

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

#### WATER MANAGEMENT DISTRICTS

##### South Florida Water Management District

RULE NO.:       RULE TITLE:

40E-1.800       Lobbyist Registration

**PURPOSE AND EFFECT:** To implement the requirement that lobbyists register with the South Florida Water Management District and provide a uniform system for lobbyist registration, consistent with other water management districts.

**SUBJECT AREA TO BE ADDRESSED:** Establish lobbyist registration for consistency with the newly enacted legislation (F.S. 112.3261 and SB 846) that became effective July 1, 2014. This item affects all water management districts created in Section 373.069 F.S., which operate under the authority of Chapter 373, F.A.C.

**RULEMAKING AUTHORITY:** 373.019, 373.044, 373.113, 373.171 FS., 112.3261 FS.

**LAW IMPLEMENTED:** 112.3261 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: by contacting: South Florida Water Management District Clerk at 1(800)432-2045, x 2087 or (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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Derek Brown, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 6278 or (561)682-6278 or by email: debrown@sfwmd.gov. For procedural questions, please contact Charron Follins, Senior Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 6293 or (561)682-6293 or by email: cfollins@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 40E-1.800 Lobbyist Registration.

(1) A person who is a “lobbyist” as defined in Section 112.3215, F.S., may not lobby the South Florida Water Management District (the “District”) until he or she has registered as a lobbyist with the District. Registration shall be made by completing, under oath, the “Lobbyist Registration Form,” which is incorporated by reference in subsection (7) below, and submitting that form to the District Clerk at the mail or email address provided in the form.

(2) A separate completed Lobbyist Registration Form must be submitted for each principal represented by the lobbyist before the District.

(3) For identifying and designating a principal’s main business on the Authorization to Represent the Principal part of the Lobbyist Registration Form, the District adopts and incorporates by reference the 6-digit NAICS code published in the North American Industry Classification System – United States, 2012. Classification system information can be obtained by contacting the NAICS Association, 129 Lakeshore Drive, Rockaway, NJ 07866, or by visiting its website: [www.naics.com](http://www.naics.com).

(4) Changes to the information provided on a Lobbyist Registration Form must be reported to the District within 15 days by submitting a completed Lobbyist Registration Form and checking the box indicating the submitted form is for the purpose of changing previously filed information.

(5) A lobbyist may renew his or her registration to lobby by filing a completed Lobbyist Registration Form with the District and checking the box indicating the submitted form is for renewal purposes. Renewals must be filed before January 1 of each year.

(6) The principal of a lobbyist may cancel the lobbyist’s registration by submitting a completed “Lobbyist Registration Cancellation Form,” which is incorporated by reference in subsection (7) below, informing the District that a particular lobbyist is no longer authorized to represent that principal. A lobbyist must cancel his or her registration with the District upon termination of his or her contract or other such employment relationship with the principal by promptly submitting a completed Lobbyist Registration Cancellation Form.

(7) The Lobbyist Registration Form, form number 1400, (effective date) (hyperlink), and the Lobbyist Registration Cancellation Form, form number 1402, (effective date) (hyperlink), are hereby incorporated by reference and may be obtained without cost from the District Clerk either at South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, or at [clerk@sfwmd.gov](mailto:clerk@sfwmd.gov). These forms may also be downloaded from the District’s website at: [www.sfwmd.gov/opengov](http://www.sfwmd.gov/opengov).  
Rulemaking Authority 112.3261(8) FS. Law Implemented 112.3261 FS. History–New.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

RULE NO.: RULE TITLE:

73B-11.030 Benefit Records Unit Records Request

**PURPOSE AND EFFECT:** The purpose of the rule is to eliminate unnecessary forms for the release of Reemployment Assistance Benefit Records used by the Department of Economic Opportunity in its dealings with the public and to clarify form instructions in a single form to be used for all requests for confidential Reemployment Assistance Benefit Records. The rulemaking will streamline the process for the submission of and the response to requests for confidential Reemployment Assistance Benefit Records. Additionally, the rulemaking will assist the public understanding of the process and statutory requirements involved in making a request for confidential Reemployment Assistance Benefit Records and permit the Department to improve the administration of the Reemployment Assistance program.

**SUBJECT AREA TO BE ADDRESSED:** The rulemaking will assist the public understanding of the process and the statutory requirements involved in making a request for Reemployment Benefit Records, and enhances the Department’s efficiency in processing such requests.

**RULEMAKING AUTHORITY:** 443.1317(1)(b), FS.

**LAW IMPLEMENTED:** 443.1715(1), (2)(b)1 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Michael Golen, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)245-7150

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

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Historical Resources**

RULE NOS.: RULE TITLES:

1A-35.002 Definitions

1A-35.005 Grant Funding

1A-35.007 Application Requirements

**PURPOSE AND EFFECT:** The purpose and effect of this action is to repeal Rules 1A-35.002, 1A-35.005, 1A-35.007, F.A.C.

**SUMMARY:** The provisions and programs provided under this chapter are provided for under Chapter 1A-39, F.A.C. There is currently no grant project active under Chapter 1A-35, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of this chapter will not have a direct or indirect adverse financial impact on small businesses.

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:** 267.031(1), 267.0617(5) FS.

**LAW IMPLEMENTED:** 267.0617(2) 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:** Carlos A. Rey, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6515, [Carlos.Rey@dos.myflorida.com](mailto:Carlos.Rey@dos.myflorida.com)

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

1A-35.002 Definitions.

Rulemaking Authority 267.031(1) FS. Law Implemented 267.0617(2) FS. History - New 10-18-83, Formerly 1A-35.02, Amended 11-24-87, 9-4-96, 6-14-05, Repealed xx-xx-xx

1A-35.005 Grant Funding.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2) FS. History - New 10-18-83, Formerly 1A-35.05, Amended 9-4-96, 6-14-05, Repealed xx-xx-xx

1A-35.007 Application Requirements.

Rulemaking Authority 267.031(1), 267.0617(5) FS. Law Implemented 267.0617(2) FS. History - New 10-18-83, Formerly 1A-35.07, Amended 7-21-86, 11-24-87, 12-26-91, 8-11-93, 9-4-96, 6-14-05, Repealed xx-xx-xx

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2014

**DEPARTMENT OF STATE**

**Division of Historical Resources**

RULE NOS.: RULE TITLES:

1A-40.006 Accessioning Procedures

1A-40.007 Inventory of State-owned Artifacts

PURPOSE AND EFFECT: The purpose and effect of this action is to repeal Rules 1A-40.006 and 1A-40.007, F.A.C.

SUMMARY: These rules are considered internal management directives that have no application outside the Division of Historical Resources.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules will not have a direct or indirect adverse financial impact on small businesses.

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: 267.031(1), 267.115(6) FS.

LAW IMPLEMENTED: 267.061(3)(m)(6) 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: Carlos Rey, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6515, Carlos.Rey@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1A-40.006 Accessioning Procedures.

Rulemaking Authority 267.031(1), 267.115(6) FS. Law Implemented 267.061(3)(m)6. FS. History–New 3-28-90, Amended 5-11-92, Repealed xx-xx-xx.

1A-40.007 Inventory of State-owned Artifacts.

Rulemaking Authority 267.031(1), 267.115(6) FS. Law Implemented 267.061(3)(m)6. FS. History–New 3-28-90, Amended 5-11-92, Repealed xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2014

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: RULE TITLE:

61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors

PURPOSE AND EFFECT: The proposed amendment is to clarify rule language.

SUMMARY: Clarify rule language.

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

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

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

RULEMAKING AUTHORITY: 455.217(1), 489.113(6), 489.115(5) FS.

LAW IMPLEMENTED: 455.217(1), 489.113(6), 489.115(5) 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors.

(1) The examination for licensure for any category of swimming pool specialty contractor as specified in Rule 61G4-15.032, F.A.C., shall consist of a written examination or a practical examination. The written examination shall test the applicant’s ability to perform the scope of work for the category of swimming pool specialty contractor for which the applicant applied.

(2) through (4) No Change.

Rulemaking Authority 455.217(1), 489.113(6), 489.115(5) FS. Law Implemented 455.217(1), 489.113(6), 489.115(5) FS. History–New 3-21-06, Amended 9-10-08, 4-26-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 16, 2014

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV  
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER15-8 Cruise for Cash Collect & Win Promotion

SUMMARY: This emergency rule describes the Cruise for Cash Collect & Win Promotion in which players will have the chance to win a tablet, up to \$5,000 in cash or a 7-night Caribbean Cruise Package for two persons.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-8 Cruise for Cash Collect & Win Promotion.

(1) Beginning Monday, February 16, 2015, through Tuesday, April 14, 2015, the Florida Lottery will conduct the Cruise for Cash Collect & Win Promotion (“Promotion”). Players who purchase a FLORIDA LOTTO® or FLORIDA LOTTO® with XTRA ticket of any price point can scan the barcode on their tickets using a smartphone or tablet, or can manually enter the ticket number on the Florida Lottery’s website to collect cruise symbols and earn entries into a drawing for a chance to win a tablet, up to \$5,000 in cash or a 7-night Caribbean Cruise Package for two persons. Both winning and non-winning FLORIDA LOTTO tickets may be used to enter the Promotion. Only FLORIDA LOTTO tickets purchased during the promotion period may be used to enter the Promotion including FLORIDA LOTTO tickets associated with JACKPOT COMBO.

(2) How to Participate.

(a) Cruise for Cash App Download and Registration. A player may participate in the Cruise for Cash Collect & Win Promotion by downloading the free Cruise for Cash Collect & Win app at the iTunes® Store for iOS devices or at Google Play® for Android® devices. Players who downloaded the Lucky Lotto mobile app for the 2014 Collect & Win Promotion will receive a message that an update is available for the Cruise for Cash Collect & Win Promotion. For easy access to the app, a QR code will be printed below the barcode on FLORIDA LOTTO tickets during the Promotion period for the player to scan with a camera on a smartphone or tablet. A QR code will also appear on Cruise for Cash Collect & Win Promotion point-of-sale materials displayed at Florida Lottery retailers. FLORIDA LOTTO tickets associated with JACKPOT COMBO will not contain a QR code or entry instructions. After the app is downloaded, the player will be

prompted to register his or her contact information and will be sent an email directing the player to confirm his or her registration. The player should check the junk mail or spam folder if he or she does not promptly receive an email confirmation. Thereafter, the player may login using his or her email address and password. A player who registered for the 2014 Lucky Lotto Collect & Win app will not be required to register for the Cruise for Cash Collect & Win Promotion; he or she may use the same email address and password to login. A player may also login to the Cruise for Cash Collect & Win app using the player's existing Facebook account and associated password.

(b) Web Browser. A player may participate in the Promotion via web browser by visiting the Lottery's homepage, flalottery.com, clicking on the Cruise for Cash Collect & Win banner and following the directions, or by going directly to flalottery.com/collect and win.

(c) Regardless of whether a player chooses to participate in the Promotion by smartphone, tablet or web browser the following provisions shall apply:

1. The player may use the same account login information to enter tickets;

2. The player will only be required to register one time; and

3. The player's entry history will be cumulative.

(3) How to Earn Entries.

(a) To collect cruise symbols and earn entries into a drawing, a player may scan the barcode on the bottom of a FLORIDA LOTTO ticket using a camera on a smartphone or tablet, or a player may manually enter the 19-digit ticket number located above the bar code on the entry page at flalottery.com/collect and win. One of three play cards will appear on the screen. Each play card contains six spots. Each ticket number entered will randomly generate one of five cruise play symbols and place it in the next available spot on the next available play card. The Florida Lottery logo is a bonus symbol on each card. Once a symbol has been collected on all three play cards, the symbol will be eliminated from the random selection process. When a single play card is filled up with all five different cruise symbols and one bonus space (Florida Lottery logo), an entry is generated into the next available drawing and the play card is reset to capture more symbols towards the next entry. A player will earn an entry with a minimum of five tickets to a maximum of thirteen tickets scanned or entered. Partially completed cards will carry over to the next entry period. A player may earn multiple entries during the contest period; however, a player may only manually enter or scan up to two hundred tickets per day.

Each ticket number can only be scanned or entered one time. Entries that include tickets with invalid ticket numbers or tickets that have been canceled will be disqualified from the applicable drawing or drawings. The odds of winning depend on the number of entries in each drawing. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. FLORIDA LOTTO tickets should not be mailed to the Lottery. Tickets received in the mail by the Florida Lottery will not be entered into the Promotion and will not be returned.

(b) Facebook. Players may earn up to three free cruise symbols towards an entry by inviting Facebook friends to participate in the Cruise for Cash Collect & Win Promotion. To be eligible to earn a free cruise symbol, a player must first scan or enter a FLORIDA LOTTO ticket, as described in paragraph (3)(a) above. Thereafter, the player may click on the "Invite Friends" button on the entry page to open the player's Facebook friends list. The player may select friends and invite them to participate in the Promotion. For every ten invites the player sends, he or she will receive one free cruise symbol. A maximum of thirty friend invites may be sent and a maximum of three free cruise symbols may be earned during the span of the Promotion.

(4) Coupons. During the span of the Promotion, coupons for a "Free \$1 FANTASY 5<sup>®</sup> Quick Pick ticket with the purchase of a FLORIDA LOTTO<sup>®</sup> ticket of \$1 or more" will be generated for every twenty-five tickets scanned or entered statewide up to a maximum of 100,000 coupons. When a special coupon message is generated, it will appear on the player's entry page after the player has entered a FLORIDA LOTTO ticket to earn cruise symbols towards an entry into a drawing. The message will notify the player that a free ticket coupon has been added to the player's account. To redeem, the player must print the coupon and present it to any Florida Lottery retailer or any Florida Lottery office. Coupons may not be redeemed by mail or through mobile devices. Coupons are valid for one use only and expire at midnight ET on May 31, 2015. FLORIDA LOTTO tickets that are purchased in conjunction with a coupon redemption can only be canceled after the associated free FANTASY 5 ticket is canceled.

(5) Cruise for Cash Drawings. Four computerized drawings will be held between March 5, 2015, and April 16, 2015, and winners will be selected from entries submitted before midnight ET on the last day of the entry period for each drawing. Entries will be good for one drawing only. Winners will be randomly selected using a certified random number generation process. The drawing dates and entry periods are as

follows:

Drawing	Drawing Date	Entry Period
1	Thursday, March 5, 2015	February 16, 2015 – March 3, 2015
2	Thursday, March 19, 2015	March 4, 2015 – March 17, 2015
3	Thursday, April 2, 2015	March 18, 2015 – March 31, 2015
4	Thursday, April 16, 2015	April 1, 2015 – April 14, 2015

In each of the four drawings, the Florida Lottery will draw a total of eighty entries. The first five valid entries drawn will each win a grand prize. The sixth through tenth valid entries drawn will each win a first prize. The eleventh through fifteenth valid entries drawn will each win a second prize. The sixteenth through twenty-fifth valid entries drawn will each win a third prize. The remaining valid entries drawn will be used in the order in which they were drawn and in the order of need to select an alternate grand, first or second prize winner in the event a grand, first or second prize cannot be awarded. Alternate winners will not be selected for third prizes.

(6) Prizes. In each of the four drawings, prizes will be awarded in accordance with the table below.

Prize Level	Prize Description	Winners Per Drawing
Grand Prize	7-night Caribbean Cruise Package for Two Persons	5
First Prize	\$5,000	5
Second Prize	Tablet	5
Third Prize	\$250	10

(7) Winner Notification. The Florida Lottery will attempt to notify each prizewinner by telephone, U.S. mail or email using the contact information provided in the winner’s registration data no later than twenty-four hours after the winners are posted on the Florida Lottery’s website. If the Florida Lottery is unable to have personal contact with a grand, first or second prize winner within two weeks of the date the winners are posted on the website, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first available alternate winner from the pool of alternates described above. If the Florida Lottery is unable to have personal contact with the first alternate winner within two weeks of notification of the award of prize, the first alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of alternates, in which case the prize will not be awarded. If the Florida Lottery is unable to have personal contact with a third prize winner within two weeks of the date the winners are posted on the website, the winner will

forfeit his or her right to claim the prize and the prize will not be awarded.

(8) How to Claim a Prize. To claim any prize in a Cruise for Cash drawing, the winner must submit to the Florida Lottery a completed Winner Claim Form DOL-173-2, revised 9/13, or Spanish Winner Claim Form DOL-173-2S, revised 9/13, and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. A grand prize and second prize winner must also submit a completed Release and Authorization form DOL-474, revised 8/13, or Spanish Florida Lottery Release and Authorization Form DOL-474S, revised 8/13. Forms DOL-173-2, DOL-173-2S, DOL-474 and DOL-474S are hereby incorporated by reference and can be obtained from any Lottery office, from the Lottery’s website, flalottery.com, or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required documents must be received by the Florida Lottery no later than two weeks after the winner is notified by the Florida Lottery that he or she is a winner. If the Florida Lottery has not received the required documents from a grand, first or second prize winner by the fourteenth day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described in subsections (5) and (7), above. If the Florida Lottery has not received the required forms from a third prize winner by the fourteenth day after notification, the winner will forfeit his or her right to claim the prize and the prize will not be awarded. A prizewinner in this Promotion is not required to submit the FLORIDA LOTTO tickets he or she scanned or manually entered to generate an entry in order to claim a prize.

(9) Award of Grand Prize.

(a) Upon receipt of a grand prize winner’s required documentation, the Florida Lottery will award a prize of a 7-night Caribbean Cruise Package for two persons (“Cruise Package”) and provide the winner a certificate describing the prize and containing the name and contact information for the winner to contact to make reservations to fulfill the cruise. A Cruise Package consists of the following:

1. 7-night cruise for two persons in an ocean view balcony stateroom aboard the Norwegian Pearl or the Norwegian Getaway to its respective Caribbean destinations;

2. \$1,000 American Express gift card (“gift card”) to be applied to the winner’s ship account and utilized for items such as beverage service, shore excursions and other incidental expenditures;

3. \$1,000 cash for hotel and travel expenses to and from the port of call; and

4. \$500 cash in spending money.

Cruise ships depart from the Port of Miami or the Port of Tampa. The grand prize winner shall select the specific Norwegian cruise ship at the time of making reservations. All trip related sales and destination/departure taxes are included as well as gratuities for the cabin steward, maitre d', head waiter and bus staff. The gift card and check for \$1,500 (travel expenses plus spending money) will be sent to the winner not less than ten days prior to departure by the fulfillment company. The value of the grand prize, including the travel allowance and spending money is \$7,700.00. The Florida Lottery will pay applicable federal income tax withholding on the value of the prize. The reportable taxable value of the prize includes the value of the prize plus the value of the federal income tax withholding paid by the Lottery. The reportable taxable value of the Cruise Package for a U.S. citizen is \$10,266.67.

(b) A Cruise Package does not include insurance, parking fees, baggage fees, or any items not expressly specified. If a grand prize winner must reschedule a cruise after it has been booked, the grand prize winner will be responsible for all costs associated with rebooking. Cruise Packages must be booked within one year after the prize has been claimed. A grand prize winner has until March 1, 2017, to sail. Cruise ships, itineraries and dates of travel are subject to availability; however, there are no blackout date restrictions. The grand prize winner or the grand prize winner's guest must be 21 years of age or older. An exception may be made for an underage married couple, provided both persons are at least 18 years of age. In such case, Norwegian Cruise Lines may require proof of marriage. At the request of a grand prize winner and with the approval of the Lottery, the winner may transfer the Cruise Package once prior to booking at no additional cost to the grand prize winner. In the event of transfer, the original winner shall receive the \$1,500 cash prize and gift card, and the entire value of the prize shall remain taxable income to the original prizewinner. Reasonable accommodations may be made for winners who desire an alternate Norwegian cruise destination. Should a winner request a Caribbean itinerary on a different Norwegian ship, the cruise must have the same or a lesser value and is subject to availability. If the prizewinner selects an alternate cruise that has a lesser value than the original cruise, the prizewinner will not be awarded the difference in value.

(c) If a grand prize winner fails to show up at the designated time of cruise departure, the Cruise Package shall be forfeited with the exception of the \$1,500 cash and gift card, and the entire value of the grand prize will remain taxable to the winner.

(d) If a grand prize winner claims the prize with the Florida Lottery but fails to book the cruise with the fulfillment company within one year of the date of prize claim, the Cruise Package shall be forfeited with the exception of the \$1,500 cash and gift card. The cash and gift card will be mailed to the grand prize winner immediately after the one-year booking timeframe has passed and the entire value of the grand prize will remain taxable to the winner.

(10) First Prize. Upon receipt of a first prize winner's required documentation, the Florida Lottery will award a prize of \$5,000.

(11) Second Prize. Upon receipt of a second prize winner's required documentation, the Florida Lottery will award a prize of a tablet. The Florida Lottery will notify the fulfillment company of the name and contact information of the prizewinner and the fulfillment company shall ship the tablet to the prizewinner within five business days of the date the fulfillment company verifies the winner's information and confirms the winner's tablet selection. The winner will have the choice of one of four tablets valued up to \$599.

(12) Third Prize. Upon receipt of a third prize winner's required documentation, the Florida Lottery will award a prize of \$250.

(13) State-Owed Debt. Grand prize and first prize winners will be analyzed for state-owed debt. If a grand prize or a first prize winner is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with Section 24.115, F.S. If the debt of a grand prize winner is an amount of less than the cash portion of the prize, the non-cash portion of the prize and the cash portion of the prize less the amount owed shall be awarded. If the debt is an amount greater than the cash portion of the prize, the grand prize winner's entire cash portion of the prize will be applied toward the outstanding debt and the winner will receive the remaining non-cash portion of the prize.

(14) Taxes. Except as specifically mentioned herein, all federal, state and/or local taxes or other fees on Cruise for Cash Collect & Win prizes will be the responsibility of the winner.

(15) Other Restrictions and Provisions.

(a) The right to claim a prize cannot be assigned to another person or entity.

(b) No cash option is available in lieu of non-cash prizes.

(c) All prizes are subject to the provisions of Chapter 24, F.S., and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. Copies of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(d) Players must be at least 18 years of age. Persons prohibited by Section 24.116, F.S., from purchasing a Florida Lottery ticket are not eligible to play.

(e) A player entering a Cruise for Cash Collect & Win drawing is deemed to have granted permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(f) Cruise for Cash Collect & Win drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's website at flalottery.com.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1), FS. History – New- 2-13-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: February 13, 2015

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Alligator Marketing and Education Committee announces a public meeting to which all persons are invited.

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

PLACE: Bert Harris Ag Center/IFAS Extension Office, 4509 George Boulevard, Room #3, Sebring, FL 33875; contact: Valorie Henderson, (863)402-6540.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to address special business issues and initiatives of the Florida Alligator Marketing and Education Committee, for the current and next fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Paul Davis at (850)617-7280.

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: John Easley or Paul Davis at (850)617-7280. 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).

### WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice that on February 13, 2015, it has issued an order granting a variance.

Petitioner's Name: Cathy Sobrito – File Tracking No. 14-4198

Date Petition Filed: July 7, 2014

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

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

Date Petition Published in the Florida Administrative Register: July 9, 2014

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

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on February 11, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for North Regency One. Petitioner seeks a temporary variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-043).

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



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on February 12, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hampton Inn and Suites Miracle Mile. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.20.9 and 2.24.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires steel ropes, wedge shackles to secure the steel ropes and grooved sheaves of a minimum pitch diameter which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-044).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On January 21, 2015, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(2)(a), F.A.C., Paragraph 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., and Section 6-402.11, 2009 FDA Food Code from Le Macaron-French Pastries located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within an adjacent establishment under different ownership for use by both customers and employees.

The Petition for this variance was published in Vol. 41, No. 16 on January 26, 2015. The Order for this Petition was signed and approved on February 10, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Aoki Teppanyaki

(SEA2334285) are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, hand wash sign, 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 Aoki Teppanyaki (Aoki Kendall LLC) changes, an updated signed agreement for use of the bathroom facilities is required immediately.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on February 11, 2015, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), F.A.C., from Youth and Family Alternatives, Inc. and Jessica Serrano assigned Case No. 15-005W. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Alligator Marketing and Education Committee announces a public meeting to which all persons are invited.

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

PLACE: Bert Harris Ag Center/IFAS Extension Office, 4509 George Boulevard, Room #3, Sebring, FL 33875. Contact: Valorie Henderson, (863)402-6540

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of this meeting is to address special business issues and initiatives of the Florida Alligator Marketing and Education Committee, for the current and next fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Paul Davis at (850)617-7280.

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: John Easley or Paul Davis at (850)617-7280. 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**

North Central Florida Regional Planning Council

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

DATE AND TIME: February 26, 2015, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council

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

DATE AND TIME: February 26, 2015, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council

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

DATE AND TIME: February 26, 2015, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council

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

DATE AND TIME: February 26, 2015, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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**REGIONAL PLANNING COUNCILS**

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2015, 10:30 a.m.

PLACE: Janet B. Taylor Auditorium, 1100 S. Olympia, Clewiston

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Glades-Hendry Joint Service Area Local Coordinating Board quarterly meeting.

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 7 days 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 website at [www.swfrpc.org](http://www.swfrpc.org).

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**METROPOLITAN PLANNING ORGANIZATIONS**

Martin Metropolitan Planning Organization

The Local Coordinating Board-Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: March 2, 2015, 10:00 a.m.

PLACE: Administrative Center, 2401 SE Monterey Road, Fourth Floor Workshop Conference Room, Stuart, FL 34996

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public input on transportation disadvantaged services.

A copy of the agenda may be obtained by contacting: [www.martinmpo.com](http://www.martinmpo.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Bonnie Landry, Senior Planner, (772)223-7983. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Bonnie Landry, Senior Planner, (772)223-7983.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Pilot Commissioners

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

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

PLACE: 1(888)670-3525, participant passcode: 1628623372#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St, Tallahassee, FL 32399, (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Pilot Commissioners, 1940 N. Monroe St, Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 1940 N. Monroe St, Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "ENERGY TECHNICAL ADVISORY COMMITTEE", announces a public meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 25, 2015, 9:00 a.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (Now from mobile devices!) GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings.

1. Please join my meeting.  
<https://global.gotomeeting.com/join/596112373>

2. Join the conference call:

Join the conference call: United States (toll-free): 1(877)309-2070

Access Code: 700-668-861 /Audio PIN: Shown after joining the meeting

Meeting ID: 700-668-861

<https://global.gotomeeting.com/join/700668861>

Not at your computer? Click the link to join this meeting from your iPhone®, iPad®, Android® or Windows Phone® device via the GoToMeeting app.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and accept Interim Reports on "Developing Exhaust Air Energy Recovery Credits for the Florida Energy Code."

A copy of the agenda may be obtained by contacting: Mr. Norman Bellamy, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Norman Bellamy, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Mechanical Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 25, 2015, 1:00 p.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar. You must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (now from mobile devices) GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings.

United States (toll-free): 1(877)309-2070

Access code: 376-592-445, audio PIN shown after joining the meeting

Meeting ID: 376-592-445

<https://global.gotomeeting.com/join/376592445>

Not at your computer? Click the link to join this meeting from your iPhone®, iPad®, Android® or Windows Phone® device via the GoToMeeting app.

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and accept Interim Reports on "Investigation of the Effectiveness and Failure Rates of Whole-house Mechanical ventilation Systems in Florida."

A copy of the agenda may be obtained by contacting: Mr. Norman Bellamy, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Norman Bellamy, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "ROOFING TECHNICAL ADVISORY COMMITTEE" announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 26, 2015, 1:00 p.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (Now from mobile devices!) GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings.

WEB URL: <https://global.gotomeeting.com/join/396026309>

United States (toll-free): 1(877)309-2070

Access Code: 396-026-309

Not at your computer? Click the link to join this meeting from your iPhone®, iPad®, Android® or Windows Phone® device via the GoToMeeting app.

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Review and accept the Interim Report for the Research Project on the Corrosion of Roofing and Screen Enclosure Fasteners.

Review and accept the Interim Report for the Research Project on the Impact of Spray Foam Insulation on the Durability of Plywood and OSB Roof Decking

A copy of the agenda may be obtained by contacting: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Building (Structural) Technical Advisory Committee, announces a public meeting to which all persons are invited. announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 26, 2015, 10:00 a.m., ET until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (Now from mobile devices) GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings.

Please join my meeting:

<https://global.gotomeeting.com/join/697707509>

Join the conference call:

United States: 1(213)493-0008

United States (toll-free): 1(877)309-2070

Access Code: 697-707-509

Audio PIN: shown after joining the meeting

Meeting ID: 697-707-509

Not at your computer? Click the link to join this meeting from your iPhone®, iPad®, Android® or Windows Phone® device via the GoToMeeting app.

Public point of access: Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Interim Reports Review: To consider and accept reports for the following projects:

Behavior of Aluminum Screen Enclosures in Strong Wind

Investigation of Fastening of Wood Structural Panels for Opening Protection

A copy of the agenda may be obtained by contacting: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: : Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone: (850)487-1824 or fax: (850)414-8436,

website:

<http://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

DATE AND TIME: February 25, 2015, 1:00 p.m.

PLACE: Leesburg Public Library, 100 East Main Street, Leesburg, FL 34748

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Upper Ocklawaha Basin Working Group will hold a meeting on February 25 in Leesburg at the Leesburg Public Library. This meeting is open to the public. Topics to be discussed are the activities proposed for the second phase of the Upper Ocklawaha Basin Management Action Plan, new water quality improvement projects in the basin, and the condition of lake water quality.

The Upper Ocklawaha Basin Working Group was formed to provide a forum for stakeholders to discuss issues related to the basin’s nutrient Total Maximum Daily Loads for the Harris Chain of Lakes, Palatka River, and Lake Apopka. The Second Phase of the Upper Ocklawaha Basin Management Action Plan was adopted in 2014 to address nutrient problems in the previously listed waterbodies.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Mary Paulic, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

Division of Health Access and Tobacco

The Florida Department of Health, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 12, 2015, 11:00 a.m. – 12:00 Noon

PLACE: Phone: 1(888)670-3525, Code: 664 856 6525

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The 2015-2020 Tobacco Free Florida strategic plan (draft) will be reviewed and discussed.

A copy of the agenda may be obtained by contacting: Meredith Hennon, by email: [meredith.hennon@flhealth.gov](mailto:meredith.hennon@flhealth.gov) or phone: (850)245-4444, x2463.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Meredith Hennon, by email: meredith.hennon@flhealth.gov or phone: (850)245-4444, x2463. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Meredith Hennon, by email: meredith.hennon@flhealth.gov or phone: (850)245-4444, x2463.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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

DATE AND TIME: March 9, 2015, 6:00 p.m. – 8:00 p.m., CDT

PLACE: Bayview Community Center, 2000 E. Lloyd St., Pensacola, Florida 32503

DATE AND TIME: March 10, 2015, 6:00 p.m. – 8:00 p.m., CDT

PLACE: Destin Community Center, 101 Stahlman Ave., Destin, Florida 32541

DATE AND TIME: March 11, 2015, 6:00 p.m. – 8:00 p.m., CDT

PLACE: Gulf Coast State College Student Union East 2nd Floor Conference Room, 5230 W. U.S. Highway 98, Panama City, FL 32401

DATE AND TIME: March 12, 2015, 6:00 p.m. – 8:00 p.m., EDT

PLACE: Carrabelle City Hall Cafeteria, 1001 Gray Ave., Carrabelle, Florida 32322

DATE AND TIME: March 16, 2015, 6:00 p.m. – 8:00 p.m., EDT

PLACE: Fish and Wildlife Research Institute 3rd Floor Rooms 3A and 3B, 100 Eighth Ave. SE, St. Petersburg, Florida 33701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Fish and Wildlife Conservation Commission is holding a series of Gulf of Mexico red snapper public workshops to gather angler input on the 2015 Gulf recreational red snapper season in state waters. At the workshops, staff will solicit input on a proposed season that would start the Saturday before Memorial Day (May 23) and run through July 12, resume for all of Labor Day weekend (Sept. 5-7) and finish with Saturdays and Sundays throughout September and October, with the season ending Nov. 1. This was the preferred season option discussed by Commissioners during the Fish and Wildlife Conservation Commission’s February meeting in Jacksonville. Anyone who would like to give input on the state season for 2015 is encouraged to attend.

A copy of the agenda may be obtained by contacting: Jessica McCawley, at 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

For more information, you may contact: Jessica McCawley, at 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

**FLORIDA INDEPENDENT LIVING COUNCIL**

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 23, 2015, 10:00 a.m., Advocacy Committee

PLACE: FILC, Inc. 1416 N. Adams Street, Tallahassee, Florida 32303, call-in number: 1(888)670-3525, code: 5073148497

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or toll-free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date. 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).

**SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT**

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 19, 2015, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., #102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, MIL Report, and District Projects.

A copy of the agenda may be obtained by contacting: Gina Dolleman, (305)242-1288.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: SDSWCD, (305)242-1288. 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: Morgan Levy, District Administrator, (305)242-1288.

**THE VALERIN GROUP, INC.**

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

DATE AND TIME: Tuesday, March 3, 2015

PLACE: Lake Eva Banquet Hall, 799 Johns Avenue, Haines City, FL 33844

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will host an open house to provide details on the upcoming construction project on 6th Street, from US 17/92 (East Hinson Avenue) to Wood Avenue, in Haines City, Florida. Improvements being made as part of this project consist of installing new drainage pipe and structures, resurfacing the roadway, building sidewalk and driveways, installing handrail, replacing curb and gutter, constructing on-street parking bays, painting crosswalks at intersections, installing a brick paver crosswalk south of East Hinson Avenue, and adding landscaping and decorative signs and lighting. There will be no formal presentation. Project staff will be available to answer questions regarding access to

businesses and residents, lane closures and other project related information.

A copy of the agenda may be obtained by contacting: There will be no agenda

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: Jamie Schley, District One Title VI Coordinator at (863)519-2573 or by email at Jamie.Schley@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sandra Mancil, Public Information Officer, (863)519-4116.

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the FLORIDA PUBLIC SERVICE COMMISSION has issued an order disposing of the petition for declaratory statement filed by the Board of County Commissioners, Indian River County, Florida on July 21, 2014. The following is a summary of the agency's disposition of the petition:

The agency denied the petition for declaratory statement for failure to meet the statutory requirements for issuance of a declaratory statement. Final Order No. PSC-15-0101-DS-EM was issued and filed on February, 12, 2015, in Docket No. 140142-EM.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Carlotta Stauffer, Commission Clerk, Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, Clerk@psc.state.fl.us, (850)413-6770.

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the FLORIDA PUBLIC SERVICE COMMISSION has issued an order disposing of the petition for declaratory statement filed by the City of Vero Beach on December 19, 2014. The following is a summary of the agency's disposition of the petition:

The agency issued a declaratory statement that the City of Vero Beach has the right and obligation to continue to provide retail electric service in the territory described in its Commission-approved territorial agreement orders upon expiration of the franchise agreement between the Board of County Commissioners of Indian River County, Florida, and



the City of Vero Beach. Final Order No. PSC-15-0102-DS-EM was issued and filed on February 12, 2015, in Docket No. 140244-EM.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Carlotta Stauffer, Commission Clerk, Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, Clerk@psc.state.fl.us, (850)413-6770.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: RULE TITLE:

65E-9.008 Admission

NOTICE IS HEREBY GIVEN that Department of Children and Families has received the petition for declaratory statement from Center for Discovery. The petition seeks the agency’s opinion as to the applicability of 65E-9.008(4)(a), as it applies to the petitioner.

Discovery Practice Management, Inc. d/b/a Center for Discovery is requesting a Declaratory Statement that states children and adolescents with a primary diagnosis of an eating disorder such as anorexia nervosa, bulimia nervosa, binge-eating disorder, or other unspecified feeding or eating disorders may be treated by Discovery Practice Management in a Residential Treatment Center.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**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**

EARLY LEARNING COALITION OF BROWARD COUNTY, INC.

Request for Proposals

ELC BROWARD COUNTY seeks proposals to administer CCR&R Call Center. Call Center will serve families seeking answers about family support, child development and child care. Proposals also sought to administer Child and Family Eligibility/Enrollment; Family Support; Provider Payment and Slot Management. Expected release: February 13, 2015 at 2:00 p.m. EST at www.elcbroward.org. All requirements for response will be posted on the website.

**Section XII**

**Miscellaneous**

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-030

LAWRENCE JAY STEIN, Petitioner,

V.

Case No. DEO-15-030

Final Order No. DEO-15-030

SPRINGLAKE-NORTHWOOD

HOMEOWNERS

ASSOCIATION, INC., Respondent.

FINAL ORDER

DISMISSING PETITION WITHOUT PREJUDICE

This matter came before the Florida Department of Economic Opportunity (“Department”) following receipt of a Petition for Administrative Proceedings (“Petition”) by Lawrence Jay Stein (“Petitioner”) dated February 2, 2015.

Statement of Facts

1. On or about January 21, 2015, the Department received an application for revitalization of covenants under section 720.403, Florida Statutes, from Springlake-Northwood Homeowners Association, Inc. (“Respondent”).

2. On or about February 2, 2015, approximately thirteen (13) days from the time the Department received Respondent’s application for the revitalization of covenants, the Petitioner filed the Petition.

3. The Petition request a public hearing *prior to any* decision being reached on the Respondent’s revitalization of covenants (emphasis added).

4. The Department is currently in the review stage of Respondent’s application for revitalization of covenants.

5. The Department has *not* entered a rule or order, or otherwise made a determination of substantial interests (emphasis added).

Findings of Law

6. Section 120.569(2)(c), Florida Statutes states that “a petition shall be dismissed if it is not in substantial compliance with these requirements [section 120.54(5)(b)] or it has been untimely filed. Dismissal of a petition shall, at least once, be without prejudice to petitioner’s filing a timely amended petition curing the defect, unless it conclusively appears from the face of the petition that the defect cannot be cured.”

7. Rule 28-106.201, Florida Administrative Code, provides in pertinent part that “[u]nless otherwise provided by statute . . . initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action.”

8. The term “agency action” is defined in section [120.52\(2\)](#), Florida Statutes as “the whole or part of a rule or order, or the equivalent, or the denial of a petition to adopt a rule or issue an order.” This subsection provides further that agency action also includes any denial of a request made under [section 120.54\(7\)](#), Florida Statutes, the statute authorizing a person regulated by an agency or having a substantial interest in an agency rule, to file a petition to initiate rulemaking.

9. Section 720.406, Florida Statutes requires the Department to determine whether the proposed revived declaration of covenants and other governing documents comply with the requirements of chapter 720, Part III, Florida Statutes no later than *60 days after* receiving the submission (emphasis added).

10. Without agency action determining substantial interests, there is no right available to an objecting party to initiate an administrative proceeding pursuant to section 120.569, Florida Statutes.

11. Accordingly, the Petition is premature and must be dismissed. No agency action by the Department has taken place. See Friends of the Everglades, Inc. v. South Florida Regional Planning Council, 456 So.2d 491 (Fla. 3d DCA 1984).

Order

Based on the foregoing, it is hereby ORDERED:

1. The Department dismisses the Petition without prejudice for the reasons stated in paragraphs 3 to 11.

2. Petitioner may file an amended petition with the Department that is compliant with Section 120.569, Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code and after such time the Department issues a Final Order determining whether Respondent’s application for revitalization of covenants complies with the requirements of chapter 720, Part III, Florida Statutes.

DONE AND ORDERED this 12th day of February, 2015, in Tallahassee, Florida.

/s/

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

NOTICE OF RIGHTS

ANY INTERESTED PARTIES ARE HEREBY NOTIFIED OF THEIR RIGHT TO SEEK JUDICIAL REVIEW OF THIS FINAL AGENCY ACTION IN ACCORDANCE WITH SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(b)(1)(C) AND 9.110.

TO INITIATE AN APPEAL OF THIS FINAL AGENCY ACTION, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT’S AGENCY CLERK, 107 EAST MADISON STREET, CALDWELL BUILDING, MSC 110, TALLAHASSEE FLORIDA 32399-4128, WITHIN 30 CALENDAR DAYS OF THE DAY THIS FINAL AGENCY ACTION IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY THE FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST ALSO BE FILED WITH THE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3) FLORIDA STATUTES.

YOU WAIVE YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH BOTH THE DEPARTMENT’S AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the Agency Clerk, Katie Zimmer, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128, Telephone: 850-245-7150, and that true and correct copies have been furnished to the persons listed below by the method indicated this 12th day of February, 2015.

\_\_\_\_\_/s/\_\_\_\_\_  
Katie Zimmer, Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128  
Telephone: (850)245-7150

By Certified US Mail  
Lawrence Jay Stein, Esq.  
9620 N.W. 82<sup>nd</sup> Street

Tamarac, Florida 33321-1317  
Attorney for the Petitioner

Michael Bender, Esq.  
Kerstin Henze, Esq.  
Kaye Bender Rembaum, P.L.  
1200 Park Central Blvd. South  
Pompano Beach, FL 33064-2215  
Attorney for Respondent

James Parker, Esq.  
Boyd Law Group  
Boyd Richards Parker & Colonnelli  
100 SE 2<sup>nd</sup> Street, Suite 2600  
Miami, FL 33131-2118

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**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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