

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: RULE TITLE:
68-5.005 Lionfish

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

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include importation and aquaculture of lionfish in Florida.

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

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

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: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Kristen Sommers, Section Leader, Exotic Species Coordination Section, Division of Habitat and Species Conservation, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian Street, MS 10, Tallahassee, Florida 32399-1600, (850)488-3831

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-24.004 Fur and Hide Dealers: Operations, Reporting Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to incorporate provisions of Section 379.364, F.S., regarding the reporting, record keeping and shipping requirements of alligator hides and skins of fur-bearing animals.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include incorporating current provisions of Section 379.364, F.S., regarding the reporting, record keeping and shipping requirements of alligator hides and skins of fur-bearing animals.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.354, 379.364, 379.3012, 379.3751 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Harry Dutton, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600. (850)488-3831

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

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

PURPOSE AND EFFECT: The purpose of the rule amendments is to allow the Executive Director or his designee to issue permits to tournaments or other organized events for the purposes of harvesting lionfish and other non-native species using spearfishing gears in places where spearfishing is otherwise prohibited by FWC rule or Florida Statute. The rule amendment will create a mechanism by which the FWC can better facilitate removal of non-native marine species.

SUBJECT AREA TO BE ADDRESSED: Subject area to be addressed by rule development includes allowing the Executive Director or his designee to issue permits for the harvest of non-native species using spearfishing in areas where spearing is otherwise prohibited.

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

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

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: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.:	RULE TITLE:
69B-220.052	Supervision of Public Adjuster Apprentices and Prohibited Acts by Apprentices

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement Section 626.8651, F.S. The Department would like to adopt a rule that will specify when a public adjuster apprentice requires supervision by a licensed supervisory public adjuster and specify the activities that a public adjuster apprentice shall not conduct.

SUBJECT AREA TO BE ADDRESSED: Supervision of public adjuster apprentices and prohibited acts by public adjuster apprentices.

RULEMAKING AUTHORITY: 624.308(1), 626.8651(6) FS.

LAW IMPLEMENTED: 626.8541, 626.8651 FS.

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

DATE AND TIME: April 22, 2014, 10:00 a.m..

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

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: Barry Lanier at (850)413-5601 or Barry.Lanier@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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barry Lanier, Chief, Bureau of Investigations, 200 E. Gaines Street, Tallahassee, FL 32399-0320 (850)413-5601 or Barry.Lanier@myfloridacfo.com

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Energy

RULE NOS.:	RULE TITLES:
5O-1.002	Definitions
5O-1.003	Renewable Energy Technologies Grants Program

PURPOSE AND EFFECT: The purpose of this rulemaking is to update the application process, review, and administration of the Renewable Energy and Energy-Efficient Technologies Grant Matching Program.

SUMMARY: The proposed rule describes the application process, review, and administration of the Renewable Energy and Energy-Efficient Technologies Grant Matching Program.

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 Renewable Energy and Energy-Efficient Technologies Grant Matching Program is a voluntary program.

Eligible applicants may elect to participate to take advantage of the matching grants associated with this program.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rules did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 377.804, 570.07(23) FS.

LAW IMPLEMENTED: 377.804 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: John Leeds, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001, or telephone (850)617-7482

THE FULL TEXT OF THE PROPOSED RULE IS:

50-1.002 Definitions.

The words, terms, and phrases used in this chapter, unless otherwise indicated, shall have the meaning set forth in Section 377.803 and 220.192(4), F.S., In addition, when used in this chapter, the following words, phrases, or terms, shall have the following meanings:

(1) "Prime Funder" is defined as the primary funding entity for which the Renewable Energy and Energy-Efficient

Technologies Grant Matching Program funds will be used as match. "Bioenergy" means energy derived from biomass.

(2) "Total Project Costs" means Applicant Match plus Department Match. This does not include funds from a "Prime Funding" Source. "Biomass" means "biomass" as defined in Section 366.91(2)(a), F.S.

(3) "Department" means the Florida Department of Agriculture and Consumer Services.

(4) "Matching Funds or Other In-Kind Contributions" means:

(a) Actual cash outlays contributed, including, but not limited to, cash outlays for wages, rental expenses, travel expenses, unrecovered indirect costs, and purchases of material and supplies, as a direct benefit to the project, or;

(b) Non-cash contributions necessary and reasonable for proper and efficient accomplishment of project objectives, the value of which must be established using the following guidelines:

1. Rates for donated or volunteer services of any person must be consistent with their regular rate of pay, or the rate of pay of those paid for similar work at a similar level of experience in the labor market, including the value of fringe benefits.

2. The value of donated expendable property such as office supplies or workshop supplies must not exceed the fair market value of the property.

3. The value of donated real property such as land must not exceed the fair market value of the property.

4. Donated space must be valued at fair rental value of comparable space and facilities in a privately-owned building in the same locale.

5. The value of loaned equipment ~~cannot~~ ~~can not~~ exceed its fair rental value.

6. In-kind travel expense must be valued at the approved State of Florida rate as specified in Section 112.061, F.S.

(5) "Notice of Award by Prime Funder" is defined as the documentation that includes funding amount to be awarded, award date (including matching obligation date if different from award date), and authorized signatory from the "Prime Funder," notifying the applicant that funds are being awarded by the "Prime Funder". "Purchase date" means, for the purchase of solar energy equipment, the date of execution of a loan agreement or the date of final cash payment.

(6) "Letter of Reservation" is the letter from the Department reserving the grant match funds until the applicant provides the Department with the "Notice of Award by Prime Funder" or the program funds are depleted. "Solar thermal pool heater" means a device that traps the heat produced by incident sunlight in collector tubing through which swimming pool water is pumped in order to raise the temperature of the swimming pool water.

(7) “Cost Reimbursement” means payment to grantee of reasonable costs incurred in connection with the performance of work, not to exceed the amount set forth in the budget. See the Department of Financial Services, Reference Guide to State Expenditures for guidance.

(8) “Indirect Costs” means costs that are incurred for common or joint objectives and, therefore, cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity. Rulemaking Authority 377.804(3), 377.806(7), 220.192(3) FS. Law Implemented 377.802, 377.804, 377.806, 220.192 FS. History—New 10-22-07, Formerly 62-16.200, 27N-1.200, Amended _____.

50-1.003 Renewable Energy and Energy-Efficient Technologies Grants Program.

(1) REQUEST FOR THE GRANT PROPOSALS FOR THE RENEWABLE ENERGY AND ENERGY-EFFICIENT TECHNOLOGIES GRANT MATCHING PROGRAM.

(a) The Department shall issue a request for grant proposals (“RFGP”). The RFGP shall include a copy of the grant application form, instructions for submission of the grant application, and contact information for the Department.

(b) The RFGP shall be issued by publication on the ~~Florida Department of Management Services State Vendor Bid System under MyFlorida Marketplace, and on the Department’s website~~ and noticed in the Florida Administrative Register.

(c) The Renewable Energy and Energy-Efficient Technologies Grant Matching Program is funded through deobligated grant funds from the 2008 Renewable Energy and Energy Efficient Technologies Grants Program. The Renewable Energy and Energy-Efficient Technologies Grant Matching Program shall utilize the deobligated funds in accordance with Section 377.804, F.S., to provide grant matching funds to eligible entities to conduct demonstration, commercialization, research, and development projects relating to renewable energy technologies and innovative technologies that significantly increase energy efficiency for vehicles and commercial buildings.

(d) Indirect Costs are not eligible for grant reimbursement.

(2) QUALIFIED APPLICANTS. Qualified applicants are those applicants identified in Section 377.804(2), F.S., and State of Florida Agencies, as defined in Section 287.012, F.S.

(3) APPLICATIONS. Applications for the Grant Assistance Pursuant to Renewable Energy and Energy-Efficient Technologies Grant Matching Program shall be submitted to the Department of Agriculture and Consumer Services, Office of Energy, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001 as follows:

(a) Applicants shall complete the form entitled Renewable Energy and Energy-Efficient Technologies Grant Matching Program Application, FDACS-01990, (Rev. 3/14), which is

hereby adopted and incorporated by reference and may be obtained online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or by emailing the Office of Energy at Energy@FreshFromFlorida.com, and shall submit five (5) paper copies and one (1) electronic copy of the completed application on a non-rewritable compact disc or USB flash drive that will not be returned to the applicant. ~~Six copies of the application shall be submitted in hard copy format, using application Grant Assistance Pursuant to Renewable Energy and Energy Efficient Technologies Grants Program, Form DACS 01602 (rev. 10/11) which is adopted and incorporated by reference at Rule 50 1.006, F.A.C. One copy shall be submitted in electronic format on compact disc at the same time as the hard copy. Acceptable formats for electronic versions are Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format. Acceptable formats for electronic versions of the signed commitment letters required by Grant Assistance Pursuant to Renewable Energy and Energy Efficient Technologies Grants Program, Form DACS 01602 (rev. 10/11) from third parties are Adobe PDF; Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format.~~

(b) The applicant shall include a copy of the applicant’s proposal and application, if applicable, for funding from the Prime Funder’s notice of funding availability and/or application. Applications must be received by the department no later than 5:00 p.m. on the date specified by the department in the RFGP.

(c) Applications must be received by the Department no later than fifteen (15) business days prior to the application due date for the corresponding Prime Funder. The application filing deadline shall be extended by the department when the department determines specifically for this grant program that extenuating circumstances exist, such as a hurricane or other natural disaster. Any deadline extension shall apply for all applicants. The department shall publish notice of the deadline extension on the Florida Department of Management Services State Vendor Bid System under MyFlorida Marketplace, and on the department’s web site.

(d) For grant match requests, the minimum allowable amount for an applicant to be eligible for consideration for award shall be \$50,000.00 ~~\$50 thousand~~, and the maximum allowable amount shall be \$1 million ~~\$2.5 million~~.

(e) COMPLETENESS. Applicant must use the Renewable Energy and Energy-Efficient Technologies Grant Matching Program Application form FDACS-01990, (rev.3/14) provided by the Department. Within 10 days of receipt of an application, the Department will evaluate the application to verify that the applicant has met the qualifying statutory and rule criteria. If the Department determines that the applicant is eligible for funding reservation, the Department will provide a letter of

reservation. If the Department determines that the application is incomplete, the Department will issue a written notification to the applicant that the application was determined to be incomplete and will include a description of the application's deficiencies. If the Department determines that an application is incomplete, the applicant will be allowed to submit a corrected application. The corrected application will be treated as a new application and reviewed in the order that it is received. Supporting documentation will not be returned to applicants.

~~Any application which does not include all required information shall be determined incomplete and ineligible for the award of the grant sought. The Department shall notify the applicant of the determination of ineligibility.~~

(f) The Department shall determine a grant application not eligible for award if: An applicant is not eligible for award of a grant if at any time the department determines the recipients for the grant:

1. The Department has a pending civil or administrative action against the applicant, ~~that alleges that the applicant has committed violations of Chapters 373, 376 or 403, F.S., or the Department rules implementing these statutes; or~~

2. ~~The Department has a final judgment or final order finding that the applicant has committed violations of Chapter 373, 376, or 403, F.S., unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the judgment or order; or~~

~~2.3-~~ The applicant has entered into a consent order with the Department, unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the consent order.

(g) The applicant shall include signature delegation authority as an attachment to the application.

(4) CRITERIA. The Department shall consider

~~(a) The criteria listed in Section 377.804(4), F.S., and whether eligible projects are demonstration, commercialization, research, and development projects relating to renewable energy technologies and innovative technologies that significantly increase energy efficiency for vehicles and commercial buildings shall apply to grants evaluated pursuant to Sections 377.804(1) through 377.804(5), F.S.~~

~~(b) In addition to the criteria in Section 377.804(4), F.S., grant applications shall be evaluated for the degree to which a project incorporates multiple renewable energy technologies.~~

(5) APPLICANT MATCHING FUNDS.

(a) For the Renewable Energy and Energy-Efficient Technologies Grant Matching Program, the applicant match required to be eligible for consideration for a grant award is as follows: minimum matching for Florida municipalities and

county governments, Florida universities and colleges is 50% or half of the total funds requested from the Department. All other eligible entities must provide a 100% or one for one matching obligation of requested funds. Prime Funding is not considered as part of the match obligation ratio matching funds, the minimum allowable amount for an application to be eligible for consideration for award shall be \$1.00.

(b) All applicant matching funds and other in-kind contributions, including third party in-kind, shall be verifiable from the applicant's and/or its partners' records, and not be included as contributions for any other state assisted project or program.

(c) Expenses related to a proposed project incurred prior to the Department's letter of reservation award announcement are not eligible applicant matching funds or in-kind contributions.

~~(d) State funds are not eligible as matching funds or in-kind contributions.~~

(6) SCORING RANKING.

(a) The Department shall use a point system to score grants. In scoring grants, points shall be awarded as follows:

Criteria	Max Points Possible
Cost Share Percentage ¹	<u>10</u> 20
Economic Development ²	<u>20</u> 16
Technical Feasibility ³	<u>10</u> 16
Innovative Technology ⁴	<u>20</u> 16
Production Potential ⁵	<u>15</u> 16
Energy Efficiency ⁶	<u>20</u> 16
Fostering Awareness ⁷	<u>15</u> 16
Project Management ⁸	<u>10</u> 16
Duration & Timeline ⁹	<u>15</u> 6
Location Served ¹⁰	<u>5</u> 4
Public Integration ¹¹	<u>10</u> 4
Multiple Technologies¹²	4
Total Numerical Rating	150

¹Cost Share Percentage: The availability of matching funds or other in-kind contributions applied to the total project from the applicant.

For Florida municipalities and county governments, and universities and colleges in the state:

-31 points = 0% up to and including 50% of Department funds requested.

1 points = Greater than 50% up to and including 55% of Department funds requested.

2 points = Greater than 52% up to and including 60% of Department funds requested.

3 points = Greater than 60% up to and including 65% of Department funds requested.

4 points = Greater than 65% up to and including 70% of Department funds requested.

5 points = Greater than 70% up to and including 75% of Department funds requested.

6 points = Greater than 75% up to and including 80% of Department funds requested.

7 points = Greater than 80% up to and including 85% of Department funds requested.

8 points = Greater than 85% up to and including 90% of Department funds requested.

9 points = Greater than 90% up to and including 95% of Department funds requested.

10 points = Greater than 95% of Department funds requested.

For all other eligible entities:

-31 points = 0% up to and including 100% of Department funds requested.

1 points = Greater than 100% up to and including 105% of Department funds requested.

2 points = Greater than 105% up to and including 110% of Department funds requested.

3 points = Greater than 110% up to and including 115% of Department funds requested.

4 points = Greater than 115% up to and including 120% of Department funds requested.

5 points = Greater than 120% up to and including 125% of Department funds requested.

6 points = Greater than 125% up to and including 130% of Department funds requested.

7 points = Greater than 130% up to and including 135% of Department funds requested.

8 points = Greater than 135% up to and including 140% of Department funds requested.

9 points = Greater than 140% up to and including 145% of Department funds requested.

10 points = Greater than 145% of Department funds requested.

0 points = \$1.00 up to and including 1% of total project cost.

2 points = Greater than 1% up to and including 10% of total project cost.

4 points = Greater than 10% up to and including 20% of total project cost.

6 points = Greater than 20% up to and including 30% of total project cost.

8 points = Greater than 30% up to and including 40% of total project cost.

10 points = Greater than 40% up to and including 50% of total project cost.

12 points = Greater than 50% up to and including 60% of total project cost.

14 points = Greater than 60% up to and including 70% of total project cost.

~~16 points = Greater than 70% up to and including 80% of total project cost.~~

~~18 points = Greater than 80% up to and including 90% of total project cost.~~

~~20 points = Greater than 90% of total project cost.~~

²Economic Development: The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

Minimum (0 points): Negative contribution or this element of the evaluation criteria was not addressed.

Maximum (~~20~~ 16 points): Significant potential for economic development in Florida.

³Technical Feasibility: The extent to which the proposed project has been demonstrated to be technically feasible based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

(0 points): No proof of feasibility or this element of the evaluation criteria was not addressed.

(~~10~~ 16 points): Project demonstrated to be technically feasible and claims are fully supported.

⁴Innovative Technology: The degree to which the project incorporates an innovative new technology or an innovative application of an existing technology.

Minimum (0 points): No degree of innovation or this element of the evaluation criteria was not addressed.

Maximum (~~20~~ 16 points): Project incorporates technologies or processes that are not in common use in Florida, that represent a novel application of an existing technology or process, or that overcome obstacles to meeting Florida's energy needs in new or innovative ways.

⁵Production Potential: The degree to which a project generates thermal, mechanical, or electrical energy by means of a renewable-energy resource that has substantial long-term production potential.

Minimum (0 points): No production potential or this element of the evaluation criteria was not addressed.

Maximum (~~15~~ 16 points): Significant potential for energy production in Florida.

⁶Energy Efficiency: The degree to which a project demonstrates efficient use of energy and material resources.

Minimum (0 points): No consideration for energy efficiency or pollution prevention or this element of the evaluation criteria was not addressed.

Maximum (~~20~~ 16 points): Project incorporates energy efficient products and practices including process improvements that lead to source reduction, waste minimization, and on-site recycling.

⁷Fostering Awareness: The degree to which the project fosters overall understanding and appreciation of renewable energy technologies.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (15 46 points): Significant potential for fostering awareness of renewable—energy technologies throughout Florida.

⁸Project Management: The ability to administer a complete project.

(0 points): Project team mismatched for tasks identified. No prior management experience on project team. Budget is unrealistic.

(10 46 points): Project team has extensive management experience and expertise in the proposed field of study. Budget suited to tasks involved.

⁹Duration & Timelines: Project duration and timeline for expenditures.

Minimum (0 points): Project objectives will not be met and grant funds will not be exhausted within the 3 year grant agreement timeframe.

Maximum (15 6 points): No difficulty accomplishing project objectives and expending funds within grant agreement timeframe.

¹⁰Location Served: The geographic area in which the project is to be conducted in relation to other similar and/or existing projects.

Minimum (0 points): Project duplicates existing efforts in the county or counties in which the project is proposed, minimizing its potential value to the community and state.

Maximum (5 4 points): Location of project benefits related efforts, but not duplicative, in the county or counties in which the project is proposed and surrounding areas, creating value for the community and state.

¹¹Public Integration: The degree of public visibility and interaction.

Minimum (0 points): No visibility and interaction with the general public or this element of the evaluation criteria was not addressed.

Maximum (10 4 points): Significant potential for public visibility and interaction.

~~¹²Multiple Technologies: The degree to which a project incorporates multiple renewable energy technologies in the project.~~

~~0 points = One renewable energy technology is used.~~

~~2 points = Two renewable energy technologies are used.~~

~~4 points = Three or more renewable energy technologies are used.~~

(b) The Department shall establish a review group of no less than three (3) people, who shall each individually review

grant applications, and score each application according to the point system provided in paragraph (6)(a).

(c) Score points from all reviewers shall be averaged as follows:

~~1. Each reviewer shall score rank each eligible application in accordance with paragraph (6)(a); each reviewer's scores shall be totaled and the total score for all reviewers shall be divided by the number of reviewers. Applicants that receive a minimum averaged score of 120 shall be eligible to receive matching funds in accordance with subsection (7). Applications submitted to the Department shall be reviewed, scored, and averaged within 10 business days by assigning a ranking number to each eligible application based on the score of the individual application compared to all other applications reviewed by that reviewer. For example, the top scored application shall be assigned a ranking number of 1, the second highest scored application shall be assigned a ranking number of 2, the third highest scored application shall be assigned a ranking number of 3, and so on, until all eligible applications are ranked.~~

~~2. After all eligible applications are ranked by the individual reviewers, the ranking numbers from all reviewers for each individual application shall be averaged.~~

~~(7) RESERVATION/AWARD. The department shall award grants based upon highest averaged ranking and availability of funding, with 1 being the highest ranking. Grants shall be awarded to the top ranked application first, to the second highest ranked application second, and so on until the total amount of the fiscal appropriation in each state fiscal year is met.~~

~~(a) Eligible applicants with a minimum averaged score of 120 will be provided a letter of reservation with the funding amount reserved by the Department. If the eligible applicant is successful in receiving Prime Funding as evidenced by a Notice of Award from the Prime Funder, the Department will enter into an agreement to provide funds towards the proposed project utilizing Grant Agreement, FDACS-01602, (Rev. 08/11), which is hereby adopted and incorporated by reference and a sample may be viewed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. The maximum amount for an individual award shall be limited to \$2.5 million.~~

~~(b) This is a first-come first-serve program. A letter of reservation from the Department is not a guarantee of funding. The following list includes, but is not limited to, the reasons an eligible applicant would not ultimately receive match grant funding:~~

1. The program funds are depleted prior to the applicant receiving and submitting to the Department the Notice of Award from the Prime Funder. Applicants will receive written notification when program funds are exhausted;

2. The applicant violates state or federal law during any point in the process;

3. The Project has not started 30 calendar days after the date of the Notice of Award from the Prime Funder. Example: the Prime Funder awards the funds, but an agreement is not in place after 30 calendar days to begin the project; or

4. If that proposal is not consistent with the purpose and activities for which match funds were requested, approval shall be rescinded. Department funds will be awarded only for those projects that receive financial support from the Prime Funder; any reserved match shall be reduced to required minimums, consistent with a reduced award from the Prime Funder. The minimum amount for an individual award shall be limited to \$50 thousand.

(c) The applicant must provide to the Department, via electronic mail, the Notice of Award by the Prime Funder that includes funding amount to be awarded, award date (including matching obligation date if different from award date), and authorized signatory as proof of Prime Funding received. In consideration of the program functioning as first-come first-serve, the date that the Department received the Notice of Award for Prime Funding from the applicant shall be the date used to secure the applicant's matching funds from the Department. The department shall award up to the total amount requested in individual grant applications to the top ranked grant applicants up to the maximum amount allowed under paragraph (7)(a). If funds are not available to award the total amount requested by an applicant due to awards of grants to higher ranked applications, the department may award partial grants to applicants up to the amount of the fiscal appropriation remaining in each state fiscal year.

(d) The maximum amount for an individual award shall be limited to \$1 million. In the instance of a ranking tie between two or more applications, the application proposing the higher percentage of match shall be ranked higher. In the instance of a ranking tie between two or more applications, and those applications propose the same percentage of match, the individual scores of the reviewers shall be added, and the application with the higher added reviewer scores shall be ranked higher. If there is still a tie, then the application submitted earlier in date shall be ranked higher.

(e) The minimum amount for an individual award shall be limited to \$50,000.00.

(f) The Department shall award up to the total amount requested in individual grant applications up to the maximum amount allowed under paragraph (7)(d). If funds are not available to award the total amount requested by an applicant,

the Department will award partial match grants to applicants up to the amount of the fiscal appropriation remaining in each state fiscal year.

(g) If two or more applicants provide the Notice of Award for Prime Funding to the Department on the same date and the available Department funds are not able to fund both, the applicant with the highest averaged reviewer score shall receive funding. If there is a tie between the averaged reviewer scores then the applicant with the higher amount of match percentage shall receive funding. If there is still a tie, then the application submitted earlier in date and time shall receive funding.

(h) The Department is not liable for any Prime Funding lost due to insufficient funds in the Renewable Energy and Energy-Efficient Technologies Grant Matching Program.

(i) The Department reserves the right to conduct a pre-award site visit to verify the claims within the application.

(8) ADMINISTRATION.

(a) Matching grant funds must be awarded through a formal grant agreement negotiated and executed between the Department and the grant applicant. Either party has the discretion to terminate negotiations if an agreement is not reached within ten (10) business 45 days of announcement of award for Department matching funds. If the Department and the grant applicant are unable to negotiate an agreement, the grant shall not be awarded to that grant applicant.

(b) Grant agreements shall be limited to no longer than three (3) years in duration, unless approved in writing by the Department.

(c) Grant funds shall be distributed as reimbursements to recipients upon receipt of a formal invoice, supporting documentation, and upon Department grant manager approval for compliance with all requirements of the grant agreement, this rule chapter, and the Florida Statutes.

(d) Invoices shall be submitted by grantees not more frequently than once per month, and not less frequently than once per quarter.

(e) Expenses incurred by a grantee and its project partners for its project after the execution of a formal grant agreement shall be considered as match based upon the requirements of Section 377.804, F.S., and this chapter.

(f) Expenses incurred by a grantee and its project partners for its project between the date of the Department's letter of reservation a notice of grant award and execution of formal grant agreement shall be considered as match if the proposed match would meet all requirements of this rule chapter and Chapter 377, F.S., which would be otherwise applicable to an awarded grant, and if the proposed match would not violate any other provisions of the law. The Department shall determine, on a case-by-case basis, whether such expenses qualify for match. Approval of such expenses as match are subject to negotiation of the grant agreement, and prior written approval by the

Department is required. Consideration as match is not guaranteed.

Rulemaking Authority 377.804(3) FS. Law Implemented 377.802, 377.804 FS. History—New 10-22-07, Formerly 62-16.300, 27N-1.300, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Patrick Sheehan, Executive Director of the Office of Energy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 5, 2014

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NOS.:	RULE TITLES:
5F-10.001	Standards
5F-10.0015	Registration
5F-10.003	Guidelines for Imposing Administrative Penalties

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. 133, July 10, 2013 issue of the Florida Administrative Register.

5F-10.001 Standards.

(1) The performance specifications and standards for all non-recycled antifreeze products are hereby incorporated by reference: ASTM International Designation D3306-11 (approved November 1, 2011), “Standard Specification for Glycol Base Engine Coolant for Automobile and Light-Duty Service,” with the following exceptions:

(a) Products, as defined in Section 501.912, F.S., that are specifically designed for applications (according to the manufacturer) that prohibit the use of glycol, or contents of 50 percent or more, in the engine coolant system may have a freezing point higher (and consequent boiling point lower) than that required by this section, so long as all of the following conditions are met. All other product quality specification listed in this subsection must be met.

1. No change.

2. A statement must be printed on the front label of the bottle in a conspicuous font indicating the maximum freezing point (and minimum boiling point if different from affected by the ~~reduction of glycol in the mixture and does not meet the specifications~~ required phase transition points established in ASTM International Designation D3306-11, “Standard Specification for Glycol Base Engine Coolant for Automobile and Light-Duty Service,” (approved November 1, 2011) and the label must clearly state by this section) of the product and the intended applications for its use.

3. The following statement (or similar definitive equivalent statement ~~as approved by the department~~) must be printed in all capital letters on the front label or affixed to the front of the bottle in a conspicuous font: THIS PRODUCT MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE. THE FREEZING POINT DOES NOT MEET THE MINIMUM REQUIREMENTS FOR ALL GENERAL AUTOMOTIVE APPLICATIONS. CONSULT WITH YOUR MECHANIC OR ENGINE OWNER’S MANUAL BEFORE USE.

4. The words “antifreeze” or the like, as defined in Section 501.912, F.S., may not be used on any label affixed to the bottle if there is less than ten percent glycol present in the product.

~~(b) All dilutions performed for testing as required by ASTM International Designations adopted in this rule shall be performed as follows:~~

- ~~1. Measure the required volume of engine coolant or antirust into a graduated cylinder. Class B or better.~~
- ~~2. Add water of the type to be used for the test to volume, accurately. If the mark is overshot, the dilution must be discarded and the process started again.~~
- ~~3. Mix the contents of the flask by inverting several times, taking care to avoid loss of solution through the stopper. If loss occurs through the stopper, the dilution must be discarded and started again.~~
- ~~4. The test concentration shall be expressed as the ratio fo the initial volume of the product to the final volume of the mxture of the product and water, both measured at 20 °C.~~

~~(b)(e) 1,3-Propanediol base engine coolants for automobile and light-duty service: the performance specifications and standards for 1,3 Propanediol base engine coolants for automobile and light-duty service are hereby incorporated by reference: ASTM International Designation D7518-10 (approved April 1, 2010), “Standard Specification for 1,3 Propanediol (PDO) Base Engine Coolant for Automobile and Light-Duty Service.” Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration.~~

~~(b)(e) 1,3-Propanediol base engine coolants for automobile and light-duty service: the performance specifications and standards for 1,3 Propanediol base engine coolants for automobile and light-duty service are hereby incorporated by reference: ASTM International Designation D7518-10 (approved April 1, 2010), “Standard Specification for 1,3 Propanediol (PDO) Base Engine Coolant for Automobile and Light-Duty Service.” Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration.~~

- ~~1. A statement must be printed on the front label of the bottle in a conspicuous font indicating the product is only for systems compatible with 1,3 Propanediol base engine coolants.~~

~~2-~~ The following statement (or similar definitive equivalent statement ~~as approved by the department~~) must be printed in all capital letters on the front label or affixed to the front of the bottle in a conspicuous font: ~~THIS PRODUCT CONTAINS 1,3-PROPANEDIOL. AND MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE. CONSULT WITH YOUR MECHANIC OR ENGINE OWNER'S MANUAL BEFORE USE.~~

~~(c)(d)~~ Glycerin base engine coolants for automobile and light-duty service: the performance specifications and standards for Glycerin base engine coolants for automobile and light-duty service are hereby incorporated by reference: ASTM International Designation D7714-11 (approved October 1, 2011), "Standard Specification for Glycerin Base Engine Coolant for Automobile and Light-Duty Service." Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration.

~~1. A statement must be printed on the front label of the bottle in a conspicuous font indicating the product is only for systems compatible with Glycerin base engine coolants.~~

~~2-~~ The following statement (or similar definitive equivalent statement ~~as approved by the department~~) must be printed in all capital letters on the front label or affixed to the front of the bottle in a conspicuous font: ~~THIS PRODUCT CONTAINS GLYCERIN. AND MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE. CONSULT WITH YOUR MECHANIC OR ENGINE OWNER'S MANUAL BEFORE USE.~~

~~(d)(e)~~ Low silicate ethylene glycol base engine coolants for heavy-duty engines: the performance specifications and standards for all low silicate ethylene glycol base engine coolants for heavy-duty applications are hereby incorporated by reference: ASTM International Designation D4985-10 (approved April 1, 2010), "Standard Specification for Low Silicate Ethylene Glycol Base Engine Coolant for Heavy Duty Engines Requiring a Pre-Charge of Supplemental Coolant Additive (SCA)." Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration. ~~The following statement (or similar definitive equivalent statement as approved by the department) must be printed on the front label or affixed to the front of the bottle in a conspicuous font: THIS PRODUCT IS DESIGNED FOR HEAVY DUTY APPLICATIONS AND MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE. CONSULT WITH YOUR MECHANIC OR ENGINE OWNER'S MANUAL BEFORE USE.~~

~~(e)(f)~~ Glycol base engine coolants for heavy-duty engines: the performance specifications and standards for glycol base engine coolants for heavy-duty engines are hereby incorporated by reference: ASTM International Designation D6210-10 (approved December 1, 2010), "Standard Specification for Fully-Formulated Glycol Base Engine Coolant for Heavy-Duty Engines." Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration. ~~The following statement (or similar definitive equivalent statement as approved by the department) must be printed on the front label or affixed to the front of the bottle in a conspicuous font: THIS PRODUCT IS DESIGNED FOR HEAVY DUTY APPLICATIONS AND MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE. CONSULT WITH YOUR MECHANIC OR ENGINE OWNER'S MANUAL BEFORE USE.~~

~~(f)(g)~~ 1,3-Propanediol base engine coolants for heavy-duty engines: the performance specifications and standards for 1,3-Propanediol base engine coolants for heavy-duty engines are hereby incorporated by reference: ASTM International Designation D7517-09 (approved April 1, 2009), "Standard Specification for Fully-Formulated 1,3 Propanediol (PDO) Base Engine Coolant for Heavy-Duty Engines." Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration.

~~1. A statement must be printed on the front label of the bottle in a conspicuous font indicating the product is only for heavy duty systems compatible with 1,3 propanediol base engine coolants.~~

~~2-~~ The following statement (or similar definitive equivalent statement ~~as approved by the department~~) must be printed in all capital letters on the front label or affixed to the front of the bottle in a conspicuous font: ~~THIS PRODUCT CONTAINS 1,3-PROPANEDIOL. AND IS DESIGNED FOR HEAVY-DUTY APPLICATIONS AND MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE. CONSULT WITH YOUR MECHANIC OR ENGINE OWNER'S MANUAL BEFORE USE.~~

~~(g)(h)~~ Glycerin base engine coolants for heavy-duty engines: the performance specification and standards for Glycerin base engine coolants for heavy-duty engines are hereby incorporated by reference: ASTM International Designation D7715-12 (approved June 1, 2012), "Standard Specification for Fully-Formulated Glycerin Base Engine Coolant for Heavy-Duty Engines." Products intended to meet this specification must be declared on the application by the registrant upon submission of the application for registration.

~~1. A statement must be printed on the front label of the bottle in a conspicuous font indicating the product is only for heavy duty systems compatible with Glycerin base engine coolants.~~

2. The following statement (or similar definitive equivalent statement as ~~approved by the department~~) must be printed in all capital letters on the front label or affixed to the front of the bottle in a conspicuous font: THIS PRODUCT CONTAINS GLYCERIN. ~~AND IS DESIGNED FOR HEAVY DUTY APPLICATIONS AND MAY NOT BE SUITABLE FOR USE IN THE COOLANT SYSTEM OF EVERY ENGINE.~~ CONSULT WITH YOUR MECHANIC OR ENGINE OWNER'S MANUAL BEFORE USE.

(2) The performance specifications and standards for all recycled antifreeze products are hereby incorporated by reference: ASTM International Designation D6471-10 (approved April 1, 2010), "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light-Duty Service," and ASTM International Designation D6472-10 (approved April 1, 2010), "Standard Specification for Recycled Glycol Base Engine Coolant Concentrate for Automobile and Light-Duty Service".

(3) through (4) No change.

(5) In accordance with Section 501.919, F.S., any lot of antifreeze (including products falling under the exceptions in section 1 of this rule) that fails to meet applicable standards, as adopted in this rule, shall be placed under stop sale order by the department using FDACS-03206, Stop Sale Order, Rev. 12/12, and FDACS-03537, ~~Warning Tag "Warning" tag~~, Rev. 08/12, prohibiting the sale of the antifreeze. Upon resolution of the violation, the lot of antifreeze shall be released by the department using FDACS-03209, Release, Rev. 01/09. The documents referenced in this subsection are incorporated by reference in Rule 5F-2.001, F.A.C.

Rulemaking Authority 501.921, 570.07(23) FS. Law Implemented 501.913, 501.917, 501.921 FS. History—New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, 10-22-01, 12-9-02, 12-7-04, 2-5-07, _____.

5F-10.0015 Registration.

(1) In accordance with Section 501.913, F.S., each brand of antifreeze to be distributed in this state shall be registered annually with the department prior to distribution and registrant shall make application on FDACS-03211, Application for Registration of Antifreeze, Rev. 11/13 ~~10/12~~, hereby incorporated by reference, no later than July 1 of each year. Copies of this form may be accessed at <http://www.flrules.org/Gateway/reference> _____.

Application shall be made by the manufacturer, packager, or the person whose name appears on the label.

(a) through (c) No change.

(2) The department shall register a brand of antifreeze authorizing the distribution of the specified antifreeze brand in the state for the specified permit year if the registration requirements are met, pursuant to Section 501.913, F.S., and this rule chapter.

(3) In accordance with Section 501.919, F.S., any brand of antifreeze distributed in this state that fails to meet applicable registration requirements shall be placed under stop sale order by the department using FDACS-03206, Stop Sale Order, Rev. 12/12, and FDACS-03537, ~~Warning Tag "Warning" tag~~, Rev. 08/12, prohibiting the distribution of the antifreeze brand. Upon resolution of the violation, the lot of antifreeze shall be released by the department using FDACS-03209, Release, Rev. 01/09. The documents referenced in this subsection are incorporated by reference in Rule 5F-2.001, F.A.C.

(4) In accordance with Section 501.918(1), F.S., any unregistered brand of antifreeze (~~includes including~~ cooling products falling under all subsections ~~the exceptions~~ in subsection 5F-10.001(1) of this rule and (2) that was registered in the immediately preceding registration period and has not been or is not currently in the process of being renewed shall be disposed of within 90 days of registration expiration. Disposal shall be the responsibility of the registrant and in a manner as prescribed below. If the product has been placed under stop sale order by the department, it must be released by the department prior to the execution of any disposal method. Acceptable disposal methods:

~~(a)4-~~ Removal of all such unregistered antifreeze from this state, not to be distributed again in this state unless successful registration has been completed, or;

~~(b)2-~~ Donation of product to a non-profit organization for consumption so long as all donated product meets all specifications for quality, adulteration, and labeling for antifreeze products, as prescribed in Chapter 501, Part V, F.S., and this rule, ~~or;~~

~~3. Other means approved in writing by the department.~~

Rulemaking Authority 501.913, 570.07(23) FS. Law Implemented 501.913, 501.918, 501.919, FS. History—New _____.

5F-10.003 Guidelines for Imposing Administrative Penalties.

(1) This rule sets forth the guidelines the department will follow in imposing the penalties authorized under subsections Chapter 501.91-501.923 Part V, F.S. The purpose of the guidelines is to give notice of the range of penalties, which normally will be imposed for a single violation within a three-year period. The three-year period shall be based on the date of issuance of the stop sale order. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase penalties to be imposed. No aggravating factors will be applied

to increase a fine imposed for a single violation above the statutory maximum of \$1,000 per violation for a first-time offender or \$5,000 per violation for second-time or repeat ~~subsequent~~ offender, or for a willful and intentional violation. The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty and will be grounds for enhancement of penalties.

(2) The department will enforce compliance with subsections Chapter 501.91-501.923, Part V F.S., and this rule chapter by issuing a stop sale order and administrative complaint, if applicable, for violations of subsections Chapter 501.91-501.923, Part V F.S., and this rule chapter.

(3) through (4) No change.

(5) Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining penalties for violations of subsections Chapter 501.91-501.923, Part V F.S., and this rule chapter. The factors shall be applied against each single count of the listed violation.

(a) Aggravating Factors:

1. through 4. No change.

5. The violation existed for more than one month ~~an extended period of time~~.

6. The violation was repeated within one year ~~a short period of time~~.

7. through 13. No change.

(b) Mitigating Factors:

1. through 3. No change.

4. Acts of God or nature that impaired the ability of the violator to comply subsections Chapter 501.91-501.923, Part V F.S., or Rule Chapter 5F-10, F.A.C.

5. through 10. No change.

(6) through (7) No change.

(8) Penalties.

(a) Minor Violations. A violation of subsections Chapter 501.91-501.923, Part V F.S., or this rule chapter is a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Minor violations shall result in the issuance of a stop sale order. If a third stop sale order is issued within a three year period a \$500 penalty shall be issued ~~and in accordance with Section 501.922(1), F.S. 525.16(1)(b), F.S., a \$500 penalty shall be issued~~. An additional penalty of \$500 shall be issued for each stop sale order issued for independent events thereafter. In addition, the department shall also revoke or suspend a registration for an unpaid fine and until such time that the fine has been paid. For the purposes of this rule, violations of Section 501.918 (5), (6), (7); or (8), F.S., shall be considered minor violations.

(b) Major Violations. Any violation of subsections Chapter 501.91-501.923, Part V F.S., or this rule chapter that results in economic or physical harm to a person or adversely affects the public health, safety, or welfare or creates a significant threat of such harm shall be considered a major violation. Major violations shall result in the issuance of a stop sale order and imposition of an administrative fine of \$500 per violation for first-time offenders of subsections Chapter 501.91-501.923, Part V F.S., and/or Rule Chapter 5F-10, F.A.C., within a three-year period. An additional \$500 fine shall be issued for each subsequent violation ~~thereafter~~ within a three-year period for second-time or repeat offenders of subsections 501.91-501.923, F.S. and/or Rule Chapter 5F-10, F.A.C., not to exceed the statutory maximum of \$5,000, per violation, for second time or repeat offenders of Chapter 501, Part V, F.S., and/or Rule Chapter 5F-10, F.A.C. Aggravating factors, as defined in paragraph (5)(a) of this section, shall warrant the adjustment of the fine upward from \$250 to \$500 per violation per aggravating factor for first-time offenders and from \$250 to \$2,500 for second and subsequent offenders and mitigating factors, as defined in paragraph (5)(b) of this section, shall warrant the adjustment of the fine downward from \$250 to \$500 per violation per mitigating factor for first-time offenders and from \$250 to \$2,500 per violation per mitigating factor for second and subsequent offenders, but no fine shall exceed the statutory maxima as outlined in Section 501.922(1)(b), F.S. If, three years after the day of issuance of the last stop sale order for a violation under this rule, no new violation has occurred pertaining to the specific brand of antifreeze, all previous fines shall be disregarded when administering a fine for the next violation. ~~Pursuant to Section 501.922, F.S., the department may also revoke or suspend a registration for a major violation, but not for more than one year.~~ In addition, the department shall ~~may~~ also revoke or suspend a registration for an unpaid fine and until such time that the fine has been paid. For the purposes of this rule, the following violations shall be considered major violations:

1. Violations of Section 501.916, F.S.

2. Violations of Section 501.918(1), (2), (3), (4) or (9), F.S.

3. Repeat violations of Section 501.918(5), (6), (7) or (8), F.S.

4. No change.

5. Violations of Rule 5F-10.0015, F.A.C. If a complete registration package has been received by the department within 30 calendar days from the date of the stop sale order, the fine shall be mitigated to a warning letter for a first time violation by a registrant so long as ~~and~~ said registrant has never previously registered ~~applicable~~ products subject to this subsection in this state ~~prior~~. Subsequent violations by same registrant for any brand within a three-year period shall not be mitigated under these provisions.

(c) Willful Violations. ~~Any willful and intentional violation of subsections 501.91-501.923, F.S., or this rule chapter or of any requirement or standard adopted pursuant thereto, shall result in the imposition of an administrative fine of up to \$5,000 per violation and suspension of registration for a period of one year. Willful violations shall result in the imposition of an administrative fine of up to \$5,000 per violation; suspension of registration for a period of one year ;and/or additional penalties as prescribed by law. The following shall constitute a willful violation:~~

~~1. Any willful and intentional violation of Chapter 501, Part V, F.S., or this rule chapter or of any requirement or standard adopted pursuant thereto, not otherwise included in this section.~~

~~1.2. The unauthorized disposal, including the removal, transfer, or sale, of any antifreeze which is under a stop sale order; Any willful and intentional violation of a stop sale order or the conditions stipulated on a release.~~

~~2.3. Violations which result from a failure to comply with a Final Order, a notice of non-compliance, a stop sale order, or any condition stipulated on a release of a stop sale order. A failure to comply with either a Final Order or a Default Final Order of the department.~~

(9) Resolution of Violations, Settlement, and Additional Enforcement Remedies.

(a) The department and person(s) charged with a violation may agree to resolve violations prior to an administrative hearing or enter into settlement pursuant to Section 120.57(4), F.S. The penalties addressed in this rule chapter shall not be construed to limit the authority of the department to resolve violations prior to or after initiation of any administrative action or to settle with any party. The department shall utilize all available remedies to ensure compliance including administrative action, civil actions, settlements, and referrals for criminal prosecution. The department shall enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement and as authorized by Chapter 120 or subsections Chapter 501.91-501.923, Part V F.S.

(b) Failure to respond to an administrative complaint shall result in the entry of a Default Final Order against the violator or entity responsible for the violation. The department shall ~~may~~ impose administrative fines in a Default Final Order equal to the maximum amount possible, not to exceed \$5,000 per violation.

(c) A failure to comply with either a Final Order or a Default Final Order of the department shall result in any applicable registration revocation and an administrative fine of up to \$1,000, per violation, for a first time offender and up to \$5,000 per violation, for a second or repeat offender. Additional

penalties shall be sought through the enforcement of the order in circuit court.

Rulemaking Authority 501.922, 570.07(23) FS. Law Implemented 501.913, 501.918, 501.919, 501.922 FS. History–New_____.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: 6M-4.710 RULE TITLE: School Readiness Program Curricula
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. 40, No. 56, March 21, 2014 issue of the Florida Administrative Register.

The change is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated March 31, 2014. The changes are as follows:

The rule is to now read:

6M-4.710 School Readiness Program Curricula.

The specifications, policies and procedures for the School Readiness curriculum approval process are contained in the documents, “Florida School Readiness Program: Policies and Procedures for Curriculum Approval 2014-2015,” Form OEL-SR-7101(effective March 2014) and “Florida School Readiness Program: Curriculum Approval Specifications 2014-2015,” Form OEL-SR-7102 (effective March 2014). Forms OEL-SR-7101 and OEL-SR-7102 are hereby incorporated by reference in this rule. The following forms are appendices to Form OEL-SR-7101 and are hereby incorporated by reference: Form SR-Curr1(effective March 2014) entitled “Committee Member Application,” Form SR-Curr1a (effective March 2014) entitled “Committee Member Agreement,” Form SR-Curr2 (effective March 2014) entitled “Intent to Submit,” Form SR-Curr3 (effective March 2014) entitled “Submitter Registration”, Form SR-Curr4 (effective March 2014) entitled “Submitter Agreement” and Form SR-Curr6 (effective March 2014) entitled “Submitter Written Correlation.” The following form is an appendix to Form OEL-SR-7102 and is hereby incorporated by reference: Form SR-Curr5 (effective March 2014) entitled “Curriculum Evaluation.” Copies of all forms may be obtained on the Office of Early Learning website at www.floridaearlylearning.com or by contacting the Office of Early Learning, Department of Education, 250 Marriott Drive, Tallahassee, Florida. The incorporated forms are also available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-03980>. Rulemaking Authority 1001.213(2), 1002.82(2)(l) 411.01(4)(e) FS. Law Implemented 1002.82(2)(l) 411.01(4)(d)3.f. FS. History–New 11-15-12, Amended_____.

Changes to Form OEL-SR-7101 (March 2014) are as follows:
 On page two: added the form number and corrected the form title to read: School Readiness Program: Curriculum Approval Specifications (Form OEL-SR-7102); the web link for the Early Learning and Development Standards: Birth to Five has been changed to cite to <https://www.flrules.org/gateway/reference.asp?No=Ref-01652> which is the link for the form as adopted in Rule 6M-4.700, F.A.C.
 On page three, Sections II.A. , the phrase: “Other interested stakeholders meeting relevant, equivalent criteria” is removed.
 One page three, Section II.A.1., the phrase: “Any other interested stakeholders must meet relevant, equivalent criteria to other committee members” is removed.
 One page nine, Section V.B.2., the paragraph has been replaced with the following: “OEL may waive minor formalities or irregularities in proposals received where such is merely a matter of form and not substance, and the correction or waiver does not place the submitter at a position of advantage over other submitters, or provide the submitter with a benefit not conferred on other submitters. Minor irregularities are defined as those that do not have an adverse effect on OEL’s interest and do not give a submitter an advantage or benefit not available to other submitters.”
 On page ten, Section VI. Appendices, under Composition of Committees, the phrase: “Other interested stakeholders meeting relevant, equivalent criteria” is deleted.
 On page ten, Section VI. Appendices, under Qualifications, the phrase: “Any other interested stakeholders chosen must meet relevant, equivalent criteria to other committee members” is deleted.
 On page eleven, the second bullet under “Additional Requirements: Members must.” has been deleted and replaced with: “Not have any financial interest in any curriculum he or she reviews”
 On page16, Appendix D, in the middle of the page, at the paragraph beginning, “I hereby agree...” the sentence beginning with “Furthermore, the ethical standards outlined in statute” has been changed to read: “Furthermore, the ethical standards as required by s. 1006.31, F.S.,”
 Changes to Form OEL-SR-7102 (March 2014) are as follows:
 On page one, the Section numbering has been corrected.
 On page one, under “Curriculum Content”, the second paragraph references “Rule 6M-4.710” has been corrected to read “Rule 6M-4.700.”
 On page seven, the web link for the Early Learning and Development Standards: Birth to Five has been changed to cite to <https://www.flrules.org/gateway/reference.asp?No=Ref-01652> which is the link for the form as adopted in Rule 6M-4.700, F.A.C.

On page seventeen, the reference to the rule in the footer of the form has been changed to read: Rule 6M-4.710, F.A.C.”

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-1.1022	Emergency Authorization for Well Construction Permits
40D-1.604	Bonds
40D-1.6051	Timeframe for Providing Requested Information for Permit Applications and Denial of Incomplete Applications
40D-1.607	Permit Processing Fee

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. 248, December 26, 2013 issue of the Florida Administrative Register. These changes are in response to written comments received from the Joint Administrative Procedures Committee dated February 5, 2014 and March 14, 2014. The changes are as follows:

Subsection 40D-1.1022(5), F.A.C., is hereby revised as follows:

(5) In emergency situations when compliance with the requirements of Part III of Chapter 373, F.S., or Chapter 40D-3, F.A.C., will result in undue hardship when an unexpected problem is encountered during the construction, repair or abandonment of a well, the Executive Director or the Executive Director’s designee, shall authorize an exemption to the extent provided in Section 373.326(1), F.S., by telephone, from the conditions required by a permit or rule requirements for a well. A Well Completion Report documenting the exemption must be submitted to the District in writing within 30 days of completion.

Rule 40D-1.604, F.A.C., is hereby revised to be repealed in full.

40D-1.604 Bonds.

~~(1) The District may require the applicant for a permit to furnish a bond made payable to the District and its successors, with a reputable bonding corporation authorized to do business in this State as surety, conditioned upon full compliance with the terms of the permit. The amount of the bond shall be in such amount as the District shall determine to be adequate.~~

~~(2) In the alternative to subsection (1), the District may require liability insurance in such amount as the District shall determine endorsed in favor of the District or a hold harmless agreement satisfactory to the District.~~

~~(3) The District may require that such bond or liability insurance be maintained as a condition of the continued validity of the permit.~~

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.085, 373.413, 373.416 FS. History—Readopted 10-5-74, Formerly 16J-0.13, 40D-1.391, 40D-1.1900, Amended, 6-5-05, 11-2-09, Repealed.

Paragraph 40D-1.6051(1)(b), F.A.C., is hereby revised as follows:

(b) Upon written request by the applicant, an extension of time ~~shall~~ ~~may~~ be granted by the District staff upon a showing by the applicant that a good faith effort is being made to provide the additional information and the additional time is required.

Paragraph 40D-1.607(6)(a), F.A.C. (formerly subparagraph 40D-1.607(10)(a)1.), is revised as follows:

1. PERMIT MODIFICATIONS USING MODIFICATION SHORT FORM: Applications for permit modifications using the Modification Short Form incorporated by authorized ~~pursuant to~~ paragraph 40D-2.331(2)(b), F.A.C.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: RULE TITLE:

61-41.016: Department Insignia

The Department of Business and Professional Regulation, Manufactured Building Program hereby gives notice: that on January 3, 2014, a petition for variance from Southeastern Seating, Inc. was filed regarding Rule 61-41.016 that addresses the attachment of insignias to a manufactured building. Petition notice was published on January 14, 2014, and can be found in Vol. 40, No. 9 of the F.A.R. An Order granting the variance on the basis of substantial economic hardship was filed on April 3, 2014.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

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

On March 19, 2014 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Angel's Kitchen located in Dania Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under the same ownership for use by customers only.

The Petition for this variance was published in Vol. 40, No. 58 on March 25, 2014. The Order for this Petition was signed and approved on April 2, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Spiritual Warfare Christian Center are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Spiritual Warfare Christian Center, Inc. (Sallie Billings) changes, a signed agreement for use of the bathroom facilities is required immediately.

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

Section VI Notice of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
Division of Bond Finance
Financial Services Commission
Office of Insurance Regulation
Office of Financial Regulation
Agency for Enterprise Information Technology
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

DATE AND TIME: April 22, 2014, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol,
Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage

brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant

to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 17, 2014, 4:00 p.m.

PLACE: Florida Horse Park, 11008 South Highway 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general board business.

A copy of the agenda may be obtained by contacting: Shawn Doherty, Executive Director, (352)307-6699.

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: Shawn Doherty, Executive Director, (352)307-6699. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 10, 2014, 5:00 p.m.

PLACE: Holiday Inn Hotel & Suites - Ocala Conference Center, 3600 SW 38th Avenue, Ocala, FL 34474, (352)629-9500. (Please Note: This is a revised meeting location from the original public notice that was published in the Florida Administrative Register Volume 40, Number 63, on April 1, 2014.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the board to discuss general board business.

A copy of the agenda may be obtained by contacting: Shawn Doherty, Executive Director, (352)307-6699 or email at execdir@FLHorsePark.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Shawn Doherty, Executive Director, (352)307-6699 or email at execdir@FLHorsePark.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).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum Executive Search Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 14, 2014, 3:00 p.m. (EST)

PLACE: Conference call: 1(888)670-3525, conference code: 3511716520

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Director Search.

A copy of the agenda may be obtained by contacting: Andy Johnson, (386)313-4040.

STATE BOARD OF ADMINISTRATION

The State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 21, 2014, 9:00 a.m. – 10:00 a.m. (EDT)

PLACE: Hermitage Room, First Floor, The Hermitage Centre, 1801 Hermitage Blvd, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this special meeting is to discuss and approve the Office of Internal Audit budget for fiscal year 2014-15.

A copy of the agenda may be obtained by contacting: Elizabeth Scott, (850)413-1248, email: Elizabeth.Scott@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James Linn, (850)413-1166, email: James.Linn@sbafla.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).

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: April 23, 2014, 1:30 p.m.

PLACE: Hardee County Emergency Operations Center, 404 W. Orange Street, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting and/or Public Hearing of the Transportation Disadvantaged (TD) Local Coordinating Board (LCB).

A copy of the agenda may be obtained by contacting: Marcia Staszko, Program Director, (863)534-7130, ext. 103, or at mstaszko@cfrpc.org.

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.

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: April 17, 2014, 8:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The weekly meeting of the Council's Legislative Affairs Committee to discuss legislative priorities.

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232. 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 SWFRPC's offices at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.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: April 17, 2014, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly board meeting of the Southwest Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

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 SWFRPC's offices at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.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: Thursday, April 17, 2014, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council - 1st Floor Conference Room, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the SWFRPC board. Also, the SWFRPC's Executive Committee and Budget & Finance Committee is scheduled to meet prior to the SWFRPC board meeting at 8:15 a.m.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

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: SWFRPC offices at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District, Projects and Land Committee announces that a site visit has been canceled.

DATE AND TIME: Monday, April 7, 2014, 10:00 a.m., Projects and Land Committee site visit has been canceled

PLACE: Starting location: St. Johns River Water Management District Palm Bay Service Center, 525 Community College Parkway, S.E., Palm Bay, Florida 32909

GENERAL SUBJECT MATTER TO BE CONSIDERED: The scheduled site visit has been canceled.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4214.

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, April 21, 2014, 12:00 p.m.; 2014 Loxahatchee River Preservation Initiative Meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initiative Meeting.

A copy of the agenda may be obtained by contacting: Rod Braun, South Florida Water Management District, Office of Everglades Policy and Coordination, 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: the District Clerk, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rod Braun, South Florida Water Management District, Office of Everglades Policy and Coordination, 3301 Gun Club Road, West Palm Beach, FL 33406; (561)682-2925, rbraun@sfwmd.gov.

DEPARTMENT OF HEALTH

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

DATE AND TIME: Tuesday, April 15, 2014, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Suite 340N, Tallahassee, FL 32399; or by telephone call-in toll-free number: 1(888)670-3525, Attendee access code: 277 680 0919 and Webex: <https://suncom.webex.com/suncom/j.php?ED=261115062&UID=492507417&RT=MiMxMQ%3D%3D>

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

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4444, ext. 2960.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anna Simmons, (850)245-4444, ext. 2960 or Anna.Simmons@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Anna Simmons, (850)245-4444, ext. 2960, or Anna.Simmons@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 9, 2014, commencing at 9:00 a.m.

PLACE: Embassy Suites Orlando - Lake Buena Vista South, 4955 Kyngs Heath Road, Orlando, Florida 34746, (407)597-4103

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the boards website at: <http://floridasclinicallabs.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: Sherra W. Mears. 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: May 16, 2014 11:00 a.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to discuss the applications received and to answer any questions the Review Committee may have regarding the applications submitted in response to Florida Housing Finance Corporation's Request For Applications 2014-106, for PHA Revitalization Of Affordable Housing Developments.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

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: Jean Salmonsens, (850)488-4197. 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: June 11, 2014; 9:00 a.m.

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to give the scores and to submit a recommendation to Florida Housing's Board of Directors regarding the responses submitted for Florida Housing Finance Corporation's Request For Applications 2014-106, for PHA Revitalization Of Affordable Housing Developments.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

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: Jean Salmonsens, (850)488-4197. 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 public meetings to which all persons are invited.

DATES AND TIMES: May 16, 2014, 9:00 a.m. (Eastern); June 11, 2014, 1:00 p.m. (Eastern)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first Review Committee Meeting will be to discuss the applications and answer any questions the Review Committee may have regarding the applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2014-107 for the Financing of Permanent Supportive Housing with a Priority to Assist Veterans with a Disabling Condition that Lack Permanent and Stable Housing. The second Review Committee Meeting will be to give the

scores and to submit a recommendation to Florida Housing’s Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.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).

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association-Operating Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 11, 2014, 10:30 a.m.

PLACE: Toll-free-dial-in: 1(877)826-6967; conference ID number 2867636526#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Operating Committee will review proposed changes in the FAJUA Underwriting Manual for recommendation to the Board of Governors and any other matters that may come before the committee.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive, East, #201A, Tallahassee, Florida, (850)681-2003, sneal@fajua.org.

**Section VII
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 Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Petitioner, Laurence Robinson, DS 2013-115 on April 1, 2014. The following is a summary of the agency’s disposition of the petition:

On December 10, 2013, Petitioner, Laurence Robinson requests clarification regarding whether the Petitioner’s proposed operations are legal under the exceptions for vendors receiving telephone and mail orders in Florida Statute 561.57. Petitioner,

Laurence Robinson, either herself or on behalf of a Florida business entity, intends to begin an online business to sell wine and possibly beer for consumption off the premises pursuant to Florida Statute 564.02(1)(a). The business intends to operate exclusively through internet-based marketing and sales. The petitioner is substantially affected by virtue of its intent to be a vendor of alcoholic beverages in Florida. The Department published the notice of the Petition with the Florida Administrative Register on December 18, 2013, Volume 39, Number 244. On April 1, 2014, the Department filed a Final Order based upon the facts described in the Petition for Declaratory Statement. The set of facts put forward by the Petitioner in the Petition for Declaratory Statement are not uniquely applicable to the Petitioner as required by law. The business operations proposed by Petitioner are too broad and not uniquely applicable to Petitioner’s business for the Division to render an opinion through a declaratory statement. With the above finding considered, the Division is unable to answer the Petition and will therefore enter into rulemaking to address the issue of internet orders.

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

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF MANAGEMENT SERVICES
Division of Building Construction
DACS-12034000

ADVERTISEMENT TO BID CONSTRUCTION
STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES
DIVISION OF REAL ESTATE DEVELOPMENT
AND MANAGEMENT

PUBLIC ANNOUNCEMENT REQUESTING BIDS
FROM QUALIFIED GENERAL CONTRACTORS
PROPOSALS ARE REQUESTED FROM QUALIFIED
GENERAL CONTRACTORS BY THE DEPARTMENT OF
MANAGEMENT SERVICES.

PROJECT NUMBER: DACS-12034000
PROJECT NAME: Construct Freestanding Cooler Building,
Florida City State Farmers Market
PROJECT LOCATION: Florida City, Florida
PRE-BID MEETING: April 16, 2014
BID OPENING: May 7, 2014
ESTIMATED CONSTRUCTION BUDGET: \$950,000.00
PREQUALIFIED BIDDERS: Refer to DMS website (below) for
further details

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.

Please visit the Department’s website,
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.

FLORIDA HOUSING FINANCE CORPORATION
RFA 2014-106 – For PHA Revitalization of Affordable
Housing Developments

In 2013, Florida Housing Finance Corporation (the
Corporation) was authorized by Section 420.507(48), F.S., to
use up to 10 percent of its annual allocation of low-income
housing tax credits to allocate by competitive solicitation for
high-priority affordable housing developments. On April 11,
2013, the Corporation issued a Request for Proposals (RFP) for
the development of affordable, multifamily housing involving
Public Housing Authority (PHA) revitalization (consisting of
Rehabilitation or Reconstruction) in medium and small
counties. Through that RFP, the Corporation awarded
preliminary financing to two (2) PHA Revitalization
Developments for a total allocation of \$1,685,000. Through this
Request for Applications (RFA), \$1,750,000 will be made
available for the same purpose of development of affordable,
multifamily housing involving PHA revitalization (consisting
of Rehabilitation or Reconstruction) in medium and small
counties.

Applications shall be accepted until 11:00 a.m., Eastern Time,
on Wednesday, May 7, 2014, and sent to the attention of Ken
Reecy, Florida Housing Finance Corporation, 227 North
Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.
For questions or additional information, please contact Ken
Reecy at Ken.Reecy@floridahousing.org. The RFA, which
outlines selection criteria and Applicant’s responsibilities, can
be downloaded from the Florida Housing Finance Corporation
website at:

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2014-106/>

Any modifications that occur to the Request for Applications
will be posted at the website and may result in an extension of
the deadline. It is the responsibility of the Applicant to check
the website for any modifications prior to the deadline date.

FLORIDA HOUSING FINANCE CORPORATION
Request for Applications 2014-107 for the Financing of
Permanent Supportive Housing with a Priority to Assist
Veterans with a Disabling Condition that Lack Permanent and
Stable Housing

This Request for Applications (RFA) is open to Non-Profit Applicants proposing Permanent Supportive Housing for Veterans with a Disabling Condition who are Chronically Homeless or in institutions because of a lack of permanent housing that facilitates the intended residents' access to community-based healthcare and supportive services and stability in their community. Under this RFA, the Corporation expects to have up to an estimated \$2.2 million of Competitive Housing Credits, as well as an estimated \$5 million of gap loan funding available for award to proposed Developments.

Applications shall be accepted until 11:00 a.m., Eastern Time, on Tuesday, May 6, 2014, to the attention of Ken Reecy, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Ken Reecy at Ken.Reecy@floridahousing.org or as otherwise directed in the RFA. This Request for Applications, which outlines selection

criteria and applicant's responsibilities, can be downloaded from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2014-107/>.

Any modifications that occur to the Request for Applications will be posted at the website and may result in an extension of the deadline. It is the responsibility of the applicant to check the website for any modifications prior to the deadline date.

**Section XII
Miscellaneous**

NONE

**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.
