Training," is on file with the Bureau; -~~

~~(c)(3) To be eligible to participate in the retention examination, an individual must submit Submit fingerprints in accordance with Rule 69A-37.036, F.A.C.; and~~

~~(d) At the time of participating in the practical examination, wear personal protective equipment with fixed labels indicating compliance with the current edition of the National Fire Protection Association (NFPA) 1971, "Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting," which is hereby incorporated by reference.~~

~~(4) The Bureau, or its designee, will schedule the date and time for all retention examinations.~~

~~(5) Each individual will be required to wear N.F.P.A. labeled helmet, fire coat, bunker pants, boots, protective hood, self-contained breathing apparatus ("SCBA"), mask, personal alert safety system ("PASS device") and gloves. Such equipment shall be in operating condition to enter a hazardous environment and comply with the NFPA edition noted on the label, tag or design.~~

~~(4)(6) Any individual who does not obtain a passing score of 70% or more on the Firefighter Retention Examination retention examination will be permitted one opportunity to repeat the examination. The examination must be repeated within 6 months of the original examination or the opportunity is forfeited.~~

~~(5) The refresher course that may be successfully completed for retention of a firefighter certificate pursuant to paragraph 633.414(1)(c), Florida Statutes, shall be taught by the Division or an approved provider at a certified firefighter recruit training facility.~~

~~(a) The refresher course shall be titled "Firefighter Retention Refresher Course" and consist of 40 hours of interactive instruction to include 16 hours of practical skills~~

training and 8 hours of practical skill assessment. The firefighter retention refresher course includes the following course topics and hours of instruction:

1. Firefighter safety and health (2 hours);
2. Fire and life safety initiatives (1 hour).
3. Personal protective equipment (2 hours);
4. Structural search, victim removal, and firefighter survival (2 hours);
5. Ground ladders (1 hour);
6. Tactical ventilation (1 hour);
7. Water supply (1 hour);
8. Fire hose and fire streams (1 hour);
9. Fire control and tactics (2 hours);
10. Building construction (1 hour);
11. Fire protection systems (1 hour);
12. Fire origin and cause determination (1 hour);
13. Practical skills training (16 hours); and
14. Student practical skill assessment (8 hours).

(b) The individual shall successfully complete all required skills listed on Form DFS-K4-2128, "Firefighter Retention Skill Assessment Worksheet," eff. 12/2013, which is incorporated by reference herein. The form may be obtained as indicated in subsection 69A-37.039(1), F.A.C.

(c) Upon completion of the refresher course under this section, the individual must successfully pass the written portion of the Firefighter Retention Examination with a score of 70% or higher. Any individual who does not obtain a passing score of 70% or more on this written portion of the minimum standards course examination will be permitted one opportunity to repeat this exam. The examination must be repeated within 6 months of the original examination or the opportunity is forfeited. An individual who fails to pass the written examination within the timeframes set forth above will have to successfully complete the minimum standards course and examination as defined in Rule 69A-37.055, F.A.C.

(d) An approved provider of the firefighter retention refresher course under this subsection shall maintain, on an annual basis, an average pass rate of 70% or higher on the written portion of the Firefighter Retention Examination for all students. The annual period will begin on the date that any provider first offers a firefighter retention refresher course. The Division shall place a provider on probation for a period of 1 year when the average pass rate for all students is below 70%. The Division shall revoke approval of the provider to conduct the firefighter retention refresher course if the student average pass rate is not 70% or higher at the conclusion of the 1 year probation period.

(6) The Department may take administrative action against the certificate of any individual who fails to comply with the certificate retention requirements of Section 633.414,

Florida Statutes, by the applicable deadline established by the statute and this rule.

~~(7) Failure to pass the examination within the timeframes set forth above will result in the individual's having to successfully complete Firefighter training as defined in Rule 69A-37.055, F.A.C., before a new application and additional testing can occur.~~

Rulemaking Specific Authority 633.128(2)(a), 633.418(1)(a) 633.38(1)(a), 633.45(2)(a) FS. Law Implemented 633.106, 633.128, 633.408 633.414 633.35, 633.38, 633.45 FS. History—New 12-10-01, Formerly 4A-37.0527, Amended 3-19-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Barry Baker, Chief, Bureau of Firefighter Standards and Training, Division of State Fire Marshal  
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: November 4, 2013  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2013

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:           RULE TITLE:  
59G-4.240           Portable X-Ray Services

NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 39, No. 180, September 16, 2013 Florida Administrative Register.

DATE AND TIME: Friday, November 22, 2013, 2:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a public hearing in Tallahassee, FL for the purpose of discussing revisions to portable x-ray set up reimbursement.

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: Claire Anthony-Davis at the Bureau of Medicaid Services, (850)412-4266. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.:           RULE TITLE:  
64B6-4.002           Examination and Re-examination Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 216, November 5, 2013 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.:           RULE TITLE:  
64B17-4.001           Licensure as a Physical Therapist Assistant  
by Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 196, October 8, 2013 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

RULE NO.:           RULE TITLE:  
69V-560.302           Renewal Fees, Deadlines, and Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 221, November 13, 2013 issue of the Florida Administrative Register. In subsection (2), form OFR-560-01 is incorporated by reference in Rule 69V-560.1012, F.A.C.

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

RULE NO.:           RULE TITLE:  
69V-560.302           Renewal Fees, Deadlines, and Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 221, November 13, 2013 issue of the Florida Administrative Register. The reference to Section 560.14(1)(c), (7), F.S., in the Notice of Changed filed on 11/5/2013 in Vol. 39, No. 216, F.A.R., is incorrect. The correct statutory reference is Section 560.141(1)(c), (7), F.S.

**Section IV  
Emergency Rules**

NONE

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

**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 November 13, 2013, it has issued an order granting a variance.

Petitioner's Name: Calusa Lakes Community Association – File Tracking No. 13-4175

Date Petition Filed: August 16, 2013

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 21, 2013

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, x. 2298, water.variances@watermatters.org.

**DEPARTMENT OF HEALTH**

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on September 12, 2013, the Board of Chiropractic Medicine received a petition for waiver or variance filed by Geraldine Krista-Piazzini, D.C. Petitioner is seeking a waiver or variance of subsection 64B2-13.004(3), Florida Administrative Code, which requires that for the purpose of renewing a license, each licensee certified in acupuncture by the Board shall obtain four (4) hours of Board approved acupuncture continuing education. Two (2) hours shall be in the area of safety and risk management and two (2) hours shall be in the area of technique. These four (4) hours shall be obtained as part of the forty (40) hours required in each licensure biennium. Licensees certified in acupuncture

must complete the hours required in subsection 64B2-13.004(2), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bill Miller, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on November 12, 2013, the Florida Housing Finance Corporation, received a petition for waiver from Garden Grove Apartments, LTD. and Uptown Maitland Partners, LTD., requesting a waiver from subsection 67-48.004(14) , F.A.C., to permit a change in the Total Set-Aside Percentage submitted in the Applications and with carryover documentation to the percentages.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashley Marie Black, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on November 13, 2013, the Florida Housing Finance Corporation, received a petition for waiver from Pasco Richey Woods, LTD. requesting a waiver from subsection 67-48.002(99) , F.A.C., to permit a change in the number of new construction units from 47 to 48.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashley Marie Black, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing

Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

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

### DEPARTMENT OF EDUCATION

#### Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2013, 2:00 p.m.

PLACE: Mission Inn Resort and Club, 10400 County Road 48, Howey-In-The-Hills, Florida 334737

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Rules Committee meeting will begin at 2:00 p.m. on November 19, 2013 to consider the regular business of the Rules Committee to include reconsideration of amendments to Rule 6E-2.004(c)11. – Standards and Procedures for Licensure, consideration of adoption of Rule 6E-6.001 – Failure of Nonpublic College, University or School Administrator or Law Enforcement Agency to Report Child Abuse, Abandonment or Neglect, and to consider an October 18, 2013 report from the Foreign Medical School Committee meeting to table further consideration of the request to amend Rule 6E-2.0042 – Medical Clinical Clerkship Programs.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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### DEPARTMENT OF EDUCATION

#### Florida's Office of Early Learning

The Early Learning Advisory Council Policy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2013, 9:30 a.m.

PLACE: Office of Early Learning. Teleconference call-in number: 1(888)670-3525; participant code: 339-707-2779

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular monthly meeting.

A copy of the agenda may be obtained by contacting: Harriet.Moore@OEL.MyFlorida.com.

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### DEPARTMENT OF LAW ENFORCEMENT

The Criminal and Juvenile Justice Information Systems (CJJIS) Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 18, 2013, 8:30 a.m.

PLACE: StayBridge Suites, 1600 Summit Lake Drive, Tallahassee, FL 32317

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Various topics related to the criminal justice community. Topics include, but are not limited to, the Council's strategic plan, discussion of computerized criminal history initiatives, biometric identification and other projects occurring with state and national criminal justice agencies.

A copy of the agenda may be obtained by contacting: Rachel Truxell, (850)410-7116 or racheltruxell@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: Rachel Truxell, (850)410-7116 or racheltruxell@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: Rachel Truxell, (850)410-7116 or racheltruxell@fdle.state.fl.us.

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### FLORIDA PAROLE COMMISSION

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

DATES AND TIMES: Wednesday, December 4, 2013, 8:30 a.m.; Thursday, December 5, 2013, 8:30 a.m.; Wednesday, December 11, 2013, 8:30 a.m.; Thursday, December 12, 2013, 8:30 a.m.; Wednesday, December 18, 2013, 8:30 a.m.; Thursday, December 19, 2013, 8:30 a.m.; and an emergency agenda as needed on Friday, December 20, 2013, 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, (850)488-1293.

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: Florida Parole Commission at [ada@fpc.state.fl.us](mailto:ada@fpc.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.

#### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Thursday, December 5, 2013, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Agricultural and Green Industry Advisory Committee meeting: To discuss committee business. Governing Board Members may attend. 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](http://WaterMatters.org) – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4702, TDD (FL only) 1(800)231-6103 or email to [ADACoordinator@swfwmd.state.fl.us](mailto: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: [Cindy.taylor@watermatters.org](mailto:Cindy.taylor@watermatters.org); 1(800)423-1476 (FL only) or (352)796-7211, ext. 4150 (Ad Order EXE0291).

#### DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: December 20, 2013, 10:00 a.m.

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

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

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

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

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

#### DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy Compounding Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 2, 2013, 1:00 p.m.

PLACE: Hilton Hotel University of Florida, 1714 SW 34th Street, Gainesville, FL 32607, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules 64B16-27.700 and 64B16-27.797, Florida Administrative Code, and USP on Compounding.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by

contacting: The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

#### DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Florida Department of Health, Division of Community Health Promotion announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 19, 2013, 10:00 a.m.

PLACE: Conference call-in number: 1(888)670-3525, code: 8593797784

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a conference call for the Tobacco Education and Use Prevention Advisory Council Policy subcommittee.

A copy of the agenda may be obtained by contacting: Meredith Hennon, (850)245-4444, ext. 2463 or Meredith.Hennon@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 72 hours before the workshop/meeting by contacting: Meredith Hennon, (850)245-4444, ext. 2463 or Meredith.Hennon@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: Meredith Hennon, (850)245-4444, ext. 2463 or Meredith.Hennon@flhealth.gov.

#### FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2013, 10:00 a.m. (Tallahassee local time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

The Hamlet at Walden Pond, a 312-unit multifamily residential rental development located on or about 20855 NW 9th Court, Miami Gardens, Miami-Dade County, Florida. The owner and operator of the development is Walden Pond II, Ltd., 315 S. Biscayne Blvd., Miami, Florida 33131 or such successor in interest in which Walden Pond II, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Auburn Communities, 777 East Atlantic Avenue, Suite 200, Delray Beach, Florida 33483. The tax-exempt bond amount is not to exceed \$18,830,000.00.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), December 2, 2013, and should be addressed to the attention of Ken Reecy, Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs.

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: Ken Reecy, Director of Multifamily Programs. 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.



**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 21, 2013, 10:00 a.m. (Tallahassee local time)

**PLACE:** The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Notice is hereby given that the Florida Housing Finance Corporation (“Florida Housing”) will conduct a public hearing in accordance with Section 120.525, Florida Statutes, as amended, in order to supplement the public hearing held on July 30, 2013 in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”) and with respect to the tax exempt bonds described below and to provide interested persons an opportunity to present comments. All interested persons are invited. The purpose is to conduct a hearing with respect to the issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Reef Club Apartments, a 560-unit multifamily residential rental development located on or about 1915 Reef Club Drive, Kissimmee, Osceola County, Florida. The owner and operator of the development is Dalcour Reef Club, Ltd., 15950 N. Dallas Parkway, Suite 300, Dallas, TX 75248 or such successor in interest in which Dalcour Reef Club, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Dalcour Management, LLC, 15950 N. Dallas Parkway, Suite 300, Dallas, TX 75248. The tax-exempt bond amount is not to exceed \$32,200,000.

All interested parties may present oral comments at the public hearing or submit written comments regarding the bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), November 20, 2013, and should be addressed to the attention of Ken Reecy, Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ken Reecy, Director of Multifamily Programs. 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.

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**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

The Office of Insurance Regulation announces a hearing to which all persons are invited.

**DATE AND TIME:** December 3, 2013, 10:00 a.m.

**PLACE:** Larson Building, Room 116, 200 E. Gaines Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Office of Insurance Regulation will hold a hearing on Healthcare Underwriters Group of Florida’s application for conversion from a reciprocal insurer organized under Chapter 629, Florida Statutes, to a for profit stock insurance company organized under Chapters 628 and 607, Florida Statutes. Florida law allows the Office of Insurance Regulation to hold a hearing for any purpose within the scope of the Florida Insurance Code deemed to be necessary. Input from Healthcare Underwriters Group of Florida as well as interested parties will be received at this hearing.

A copy of the agenda may be obtained by contacting: Leean Chojnowski, Esquire at (850)413-4245.

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: Leean Chojnowski, Esquire at (850)413-4245. 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: Leean Chojnowski, Esquire at (850)413-4245.

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Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Florida Condominiums, Timeshares and Mobile  
Homes

NOTICE IS HEREBY GIVEN that the Division of Florida  
Condominiums, Timeshares, and Mobile Homes, Department  
of Business and Professional Regulation, State of Florida, has  
received the petition for declaratory statement from Mark  
Winn, In Re: Poinciana Place Condominium Association, Inc.,  
Docket No. 2013045753, filed on November 5, 2013. The  
petition seeks the agency's opinion as to the applicability of  
Section 718.111(12)(c), Florida Statutes, as it applies to the  
petitioner.

Whether Poinciana Place Condominium Association, Inc. rule  
restricting owners access to records to one time a month  
complies with Section 718.111(12)(c), Florida Statutes.

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

Please refer all comments to: Janis Sue Richardson, Chief  
Assistant General Counsel, Department of Business and  
Professional Regulation, Division of Florida Condominiums,  
Timeshares, and Mobile Homes, 1940 North Monroe Street,  
Tallahassee, Florida 32399-2202. Responses, motions to  
intervene, or requests for an agency hearing, §120.57(2), Fla.  
Stat., must be filed within 21 days of this notice.

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

J. T. B. vs. Agency for Persons with Disabilities; Case No.:  
13-2563RU; Voluntarily Dismissed

A. W. vs. Agency for Persons with Disabilities; Case No.: 13-  
2581RU; Voluntarily Dismissed

M. H. vs. Agency for Persons with Disabilities; Case No.: 13-  
2582RU; Voluntarily Dismissed

D. S. vs. Agency for Persons with Disabilities; Case No.: 13-  
2583RU; Voluntarily Dismissed

A. A. vs. Agency for Persons with Disabilities; Case No.: 13-  
2588RU; Voluntarily Dismissed

L. S. vs. Agency for Persons with Disabilities; Case No.: 13-  
2589RU; Voluntarily Dismissed

B. G. vs. Agency for Persons with Disabilities; Case No.: 13-  
2603RU; Voluntarily Dismissed

J. K. K. vs. Agency for Persons with Disabilities; Case No.:  
13-2604RU; Voluntarily Dismissed

B. K. vs. Agency for Persons with Disabilities; Case No.: 13-2606RU; Voluntarily Dismissed

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C. H. vs. Agency for Persons with Disabilities; Case No.: 13-2607RU; Voluntarily Dismissed

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C. M. vs. Agency for Persons with Disabilities; Case No.: 13-2608RU; Voluntarily Dismissed

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A. B. vs. Agency for Persons with Disabilities; Case No.: 13-2609RU; Voluntarily Dismissed

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M. J. R. vs. Agency for Persons with Disabilities; Case No.: 13-2703RU; Voluntarily Dismissed

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B. C. vs. Agency for Persons with Disabilities; Case No.: 13-2704RU; Voluntarily Dismissed

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F. B. vs. Agency for Persons with Disabilities; Case No.: 13-2706RU; Voluntarily Dismissed

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E. B. vs. Agency for Persons with Disabilities; Case No.: 13-2761RU; Voluntarily Dismissed

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S. B. vs. Agency for Persons with Disabilities; Case No.: 13-2762RU; Voluntarily Dismissed

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C. G. vs. Agency for Persons with Disabilities; Case No.: 13-2763RU; Voluntarily Dismissed

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J. G. vs. Agency for Persons with Disabilities; Case No.: 13-2764RU; Voluntarily Dismissed

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W. H. vs. Agency for Persons with Disabilities; Case No.: 13-2765RU; Voluntarily Dismissed

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G. H. vs. Agency for Persons with Disabilities; Case No.: 13-2766RU; Voluntarily Dismissed

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H. L. vs. Agency for Persons with Disabilities; Case No.: 13-2767RU; Voluntarily Dismissed

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N. L. vs. Agency for Persons with Disabilities; Case No.: 13-2768RU; Voluntarily Dismissed

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W. P. vs. Agency for Persons with Disabilities; Case No.: 13-2769RU; Voluntarily Dismissed

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B. R. vs. Agency for Persons with Disabilities; Case No.: 13-2770RU; Voluntarily Dismissed

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M. S. vs. Agency for Persons with Disabilities; Case No.: 13-2771RU; Voluntarily Dismissed

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J. W. vs. Agency for Persons with Disabilities; Case No.: 13-2772RU; Voluntarily Dismissed

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K. H. vs. Agency for Persons with Disabilities; Case No.: 13-2773RU; Voluntarily Dismissed

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D. S. vs. Agency for Persons with Disabilities; Case No.: 13-2775RU; Voluntarily Dismissed

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K. J. C. vs. Agency for Persons with Disabilities; Case No.: 13-2801RU; Voluntarily Dismissed

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D. S. vs. Agency for Persons with Disabilities; Case No.: 13-2802RU; Voluntarily Dismissed

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P. A. M. vs. Agency for Persons with Disabilities; Case No.: 13-2804RU; Voluntarily Dismissed

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H. R. R. vs. Agency for Persons with Disabilities; Case No.: 13-2805RU; Voluntarily Dismissed

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D. P. C. vs. Agency for Persons with Disabilities; Case No.: 13-2806RU; Voluntarily Dismissed

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A. V. vs. Agency for Persons with Disabilities; Case No.: 13-2809RU; Voluntarily Dismissed

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A. R. T. vs. Agency for Persons with Disabilities; Case No.: 13-2810RU; Voluntarily Dismissed

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**Section X**

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

**NONE**

**Section XI**

**Notices Regarding Bids, Proposals and Purchasing**

DEPARTMENT OF MANAGEMENT SERVICES  
 Division of Building Construction  
 APD-13018000 – CM

STATE OF FLORIDA  
 DEPARTMENT OF MANAGEMENT SERVICES  
 DIVISION OF REAL ESTATE  
 DEVELOPMENT AND MANAGEMENT  
 PUBLIC ANNOUNCEMENT FOR  
 CONSTRUCTION CONTRACTORS  
 TO PROVIDE CONSTRUCTION MANAGEMENT  
 AT RISK SERVICES

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for

licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: APD-13018000

PROJECT NAME: Bayside Improvements, William J. Rish Recreational Park

LOCATION: 6773 Cape San Blas Road, Cape San Blas, Florida

NON-MANDATORY, PRE-PROPOSAL, SITE ACCESS OPPORTUNITY: December 5, 2013

SHORTLIST DATE: January 9, 2014

INTERVIEW DATE: January 28, 2014

ESTIMATED CONSTRUCTION BUDGET: Current project funding is approximately \$1,100,000.00 with additional funding (\$3,500,000.00 is requested for next fiscal year) and possibly more funding in subsequent years contingent upon future appropriations by the Legislature.

For details please visit the Department's website: [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu) and click on "Search Advertisements – Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

The award will be made in accordance with Section 255.29, Florida Statutes, and the procedures and criteria of the Departments Division of Real Estate Development and Management.

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**Section XII  
Miscellaneous**

**NONE**

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**Section XIII  
Index to Rules Filed During Preceeding  
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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