

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NOS.:	RULE TITLES:
2A-2.002	Victim Compensation Claims
2A-2.014	Domestic Violence Relocation Assistance
2A-2.015	Sexual Battery Relocation Assistance

PURPOSE AND EFFECT: To clarify definitions, documentation, benefits and procedures for claims, filed pursuant to the Crimes Compensation Act, and add Sexual Battery Relocation Assistance.

SUBJECT AREA TO BE ADDRESSED: Definitions, benefits, and documentation requirements.

RULEMAKING AUTHORITY: 960.045(1)(b), 960.13(9)(b) FS.

LAW IMPLEMENTED: 960.065, 960.07, 960.12, 960.13, 960.15, 960.16, 960.17, 960.18, 960.195, 960.198, 960.199, 960.03 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Crum, Chief of Victim Compensation, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, FL 32399-1050

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

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.:	RULE TITLE:
2A-5.011	Enforcement

PURPOSE AND EFFECT: The Division proposes the development of a rule amendment to update guidelines for enforcement of convenience store program violations.

SUBJECT AREA TO BE ADDRESSED: Amendment to convenience business rules regarding voluntary compliance.

RULEMAKING AUTHORITY: 812.176 FS.

LAW IMPLEMENTED: 120.57, 812.173 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NOS.:	RULE TITLES:
2A-9.001	Purpose
2A-9.002	General Provisions
2A-9.003	Definitions
2A-9.004	Grant Eligibility
2A-9.005	Application Procedures
2A-9.006	Funding Requirements

PURPOSE AND EFFECT: Provide purpose, general provisions, definitions, and other requirements for funding under the Crime Stoppers Trust Fund.

SUBJECT AREA TO BE ADDRESSED: Crime Stoppers Grants.

RULEMAKING AUTHORITY: 16.555(6) FS.

LAW IMPLEMENTED: 16.555-.556 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, FL 32399-1050

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-1.004	School District Budget Requirements
6A-1.0071	Fiscal Reporting Dates

PURPOSE AND EFFECT: The purpose of the rule development for Rule 6A-1.004, F.A.C., is to update Forms ESE 139, District Summary Budget; ESE 524, Resolution Determining Revenues and Millages Levied; and ESE 524(a), Resolution Determining Critical Needs Revenues and Millages Levied, as incorporated by reference. The purpose of the rule development for Rule 6A-1.0071, F.A.C., is to update Forms ESE 348, Report of Financial Data to the Commissioner of Education; ESE 145, Superintendent's Annual Financial

Report; ESE 374, Schedule of Maturities of Indebtedness; and ESE 523, Information Concerning Authorized Obligations Under Sections 1011.14 and 1011.15, F.S., which are incorporated by reference in the rule.

SUBJECT AREA TO BE ADDRESSED: Budget submission procedures and annual financial reporting submission procedures.

RULEMAKING AUTHORITY: 1001.02(1), 1011.03(4), 1011.60(1) FS.

LAW IMPLEMENTED: 200.065, 1011.01(3), 1011.03(4), 1011.60(1) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Eggers, Bureau of School Business Services, Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0405. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or Lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-4.00821	Florida Educational Leadership Examination

PURPOSE AND EFFECT: The purpose of this rule development is to review and update the competencies and skills for the Florida Educational Leadership Examination (FELE), to specify the effective dates for implementation of the new competencies and skills, update processes related to the test delivery format, and revise obsolete terminology within the rule. The effect will be changes to the FELE competencies and skills.

SUBJECT AREA TO BE ADDRESSED: Florida Educational Leadership Examination.

RULEMAKING AUTHORITY: 1012.56, 1012.59 FS.

LAW IMPLEMENTED: 1012.56 FS.

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

DATE AND TIME: August 17, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Suite 414, Room 422B, Tallahassee, Florida 32399-0400, Conference Call: 1(888)808-6959, Conference Code: 7119110.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513. To submit a comment on this rule development go to: <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-2.021	Purpose
12-2.027	System for Indexing Final Orders
12-2.028	Maintenance of Final Orders

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12-2.021, F.A.C. (Purpose), Rule 12-2.027, F.A.C. (System for Indexing Final Orders), and Rule 12-2.028, F.A.C. (Maintenance of Final Orders), is to remove unnecessary requirements and provisions regarding the indexing and handling of final orders that are redundant of Department of State, Rules 1B-32.001 and 1B-32.002, F.A.C., of Rule Chapter 1B-32, F.A.C. (Indexing, Management, and Availability of Final Orders).

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rules 12-2.021, 12-2.027, and 12-2.028, F.A.C., to remove provisions for the indexing or listing of final orders that are redundant of other administrative rules.

RULEMAKING AUTHORITY: 120.533(1), 120.54(1), 213.06(1) FS.

LAW IMPLEMENTED: 119.041(2), 120.53(1), (2), (3), (4) 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: August 8, 2012, 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida

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: Tammy Miller at (850)617-8347. 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: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

RULE NO.: 12-3.006
RULE TITLE: Designation of Official Reporter to Publish and Index Subject Matter Relating to Agency Orders

PURPOSE AND EFFECT: Subsection (3) of Rule 12-2.022(3), F.A.C. (Public Inspection and Copying), designates the Florida Administrative Law Reporter as the Department's official reporter for final orders, except for child support enforcement. The purpose of the proposed repeal of Rule 12-3.006, F.A.C. (Designation of Official Reporter to Publish and Index Subject Matter Relating to Agency Orders), is to remove this rule that is redundant of subsection 12-2.022(3), F.A.C., which also designates the official reporter of the Department for its final orders.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule 12-3.006, F.A.C., to remove provisions regarding the Department's official reporter for final orders that are redundant of another administrative rule.

RULEMAKING AUTHORITY: 120.53(1)(c), (2)(a), 213.06(1) FS.

LAW IMPLEMENTED: 20.05, 120.53(1), (2) FS.

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Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610
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DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-13.001	Scope of Rules
12-13.003	Request for Settlement or Compromise
12-13.004	Delegation of Authority to Determine Settlements or Compromises
12-13.0063	Grounds for Finding Department Delay in the Determination of an Amount Due
12-13.0064	Relief for Inadvertent Sales and Use Tax Registration Errors
12-13.007	Grounds for Reasonable Cause for Compromise of Penalties
12-13.0075	Guidelines for Determining Amount of Compromise
12-13.008	Procedures for Compromise and Settlement of Taxes, Interest, and Penalties
12-13.009	Closing Agreements

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule Chapter 12-13, F.A.C. (Compromise and Settlement), is to: (1) update provisions for the compromise or settlement of outstanding liabilities for tax, penalty, interest, and services fees to include changes to Sections 212.07(9), 212.12(14), 213.21, 213.24(3), and 215.34, F.S., since the last update to the rule chapter; (2) remove the requirement that a taxpayer's written request be required for the Department to settle or compromise such outstanding liabilities; and (3) remove unnecessary or redundant provisions.

The purpose of the proposed amendments to Rule 12-13.001, F.A.C. (Scope of Rules), is to provide that the rule chapter, as amended, includes provisions for the settlement or compromise of outstanding liabilities for tax, penalty, interest, and services fees, as provided in Sections 212.07(9), 212.12(14), 213.21, 213.24(3), and 215.34, F.S.

The purpose of the proposed repeal of Rule 12-13.003, F.A.C. (Request for Settlement or Compromise), is to remove provisions regarding a taxpayer's request for settlement or compromise that are redundant of Rule 12-13.008, F.A.C. (Procedures for Compromise and Settlement of Taxes, Interest, and Penalties), as amended, and to remove unnecessary provisions regarding requests for settlement or compromise that are not submitted to the Department in writing.

The purpose of the proposed amendments to Rule 12-13.004, F.A.C. (Delegation of Authority to Determine Settlements or Compromises), is to update the delegations of authority authorized by the Executive Director of the Department to settle or compromise a taxpayer's assessment to reflect the absorption of the Compliance Support Process by the Refunds and Distribution Process within the General Tax Administration Program.

The purpose of the creation of Rule 12-13.0063, F.A.C., (Grounds for Finding Department Delay in the Determination of an Amount Due), is to include the provisions of Section 213.21(3)(a), F.S., and provide when the Department will compromise interest to the extent that the delay in determining an amount due is attributable to the action or inaction of the Department.

The purpose of the creation of Rule 12-13.0064, F.A.C., (Relief for Inadvertent Sales and Use Tax Registration Errors), is to provide, consistent with the provisions of Section 212.07(9), F.S., when a vendor or purchaser qualifies to pay a mandatory penalty instead of the taxes, penalties, and interest that would otherwise be due on transactions for which the purchaser did not pay tax to the vendor. The failure to pay the tax to the vendor must be based on a good faith belief that the transaction was a tax-exempt purchase for resale or was a tax-exempt purchase by a tax-exempt organization.

The purpose of the proposed amendments to Rule 12-13.007, F.A.C. (Grounds for Reasonable Cause for Compromise of Penalties), is to remove requirements for taxpayers to submit the facts and circumstances of the exercise of ordinary care and prudence to the Department in writing, allowing the Department to document the facts and circumstances of the exercise of ordinary care and prudence by the taxpayer in the Department's records.

The purpose of the proposed amendments to Rule 12-13.0075, F.A.C. (Guidelines for Determining Amount of Compromise), is to: (1) provide when the Department is authorized under Section 213.21(10), F.S., to compromise sales tax penalties for failure to file a complete and accurate return, or for failure to timely pay the tax due on a return, when the taxpayer has one noncompliant filing event in the preceding 12-month period; (2) provide when the Department is authorized under Section 213.21(9), F.S., to settle or compromise any penalty imposed under Section 212.12, F.S., for failure to collect based on a good faith belief that the tax, surtax, or surcharge was not due; (3) provide when a dealer will not be held liable for tax, penalty, or interest under Section 212.12(14), F.S., when the dealer failed to apply the appropriate tax bracket system when collecting sales tax; (4) provide when the administrative collection processing fee imposed under Section 213.24(3), F.S., may be waived due to extraordinary circumstances; (5) provide when the service fee for returned payments imposed by Section 215.34(2), F.S., will be compromised for unintentional errors by the taxpayer, the financial institution, or

the Department; (7) clarify that the Department will compromise all penalties when payment of delinquent tax and interest results from voluntary, written self-disclosure; and (8) remove provisions redundant of subsection 12-13.007(9), F.A.C.

The purpose of the proposed amendments to Rule 12-13.008, F.A.C. (Procedures for Compromise and Settlement of Taxes, Interest, and Penalties), is to provide that a taxpayer will only be required to submit a written request for compromise or settlement of outstanding liabilities for tax, penalty, interest, or service fees when: (1) the request to settle or compromise is for an amount greater than \$30,000; (2) the complexity of the issues involved requires that the taxpayer submit a written request to explain the issues; or, (3) the taxpayer asks to submit the request in writing. Department employees authorized to settle or compromise such outstanding liabilities continue to be required to document the facts and circumstances of the settlement or compromise in the Department's records.

The purpose of the proposed amendments to Rule 12-13.009, F.A.C. (Closing Agreements), is to (1) remove provisions regarding the delegation of authority by the Executive Director of the Department that are redundant of Rule 12-13.004, F.A.C.; and (2) to remove the incorporation, by reference, of Form DR-812, Closing Agreement, which does not meet the definition of a "rule," as provided in Section 120.52(16), F.S., and is not required to be adopted as a rule.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to Rule Chapter 12-13, F.A.C. (Compromise and Settlement), to update provisions for administering the Department's authority to compromise or settle outstanding liabilities for tax, penalty, interest, and services fees granted in Sections 212.07(9), 212.12(14), 213.21, 213.24(3), and 215.34, F.S.

RULEMAKING AUTHORITY: 212.07(9)(c), 213.06(1), 213.21(5), (9) FS.

LAW IMPLEMENTED: 212.07(9), 212.12(14), 213.05, 213.015(18), (20), 213.21, 213.24(3), 215.34(2) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

RULE NOS.: **RULE TITLES:**
 12-15.001 Debt Collection Contracts
 12-15.005 Confidentiality

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule Chapter 12-15, F.A.C. (Debt Collection Services), is to remove provisions that are redundant of Section 213.27, F.S., or are unnecessary. The repeal of the rule sections in Rule Chapter 12-15, F.A.C., will remove unnecessary rules on debt collections contracts authorized under Section 213.27, F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule Chapter 12-15, F.A.C., to remove unnecessary provisions regarding contracts with debt collection agencies to collect certain delinquent taxes authorized under section 213.27, F.S.

RULEMAKING AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 213.27 FS.

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DEPARTMENT OF REVENUE

RULE NO.: **RULE TITLE:**
 12-16.004 Delegation of Authority

PURPOSE AND EFFECT: Section 213.23, F.S., authorizes the Executive Director of the Department to designate positions within the Department that may enter into consent agreements with a taxpayer to extend the period during which an assessment may be issued or a claim for refund may be filed. These positions are currently delegated in Rule 12-16.004, F.A.C.

The purpose of the proposed amendments to Rule 12-16.004, F.A.C. (Delegation of Authority) is to update: (1) the delegations of authority positions authorized by the Executive Director of the Department of Revenue to enter into consent agreements with taxpayers; and (2) the organizational structure of the General Tax Administration Program's Refunds and Distribution Process.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the delegation of authority granted by the Executive Director of the Department to certain positions to enter into agreements with taxpayers, and the current organizational structure absorbing the Compliance Support Process into the Refunds and Distribution Process.

RULEMAKING AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 213.23 FS.

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DEPARTMENT OF REVENUE

RULE NO.: 12-18.008
 RULE TITLE: Compensation for Vending Machine Violations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-18.008, F.A.C. (Compensation for Vending Machine Violations), is to update the notice to customers that must be affixed to a vending machine by the operator of the machine, as provided in Section 212.0515(3), F.S., as amended by Section 6, Chapter 2010-138, L.O.F., and provided in Rule 12A-1.044, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments to Rule 12-18.008, F.A.C. (Compensation for Vending Machine Violations), that reflect changes to the notice required to be placed on vending machines by operators.

RULEMAKING AUTHORITY: 212.0515(7), 213.06(1), 213.30(1) FS.

LAW IMPLEMENTED: 212.0515, 213.30 FS.

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DEPARTMENT OF REVENUE

RULE NO.: 12-19.001
 RULE TITLE: Scope of Rule

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12-19.001, F.A.C. (Scope of Rule), is to remove unnecessary provisions that are redundant of provisions contained in Rule 12-19.002, F.A.C., regarding the reporting of large currency transactions pursuant to the Money Laundering Control Act.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule 12-19.001, F.A.C., to remove unnecessary provisions regarding the reporting requirements of the Money Laundering Control Act.

RULEMAKING AUTHORITY: 896.102(3) FS.

LAW IMPLEMENTED: 896.102 FS.

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DEPARTMENT OF REVENUE

RULE NOS.: 12-22.001
 RULE TITLES: Scope of Rules
 12-22.002 Definitions
 12-22.003 Confidentiality of Tax Information
 12-22.004 Access to Tax Information
 12-22.005 Disclosure Procedures

PURPOSE AND EFFECT: Section 213.053, F.S., (Confidentiality and Information Sharing), provides that all information contained in returns, reports, accounts, or declarations received by the Department are confidential, except for official purposes. This section provides when confidential information may be made available to specified agencies for use in the performance of their official duties. In addition, federal tax information obtained by the Department from the Internal Revenue Service is held confidential pursuant to federal law and regulation.

The purpose of the proposed repeal of Rule 12-22.001, F.A.C. (Scope of Information), Rule 12-22.003, F.A.C. (Confidentiality of Tax Information), and Rule 12-22.004,

F.A.C. (Access to Tax Information), is to remove unnecessary rules redundant of the statutory provisions regarding the confidentiality of information received by the Department.

The purpose of the proposed amendments to Rule 12-22.002, F.A.C. (Definitions) is to: (1) update the definition of "return" to reflect the definition provided in Section 213.755(2)(a), F.S.; and (2) remove definitions of terms rendered unnecessary by the proposed repeal of Rules 12-22.003 and 12-22.004, F.A.C.

The purpose of the proposed amendments to Rule 12-22.005, F.A.C. (Disclosure Procedures), is to: (1) clarify that a Power of Attorney and Declaration of Representative (Form DR-835) must be executed by the taxpayer and the taxpayer's representative for the Department to release tax information to the representative; (2) remove information redundant of Rule 12-6.0015, F.A.C., on how to obtain a copy of Form DR-835; (3) provide that Form DR-841, Request for Copy of Tax Return, may be utilized to request copies of tax returns and how to obtain the form from the Department; (4) provide how government agencies and officials may request tax information from the Department; (5) provide how to request information from the Department involving the administration of a bankruptcy estate; (6) provide where in the Department subpoenas for disclosure of reports of large currency transactions and criminal and RICO Act subpoenas are to be served; and (7) update the addresses contained in the rule.

SUBJECT AREA TO BE ADDRESSED: The proposed changes to Rule Chapter 12-22, F.A.C. (Confidentiality and Disclosure of Tax Information), is the proposed repeal of rules that are redundant of Section 213.053, F.S., and updates to rules providing how to request copies of tax information that may be released by the Department.

RULEMAKING AUTHORITY: 213.06(1), 213.22(4) FS.

LAW IMPLEMENTED: 24.108(5), 125.0104, 125.0108, 192.105, 193.074, 195.027, 195.084, 196.101, 201.022, 206.27, 211.125, 211.33, 212.0305(3)(d), 212.10(1), 212.084, 212.12, 212.13, 213.03, 213.05, 213.053, 213.0535, 213.054, 212.133, 213.21, 213.22, 213.27, 213.28, 213.30, 213.755(2)(a), 220.242, 336.025(2)(a), 370.07(3), 403.718, 403.7185, 403.7195, 538.11, 624.5092, 896.102 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: August 8, 2012, 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida

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: Tammy Miller at (850)617-8347. 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: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

RULE NOS.:	RULE TITLES:
12-24.011	Public Use Forms
12-24.028	Alternative Storage Media
12-24.030	Records Retention – Time Period

PURPOSE AND EFFECT: Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The purpose of proposed amendments to Rule 12-24.011, F.A.C. (Public Use Forms), is to adopt, by reference: (1) simplification of the tax types and filing method selections contained in Form DR-600 (Enrollment and Authorization for e-Services Program); and (2) changes that will update the privacy notice statement on Form DR-654 (Request for Waiver from Electronic Filing), used by the Department in the administration of the e-Services program.

The purpose of the proposed amendments to Rule 12-24.028, F.A.C. (Alternative Storage Media), is to change the reference regarding recordkeeping requirements to Section 213.35, F.S.

The purpose of proposed repeal of Rule 12-24.030, F.A.C. (Records Retention – Time Period), is to remove an unnecessary rule that only refers to a statutory provision.

SUBJECT AREA TO BE ADDRESSED: The proposed updates to forms used to enroll in the Department's e-Services Program for purposes of paying and filing taxes, surtaxes, surcharges, and fees by electronic means and the proposed repeal of unnecessary provisions.

RULEMAKING AUTHORITY: 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3), 443.1317, 443.163(1) FS.

LAW IMPLEMENTED: 119.071(5), 202.30, 206.485, 212.08(5)(q), 213.34, 213.35, 213.755, 220.21(2), (3), 443.1317, 443.163 FS.

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-1.003	Sales of Several Items to the Same Purchaser at the Same Time
12A-1.014	Refunds and Credits for Sales Tax Erroneously Paid
12A-1.034	Promotional Materials Exported from this State
12A-1.035	Funerals; Related Merchandise and Services
12A-1.0371	Sales of Coins, Currency, or Bullion
12A-1.038	Consumer's Certificate of Exemption; Exemption Certificates
12A-1.039	Sales for Resale
12A-1.044	Vending Machines
12A-1.056	Tax Due at Time of Sale; Tax Returns and Regulations
12A-1.059	Fuels

12A-1.064	Sales to Licensed Common Carriers Operating Motor Vehicles or Railroad Rolling Stock in Interstate and Foreign Commerce
12A-1.0641	Sales of Vessels Used in Interstate or Foreign Commerce or for Commercial Fishing Purposes
12A-1.068	Tire Recapping
12A-1.0911	Self-Accrual Authorization; Direct Remittance on Behalf of Independent Distributors
12A-1.097	Public Use Forms

PURPOSE AND EFFECT: Section 212.12(9), F.S., requires sales tax to be collected on the total price of admissions, license fees, rentals, communications or other services, or sales price of articles sold at any one time. The purpose of the proposed repeal of Rule 12A-1.003, F.A.C. (Sales of Several Items to the Same Purchaser at the Same Time), is to remove the unnecessary rule provisions requiring sales tax to be collected on each single sale.

The purpose of the proposed amendments to Rule 12A-1.014, F.A.C. (Refunds and Credits for Sales Tax Erroneously Paid), Rule 12A-1.034, F.A.C. (Promotional Materials Exported from this State), Rule 12A-1.064, F.A.C. (Sales to Licensed Common Carriers Operating Motor Vehicles or Railroad Rolling Stock in Interstate and Foreign Commerce), and Rule 12A-1.0641, F.A.C. (Sales of Vessels Used in Interstate or Foreign Commerce or for Commercial Fishing Purposes), is to remove obsolete provisions regarding when an application for refund must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999.

Chapter 2004-301, L.O.F., amended and renumbered Chapter 470, F.S. (Funeral Directing, Embalming, and Direct Disposition), to Part III, Chapter 497, F.S. (Funeral Directing, Embalming, and Related Services). The purpose of the proposed amendments to Rule 12A-1.035, F.A.C. (Funerals; Related Merchandise and Services), is to replace reference to persons previously licensed or registered under Chapter 470 or 497, F.S., to those persons licensed under Chapter 497, F.S.

The purpose of the proposed amendments to Rule 12A-1.0371 (Sales of Coins, Currency, or Bullion), is to correct the referenced value of a U.S. Double Eagle Coin.

The purpose of the proposed amendments to Rule 12A-1.038, F.A.C. (Consumer's Certificate of Exemption; Exemption Certificates), and Rule 12A-1.039, F.A.C. (Sales for Resale), is to: (1) remove obsolete provisions which required dealers to maintain blanket resale and exemption certificates and obsolete references to other suggested exemption certificates.

Section 6, Chapter 2010-138, L.O.F., amended Section 212.0515(3), F.S., to remove the operator's name, address, and identification number from the notice required to be placed on

vending machines. The purpose of the proposed amendments to Rule 12A-1.044, F.A.C. (Vending Machines), is to: (1) remove the requirement for churches, synagogues, and qualified sponsoring organizations to place their name and address on vending machines they operate; and (2) remove obsolete provisions regarding the application of tax to agreements between a vending machine owner and the owner of the location where the machine is placed for operation entered into prior to July 1, 1991.

The purpose of the proposed amendments to Rule 12A-1.056, F.A.C. (Tax Due at Time of Sale; Tax Returns and Regulations), is to remove provisions regarding the imposition of interest on tax due prior to January 1, 2000.

The purpose of the proposed amendments to Rule 12A-1.059, F.A.C. (Fuels), is to: (1) remove provisions regarding the filling of 22-pound liquefied petroleum gas tanks that are no longer available; and (2) provide that the charge for filling liquefied petroleum gas tanks with gas to be used for purposes of residential heating, cooking, lighting, or refrigeration is tax-exempt when the selling dealer documents the tax-exempt use of the gas on the customer's invoice or other written evidence of sale.

The purpose of the proposed repeal of Rule 12A-1.068, F.A.C. (Tire Recapping), is to repeal an unnecessary rule regarding the recapping of tires and the sale of recapped tires. The provisions for repairs to tangible personal property in Rule 12A-1.006, F.A.C. (Charges by Dealers Who Adjust, Apply, Alter, Install, Maintain, Remodel, or Repair Tangible Personal Property), apply to charges for recapping tires or for sales of recapped tires.

The purpose of the proposed amendments to Rule 12A-1.0911, F.A.C. (Self-Accrual Authorization; Direct Remittance on Behalf of Independent Distributors), is to remove the requirement for holders of direct pay permits to submit an annual report of the amount of total purchases by county.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt, by reference, updates to Form DR-231, Certificate of Exemption for Entertainment Industry Qualified Production Company, to remove obsolete taxpayer contact information and to correctly title the Florida Office of Film and Entertainment.

SUBJECT AREA TO BE ADDRESSED: The subject area of the rule development workshop is:

- The proposed repeal of the unnecessary rule restating the statutory requirement to collect tax on each single sale;
- The proposed removal of obsolete provisions regarding refund applications for tax paid on or after October 1, 1994, and prior to July 1, 1999;
- The proposed amendments to correct the value of a U.S. Double Eagle Coin from \$40 to \$20.
- The proposed amendments necessary to reflect the transfer of Chapter 470, F.S., to Chapter 497, F.S., as provided in Chapter 2004-301, L.O.F.;

- The proposed removal of obsolete provisions which required dealers to maintain blanket resale and exemption certificates;

- The proposed amendments to remove the requirement for churches, synagogues, and qualified sponsoring organizations to place their name and address on vending machines they operate;

- The proposed removal of obsolete provisions regarding the application of tax to agreements between a vending machine owner and the owner of the location where the machine is placed for operation entered into prior to July 1, 1991;

- The proposed removal of obsolete provisions regarding the imposition of interest;

- The proposed repeal of provisions regarding the charge for filling 22-pound liquefied petroleum gas tanks that are obsolete;

- The proposed removal of unnecessary provisions regarding the taxability of tires repaired or altered by recapping;

- The proposed removal of the requirement for holders of direct pay permits to submit an annual report of the amount of total purchases by county; and

- The proposed updates to the Certificate of Exemption for Entertainment Industry Qualified Production Company.

RULEMAKING AUTHORITY: 212.0515, 212.07(1)(b), 212.17(6), 212.18(2), 212.183, 213.06(1) FS.

LAW IMPLEMENTED: 95.091, 212.02(2), (4), (9), (10)(g), (14), (15), (16), (19), (20), (24), 212.031, 212.05(1), 212.0515, 212.054(1), (2), (3)(l), 212.055, 212.0598, 212.06(1), (11), (16), 212.0601, 212.07(1), (2), 212.08(1), (2), (4)(a), (5)(m), (6), (7), (8), (9), 212.085, 212.11(1), 212.12(2), (3), (4), (6), (9), (13), 212.13(1), 212.13(5)(c), (d), 212.17(1), 212.18(2), (3), 212.183, 212.21(2), (3), 213.053(1), 213.255(1), (2), (3), 213.35, 215.26(2) FS.

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DATE AND TIME: August 8, 2012, 9:00 a.m.

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-1.005	Admissions
12A-1.0144	Refund of Tax Paid on Purchases of Equipment, Machinery, and Other Materials for Renewable Energy Technologies
12A-1.055	Sale or Discontinuation of Business
12A-1.056	Tax Due at Time of Sale; Tax Returns and Regulations
12A-1.087	Exemption for Power Farm Equipment; Suggested Exemption Certificate for Items Used for Agricultural Purposes
12A-1.096	Industrial Machinery and Equipment for Use in a New or Expanding Business
12A-1.097	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.005, F.A.C. (Admissions), is to provide that charges for individuals traveling in air commerce, such as skydiving, helicopter, or untethered hot air balloon rides, are not subject to the tax imposed on admissions.

The purpose of the proposed creation of Rule 12A-1.0144, F.A.C. (Refund of Tax Paid on Purchases of Equipment, Machinery, and Other Materials for Renewable Energy Technologies), is to provide taxpayers information on how to obtain a refund of previously paid sales and use tax on purchases of equipment, machinery, and other materials for renewable energy technologies, as provided in Section 212.08(7)(hhh), F.S., as created by Section 4, Chapter 2012-117, L.O.F., effective July 1, 2012.

Section 213.758, F.S., created by Section 8, Chapter 2010-166, L.O.F., and amended by Section 1, Chapter 2012-55, L.O.F., provides for the transfer of tax liability. Sections 3 and 4, Chapter 2012-55, L.O.F., repeal Sections 202.31 and 212.10, F.S., respectfully, regarding the sale of a business and the transfer of liability for communications services tax and for sales and use tax. The purpose of the proposed repeal of Rule 12A-1.055, F.A.C. (Sale or Discontinuation of Business), is to remove the rule containing obsolete provisions relating to the transfer of liability for sales and use tax when a person transfers or quits a business.

The purpose of the proposed amendments to Rule 12A-1.056, F.A.C. (Tax Due at Time of Sale; Tax Returns and Regulations), is to implement the provisions of Section 2, Chapter 2012-145, L.O.F., which continues to allow a

collection allowance for only those sales and use tax dealers who file electronic tax returns and remit the amounts due on the returns by electronic means for sales tax returns due on or after July 1, 2012. Effective July 1, 2012, dealers who report or remit sales and use tax by any means other than by electronic means will not be entitled to a collection allowance.

The purpose of the proposed amendments to Rule 12A-1.087, F.A.C. (Exemption for Power Farm Equipment; Electricity Used for Certain Agricultural Purposes; Suggested Exemption Certificate for Items Use for Agricultural Purposes), is to include the amendments to Section 212.08(5)(e)2., F.S., as amended by Section 8, Chapter 2012-32, L.O.F., which, effective January 1, 2013: (1) provides an exemption for electricity used in packinghouses where fruits, vegetables, or meat from cattle or hogs are prepared for market or for shipment in fresh form for wholesale distribution; and (2) expands the exemption for production or processing agricultural farm products on the farm to include packing agricultural farm products on the farm. The title of the rule is changed to reflect the provisions regarding electricity used for certain agricultural purposes.

The purpose of the proposed amendments to Rule 12A-1.096, F.A.C. (Industrial Machinery and Equipment for Use in a New or Expanding Business), is to incorporate the provisions of Section 8, Chapter 2012-32, L.O.F., which, effective January 1, 2013, reduces from 10 percent to 5 percent the increase in productive output needed for expanding businesses to qualify for a sales tax exemption for machinery and equipment.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt, by reference, updates and changes to sales and use tax returns necessary to incorporate the provisions of Section 2, Chapter 2012-145, L.O.F., which continues to allow only those sales and use tax dealers who file electronic tax returns and remit the amounts due on the returns by electronic means may claim a collection allowance for sales tax returns due on or after July 1, 2012.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is: (1) the proposed repeal of the obsolete rule on the transfer of tax liability when a dealer sells or discontinues a business; (2) the proposed amendments to provide that charges to individuals traveling in air commerce are not subject to the tax imposed on admissions; (3) the procedures to obtain a refund of previously paid sales and use tax on purchases of equipment, machinery, and other materials for renewable energy technologies; (4) the proposed updates to the rule and sales and use tax returns to provide that only those dealers who file sales and use tax returns and remit the amounts due on the returns by electronic means for returns due after July 1, 2012, may claim a collection allowance; (5) the proposed updates to include the exemption for electricity used in packing agricultural farm products on the farm and the exemption for electricity used in packinghouses where fruits, vegetables, or meat from cattle or hogs are prepared for market

or for shipment in fresh form for wholesale distribution; and (6) the proposed updates to reflect the reduction from 10 percent to 5 percent the increase in productive output needed for expanding businesses to qualify for a sales tax exemption for machinery and equipment.

RULEMAKING AUTHORITY: 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.04(4), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (n)4., (o)4., (7), 212.11(5)(b), 212.12(1)(a)2., 212.17(6), 212.18(2), (3), 212.183, 213.06(1), 288.1258(4)(c), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS.

LAW IMPLEMENTED: 92.525(1)(b), (3), 95.091, 119.071(5), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0506(4), (11), 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.10(1), (2), (4), 212.11, 212.12(1), - (5), (9), (13), 212.13, 212.14(2), (4), (5), 212.15(1), 212.17, 212.18(2), (3), 212.183, 213.053, 213.235, 213.255, 213.29, 213.37, 213.755, 215.26(2), 219.07, 288.1258, 373.41492, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7), 616.260, 681.117, 823.14(3) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Parsons, Jeff Soff, or Janet L. Young, Tax Law Specialists, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)617-8346

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.043

RULE TITLE: Manufacturing

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.043, F.A.C. (Manufacturing), is to provide for the distinction of parts and materials that are incorporated into the repair of industrial machinery and equipment qualifying for exemption under Section 212.08(7)(xx), F.S., from those that are used or consumed in the repair or operation of the machinery and do not qualify for the exemption. The proposed amendments define the terms "parts" and "materials," "consumables," and "repair," with examples of such items, and provide a suggested exemption certificate to provide to the selling vendor to purchase qualifying parts and materials tax-exempt at the time of purchase for immediate use or to place in an inventory of spare parts and materials.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the tax exemption provided in Section 212.08(7)(xx), F.S., for all labor charges for, and parts and materials incorporated into, the repair of industrial machinery and equipment used for manufacturing, processing, compounding, production, or preparation for shipping of tangible personal property for certain designated industries.

RULEMAKING AUTHORITY: 212.052(5), 212.08(18)(c), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(4), (7), 212.052, 212.06(1), 212.08(7)(xx), (18), 212.085, 212.12(12), 212.183, 366.051 FS.

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

DATE AND TIME: August 8, 2012, 10:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jeffery Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7347

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.061
 RULE TITLE: Rentals, Leases, and Licenses to Use Transient Accommodations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), is to: (1) provide that the rule governs the administration of sales tax and any locally-imposed discretionary sales surtax, convention development tax, tourist development tax, or tourist impact tax imposed on transient accommodations; and (2) remove obsolete references and unnecessary effective dates.

SUBJECT AREA TO BE ADDRESSED: The proposed application of the Department's Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), to any locally-imposed convention development tax, tourist development tax, or tourist impact tax on transient accommodations.

RULEMAKING AUTHORITY: 125.0104(3)(k), 125.0108(2)(e), 212.0305(3)(f), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 92.525(1)(b), 119.071(5), 212.02(2), (10)(a)-(g), (16), 212.03(1), (2), (3), (4), (5), (7), 212.031, 212.054(3)(h), 212.055, 212.08(6), (7)(i), (m), 212.11(1), (2), 212.12(7), (9), (12), 212.13(2), 212.18(2), (3), 213.37, 213.756 FS.

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.: 12A-3.001, 12A-3.002, 12A-3.006
 RULE TITLES: Scope of Rules; Imposition of the Tax; Taxable Status of Guests or Tenants on the Effective Date of the Levy of the Tax; Rents Involving Fractions of a Dollar; Computation of Tax

PURPOSE AND EFFECT: The proposed repeal of Rule 12A-3.001, F.A.C. (Scope of Rules; Imposition of the Tax), removes provisions: (1) redundant of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended to clarify that Rule 12A-1.061, F.A.C., applies to the local-option taxes imposed on transient accommodations; and (2) registration and reporting requirements that are redundant of Rules 12A-1.060 and 12A-1.056, F.A.C., and would not be applicable to requirements for registration and reporting adopted by the county self-administering the tax.

The proposed repeal of Rule 12A-3.002, F.A.C. (Taxable Status of Guests or Tenants on the Effective Date of the Levy of the Tax), removes provisions redundant of the provisions of subsection (15) of Rule 12A-1.061, F.A.C.

The proposed repeal of Rule 12A-3.006, F.A.C. (Rents Involving Fractions of a Dollar; Computation of Tax), removes unnecessary provisions regarding the imposition of the tourist development tax at 1 percent or 2 percent of each dollar and major fraction of each dollar, as provided in Section 125.0104(3)(c), F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule Chapter 12A-3, F.A.C. (Tourist Development Tax).

RULEMAKING AUTHORITY: 125.0104(3)(k), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 125.0104, 125.0108, 212.03(1), (2), (3), (4), (5), (7) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610
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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-8.001	Scope of Rules; Imposition of Tax
12A-8.002	Rate of Tax

PURPOSE AND EFFECT: The proposed repeal of Rule 12A-8.001, F.A.C. (Scope of Rules; Imposition of the Tax), removes provisions: (1) redundant of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended to clarify that Rule 12A-1.061, F.A.C., applies to the local-option taxes imposed on transient accommodations; and (2) registration and reporting requirements that are redundant of Rules 12A-1.060 and 12A-1.056, F.A.C., and would not be applicable to requirements for registration and reporting adopted by the county self-administering the tax.

The proposed repeal of Rule 12A-8.002, F.A.C. (Rate of Tax), removes unnecessary provisions regarding the imposition of the convention development tax at 2 percent of each dollar and major fraction of each dollar, as provided in Section 212.0305(4)(a)1., F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule 12A-8.001, F.A.C. (Scope of Rules; Imposition of the Tax), and Rule 12A-8.002, F.A.C. (Rate of Tax), is to remove provisions regarding the imposition of the tourist development tax on transient rentals that are redundant of the provisions of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended, or are unnecessary.

RULEMAKING AUTHORITY: 212.0305(3)(f), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.03(1), (2), (3), (4), (5), (7), 212.0305 FS.

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Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-9.001	Scope of Rules; Imposition of Tax
12A-9.002	Rate of Tax

PURPOSE AND EFFECT: The proposed repeal of Rule 12A-9.001, F.A.C. (Scope of Rules; Imposition of the Tax), removes provisions: (1) redundant of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended to clarify that Rule 12A-1.061, F.A.C., applies to the local-option taxes imposed on transient accommodations; and (2) registration and reporting requirements that are redundant of Rules 12A-1.060 and 12A-1.056, F.A.C., and would not be applicable to requirements for registration and reporting adopted by the county self-administering the tax.

The proposed repeal of Rule 12A-9.002, F.A.C. (Rate of Tax), removes unnecessary provisions regarding the imposition of the convention development tax at 2 percent or 3 percent of each dollar and major fraction of each dollar, as provided in Section 212.0305(4), F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule 12A-9.001, F.A.C. (Scope of Rules; Imposition of the Tax), and Rule 12A-9.002, F.A.C. (Rate of Tax), is to remove provisions regarding the imposition of the tourist development tax on transient rentals that are redundant of the provisions of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended, or are unnecessary.

RULEMAKING AUTHORITY: 212.0305(3)(f), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.03(1), (2), (3), (4), (5), (7), 212.0305 FS.

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Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-10.001	Scope of Rules; Imposition of Tax
12A-10.002	Rate of Tax

PURPOSE AND EFFECT: The proposed repeal of Rule 12A-10.001, F.A.C. (Scope of Rules; Imposition of the Tax), removes provisions: (1) redundant of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended to clarify that Rule 12A-1.061, F.A.C., applies to the local-option taxes imposed on transient accommodations; and (2) registration and reporting requirements that are redundant of Rules 12A-1.060 and 12A-1.056, F.A.C., and would not be applicable to requirements for registration and reporting adopted by the county self-administering the tax.

The proposed repeal of Rule 12A-10.002, F.A.C. (Rate of Tax), removes unnecessary provisions regarding the imposition of the convention development tax at 2 percent or 3 percent of each dollar and major fraction of each dollar, as provided in Section 212.0305(4), F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule 12A-10.001, F.A.C. (Scope of Rules; Imposition of the Tax), and Rule 12A-10.002, F.A.C. (Rate of Tax), is to remove provisions regarding the imposition of the tourist development tax on transient rentals that are redundant of the provisions of Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), as amended, or are unnecessary.

RULEMAKING AUTHORITY: 212.0305(3)(f), 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.03(1), (2), (3), (4), (5), (7), 212.0305 FS.

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-12.001	New Tire Fee
12A-12.0011	Battery Fee

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-12.001, F.A.C. (New Tire Fee), is to: (1) reorganize the rule to improve readability and simplify provisions regarding the new tire fee; (2) clarify that the fee is applicable when a new motor vehicle tire is sold to a governmental entity or a tax-exempt entity; (3) provide that the fee is not to be marked up beyond the statutory rate; (4) clarify the term "motor vehicle" for purposes of the fee, providing examples of various types of vehicles and whether the tires sold for use on such vehicles are subject to the fee; (5) provide that tires used on racing vehicles that are not operated on Florida highways are not subject to the new tire fee; (6) revise the suggested exemption certificate used to purchase tires for vehicles that are not subject to the fee; and (7) put dealers on notice of the requirement to maintain the exemption certificates in their records.

The purpose of the proposed amendments to Rule 12A-12.0011, F.A.C. (Battery Fee), is to: (1) reorganize the rule to improve readability and simplify provisions regarding the lead-acid battery fee; (2) clarify that the fee is applicable when a battery is sold to a governmental entity or a tax-exempt entity; (3) provide that the fee is not to be marked up beyond

the statutory rate; (4) adopt the revised provisions of Rule 12A-12.001, F.A.C., regarding the definition of “motor vehicle” for purposes of the fee; and (5) clarify the definition of a “new” lead-acid battery and a “remanufactured” lead-acid battery for purposes of the fee.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed amendments to Rule 12A-12.001, F.A.C. (New Tire Fee), and Rule 12A-12.0011, F.A.C. (Battery Fee), to clarify the application of the new tire fee and the battery fee.

RULEMAKING AUTHORITY: 212.07(1)(b), 212.17(1)(a), (6), 212.18(2), 213.06(1), 403.718(3)(b), 403.7185(3)(b) FS.

LAW IMPLEMENTED: 212.07(1)(b), 212.12, 212.17(1)(a), 403.717, 403.718, 403.7185 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jeffery Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7347

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-13.001	Scope of Rules
12A-13.002	Collection and Remittance of Fee

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12A-13.001, F.A.C. (Scope of Rules), is to: (1) remove the provisions of subsection (1) that are redundant of the provisions of subsection (2) of Rule 12A-13.002, F.A.C.; and (2) move provisions regarding the definition of “motor vehicle” to Rule 12A-13.002, F.A.C., governing the collection and remittance of the fee on the sale or lease of motor vehicles imposed under Section 681.117, F.S.

The purpose of the proposed amendments to Rule 12A-13.002, F.A.C. (Collection and Remittance of Fee), is to: (1) provide that the term “motor vehicle” for purposes of the fee on the sale or lease of motor vehicles is defined in Section 681.102(14) F.S.; (2) clarify when private tag agencies are to remit the fee to the Department; and (3) update information on how to obtain copies of the fee return from the Department.

SUBJECT AREA TO BE ADDRESSED: The proposed updates to Rule Chapter 12A-13, F.A.C. (Fee on the Sale or Lease of Motor Vehicles), to remove redundant provisions and to update information on how to obtain copies of the fee return from the Department.

RULEMAKING AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 219.07, 320.27(1)(c), 681.102(14), 681.117 FS.

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-17.001	Scope of Rules
12A-17.003	Registration
12A-17.005	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12A-17.001, F.A.C. (Scope of Rules), is to remove an unnecessary rule regarding the administration, enforcement, and recordkeeping requirements imposed on secondhand dealers and secondary metals recyclers that is redundant of the provisions in Section 538.11, F.S.

To meet the requirements of Sections 538.09(2) and 538.25(1), F.S., and provide the information necessary for the Florida Department of Law Enforcement to complete a state and federal criminal history record check, fingerprints are now required to be submitted electronically. In addition, effective July 1, 2012, Section 1, Chapter 2012-179, L.O.F., requires any person purchasing, consigning, or trading secondhand goods at a flea market to register as a secondhand dealer and limits the exemption from the registration requirement for auction businesses to only those businesses engaged in buying and selling estates, business inventory, surplus merchandise, or liquidations.

The purpose of the proposed amendments to Rule 12A-17.003, F.A.C. (Registration), and Rule 12A-17.005, F.A.C. (Public Use Forms), is to: (1) update procedures for secondhand dealers and secondary metals recyclers regarding fingerprinting requirements when applying for a secondhand dealer's or secondary metals recycler's certificate of registration; and (2) include in the Registration Application for Secondhand Dealers and/or Secondary Metals Recyclers (Form DR-1S) the registration requirements for persons purchasing, consigning, or trading secondhand goods at a flea market and for auction businesses engaged in buying and selling estates, business inventory, surplus merchandise, or liquidations.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is updated registration requirements for secondhand dealers and secondary metals recyclers.

RULEMAKING AUTHORITY: 213.06(1), 538.11, 538.37 FS.
LAW IMPLEMENTED: 213.053(9), (11), 538.09, 538.25, 538.31, 538.32, 539.002 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ronald Gay, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6745

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-19.010	Registration
12A-19.041	Sales of Communications Services to a Residential Household
12A-19.070	Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods
12A-19.100	Public Use Forms

PURPOSE AND EFFECT: Effective July 1, 2012, sections 2 and 6, Chapter 2012-70, L.O.F.: (1) redefines "cable service" as "video service"; (2) provides that communications services dealers who utilize one of the approved methods for assigning service addresses to a local jurisdiction cannot be denied the dealer's collection allowance solely as a result of incorrect address assignments; and (3) provides when communications services dealers may be held liable for the net aggregate underpayment of tax and associated interest and penalties for incorrectly assigning a service address to a local taxing jurisdiction.

Sales of communications services to transient public lodging establishments, as defined by Section 509.013, F.S., are subject to tax. Effective October 1, 2012, Chapter 2012-165, L.O.F., revises the definition of "public lodging establishments" in Section 509.013, F.S., to remove roominghouses, boardinghouses, or other living or sleeping facility not otherwise classified as a hotel, motel, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under Section 509.242, F.S.

The purpose of the proposed amendments to Rule 12A-19.010, F.A.C. (Registration), and Rule 12A-19.041, F.A.C. (Sales of Communications Services to a Residential Household), is to update the references from "cable service" to "video service."

The purpose of the proposed amendments to Rule 12A-19.041, F.A.C. (Sales of Communications Services to a Residential Household), is to update the references from "cable service" to "video service" and to remove "roominghouses" as an example of a transient public lodging establishment.

The purpose of the proposed amendments to Rule 12A-19.070, F.A.C. (Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability

Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods), is to incorporate the provisions of Chapter 2012-70, L.O.F.

The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to incorporate the provisions of Chapter 2012-70, L.O.F., and to update the tax returns to include local communications services tax rates that will become effective January 1, 2013.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the Department’s proposed change to update communications services tax rules to reflect the changes made by Chapters 2012-70 and 2012-165, L.O.F., and to update the tax rates on the communications services tax return.

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.17(3)(a), 202.22(6)(a), 202.26(3), 202.27(1), (7), 202.28(1) FS.

LAW IMPLEMENTED: 119.071(5), 175.1015, 185.085, 202.11(1), (3), (5), (8), (10)-(13), 202.12(1), (3), 202.125(1)-(4), 202.13(2), 202.151, 202.16(2), (4), 202.17(1)-(4), (6), 202.19(1), (7), (10), 202.22(1), (4)-(6), (8), 202.23, 202.26(2), 202.27, 202.28, (2), 202.29, 202.30(3), 202.33, 202.34(1)(a), (3), (4)(c), 202.35(1)-(4) FS.

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DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-19.050	Notification of Local Communications Services Tax Rate Changes and Permit Fee Elections
12A-19.100	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-19.050, F.A.C. (Notification of Local Communications Services Tax Rate Changes and Permit Fee Elections), and to Form DR-700021 (Local Communications Services Tax Notification of Tax Rate Change), adopted by reference, in Rule 12A-19.100, F.A.C. (Public Use Forms), is to clarify provisions applicable to emergency local tax rate changes for the period October 1, 2001, through September 30, 2002, and to remove obsolete rate change provisions for the adoption of emergency tax rate ordinances on February 20, 2002.

SUBJECT AREA TO BE ADDRESSED: The proposed rule changes and form changes to remove obsolete provisions regarding emergency local tax rate changes.

RULEMAKING AUTHORITY: 202.28(1)(b)2. FS.

LAW IMPLEMENTED: 202.20(2)(a), 202.21, 337.401(3)(c), (j) FS.

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DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-4.013	Conveyances Subject to Tax
12B-4.014	Conveyances Not Subject to Tax
12B-4.054	Exempt Transactions

PURPOSE AND EFFECT: The Supreme Court of the United States concluded that 11 U.S.C. Section 1146(a) affords a stamp-tax exemption only to transfers made pursuant to a Chapter 11 bankruptcy plan that has been confirmed under 11 U.S.C. Section 1129 (Florida Department of Revenue v. Piccadilly Cafeterias, Inc., 554 U.S. 33 (2008)).

The purpose of the proposed amendments to Rule 12B-4.013, F.A.C. (Conveyances Subject to Tax), and Rule 12B-4.014, F.A.C. (Conveyances Not Subject to Tax), is to clarify that a document that transfers Florida real property pursuant to a bankruptcy plan under 11 U.S.C. Section 1129 delivered after the bankruptcy plan has been confirmed is not subject to documentary stamp tax. Transfers prior to confirmation of the plan are subject to tax.

The purpose of the proposed amendments to Rule 12B-4.054, F.A.C. (Exempt Transactions), is to clarify that a promissory note or other written obligation to pay money, bond, mortgage, trust deed, security agreement, or other evidence of indebtedness filed or recorded in Florida issued pursuant to a bankruptcy plan under 11 U.S.C. Section 1129 after the plan has been confirmed is not subject to documentary stamp tax.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule development workshop is the application of documentary stamp tax to the issuance, transfer, or exchange of a security, or the making or delivery of an instrument of transfer pursuant to Section 1146(a) under a bankruptcy plan confirmed under 11 U.S.C. Section 1129.

RULEMAKING AUTHORITY: 201.11, 213.06(1) FS.

LAW IMPLEMENTED: 201.01, 201.02, 201.08, 201.09, 201.10, 201.11, 201.21, 201.22, 201.23, 201.24, 517.32 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim Phillips, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7224

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DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-5.020	Definitions; Specific Exemptions
12B-5.130	Refunds
12B-5.150	Public Use Forms

PURPOSE AND EFFECT: Section 13, Chapter 2012-117, L.O.F., effective July 1, 2012, defines the term "alternative fuel." The purpose of the proposed amendments to Rule 12B-5.020, F.A.C. (Definitions; Specific Exemptions), is to update the definition of "gasohol" to be consistent with this definition of alternative fuel.

The purpose of the proposed amendments to Rule 12B-5.130, F.A.C. (Refunds), is to clarify that, consistent with the provisions of Section 206.41(4)(c)2., F.S., motor fuel used in motor vehicles licensed as goats qualifies for a refund of the highway fuel taxes paid.

The purpose of the proposed amendments to Rule 12B-5.150, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of taxes imposed on fuels and pollutants.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the proposed: (1) update to definitions that define the term "alternative fuel," as amended by section 13, Chapter 2012-117, L.O.F.; (2) clarify that motor fuel used in motor vehicles licensed as goats qualifies for a refund of the highway fuel taxes paid; and (3) update changes to forms used by the Department in the administration of the taxes imposed on fuels and pollutants.

RULEMAKING AUTHORITY: 206.14(1), 206.485(1), 206.59(1), 206.62(10), 206.87(1)(e)2., 213.06(1), 213.755(8), 526.206 FS.

LAW IMPLEMENTED: 119.071(5), 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.06, 206.095, 206.11, 206.404, 206.41, 206.43, 206.44, 206.485, 206.62, 206.64, 206.86, 206.874, 206.8745, 206.877, 206.90, 206.91, 206.92, 206.97, 206.9835, 206.9865, 206.9931, 206.9942, 206.9943, 212.0501, 213.255, 213.755, 215.26, 526.203 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ronald Gay, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6745

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DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-5.090	Local Government Users
12B-5.100	Mass Transit Systems
12B-5.150	Public Use Forms
12B-5.200	Wholesalers of Alternative Fuel

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-5.090, F.A.C. (Local Government Users), and to Rule 12B-5.100, F.A.C. (Mass Transit Systems), is to remove reference to the incorporation of a refund permit that does not meet the definition of a "rule" and is not incorporated by reference.

The purpose of the proposed amendments to Rule 12B-5.150, F.A.C. (Public Use Forms), is to remove Form DR-179 (Corporate Surety Bond Form for Refund Permit Application), which is no longer used by the Department.

The purpose of the proposed amendments to Rule 12B-5.200, F.A.C. (Retailers of Alternative Fuel), is to clarify that it is unlawful to put alternative fuel into a vehicle that does not have the decal required by Section 206.877, F.S., attached to the vehicle.

SUBJECT AREA TO BE ADDRESSED: The proposed clarification of the decal requirements for placing alternative fuel into a vehicle and the proposed removal of obsolete or unnecessary provisions.

RULEMAKING AUTHORITY: 206.14(1), 206.485(1), 206.59(1), 206.87(1)(e)2., 206.877, 213.06(1), 213.755(8), 526.206 FS.

LAW IMPLEMENTED: 119.071(5), 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.06, 206.095, 206.11, 206.404, 206.41, 206.43, 206.44, 206.485, 206.86, 206.874, 206.8745, 206.877, 206.89, 206.90, 206.91, 206.92, 206.9835, 206.9865, 206.9931, 206.9942, 206.9943, 212.0501, 213.255, 213.755, 526.203 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ryan Marlar, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7670

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DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-7.003	Definitions
12B-7.004	Rate of Tax; Oil, Gas and Sulfur
12B-7.008	Public Use Forms
12B-7.022	Definitions
12B-7.026	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12B-7.003, F.A.C. (Definitions), and Rule 12B-7.022, F.A.C. (Definitions), is to remove unnecessary definitions of terms for which statutory definitions are provided or terms that are no longer used in the administration of the tax on the production of oil, gas, or sulfur or on the severance of solid minerals, heavy minerals, or phosphate rock.

The purpose of the proposed amendments to Rule 12B-7.004, F.A.C. (Rate of Tax; Oil, Gas and Sulfur), is to provide for the reporting of the tax on the production mature field recovery oil, imposed by Section 211.02, F.S., as amended by Section 6, Chapter 2012-32, L.O.F.

The purpose of the proposed amendments to Rule 12B-7.008, F.A.C. and Rule 12B-7.026, F.A.C. (Public Use Forms) is to adopt changes to tax returns used in the administration of the tax on oil production in Florida.

SUBJECT AREA TO BE ADDRESSED: The proposed changes to Rule Chapter 12B-7, F.A.C. (Severance Taxes, Fees, and Surcharges), to repeal unnecessary definitions of terms and to adopt changes to forms used in the administration of the severance taxes, fees, and surcharges.

RULEMAKING AUTHORITY: 211.075(2), (3), 211.125, 211.33(1), (6), 213.06(1), 373.41492(4)(b), 1002.395(13) FS.

LAW IMPLEMENTED: 92.525(1)(b), (2), (3), (4), 211.01, 211.02, 211.025, 211.0251, 211.026, 211.04, 211.06, 211.075, 211.076, 211.125, 211.30, 211.31, 211.3103, 211.3106, 211.33, 212.11(1)(b), 212.12(2), 212.17(1)(c), 213.235(2), 213.255, 213.37, 213.755(1), 215.26, 373.41492, 1002.395 FS.

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DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-8.002	Tax on Wet Marine and Transportation Insurance
12B-8.003	Tax Statement; Overpayments

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12B-8.002, F.A.C. (Tax on Wet Marine and Transportation Insurance), is to remove an unnecessary rule that is redundant of Section 624.510, F.S.

The purpose of the proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to adopt, by reference, changes to forms used by the Department in the administration of the insurance premium taxes, fees, and surcharges.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of a rule that is redundant of Section 624.510, F.S., and changes to forms used by the Department in the administration of the insurance premium taxes, fees, and surcharges.

RULEMAKING AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 220.183, 220.19, 220.191, 252.372, 288.99 (2010), 440.51, 443.1216, 624.11, 624.402, 624.4094, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, 624.5094, 624.510, 624.5105, 624.51055, 624.5107, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401, 629.5011, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS.

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DEPARTMENT OF REVENUE**Miscellaneous Tax**

RULE NO.: 12B-12.007
 RULE TITLE: Refunds and Credits; Recordkeeping Requirements

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-12.007, F.A.C. (Refunds and Credits; Recordkeeping Requirements), is to remove obsolete provisions regarding when an application for refund must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999.

SUBJECT AREA TO BE ADDRESSED: The proposed removal of obsolete provisions regarding refund applications for tax paid on or after October 1, 1994, and prior to July 1, 1999.

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1), 376.75(9)(b) FS.

LAW IMPLEMENTED: 376.75(11) FS.

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DEPARTMENT OF REVENUE**Corporate, Estate and Intangible Tax**

RULE NO.: 12C-1.013
 RULE TITLE: Adjusted Federal Income Defined

PURPOSE AND EFFECT: Chapter 2011-229, L.O.F., amends Section 220.13(1)(e), F.S., to require adjustments for I.R.C. section 179 expense and bonus depreciation. These provisions

were added to the Internal Revenue Code by the Small Business Jobs Act of 2010, and the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

The proposed amendments to Rule 12C-1.013, F.A.C. (Adjusted Federal Income Defined), are necessary to update the provisions for adjustments to federal income for Florida income tax purposes and to establish procedures for reporting the additions and claiming the subtractions required by Section 220.13(1)(e), F.S., and provide procedures for filing amended Florida corporate income tax returns.

When in effect, the proposed amendments provide: (1) the additions that taxpayers are required to add back for the amount of the federal deduction claimed under I.R.C. section 179 that exceeds \$250,000 (for tax years beginning in 2010) and \$128,000 (for tax years beginning in 2011 and 2012) and under I.R.C. sections 167 and 168(k) for bonus depreciation (assets placed in service between January 1, 2010, and December 31, 2012); (2) the subtractions that are available in each of seven tax years beginning with the year an addition is made under Section 220.13(1)(e), F.S.; (3) that taxpayers are required to maintain a schedule reflecting all adjustments made under Section 220.13(1)(e), F.S.; (4) that these adjustments do not affect the basis of the property; and (5) when the subtractions under Section 220.13(1)(e), F.S., and when the deductions allowed under I.R.C. section 179 are not required to be included in a taxpayer's Florida corporate income tax return.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed procedures for taxpayers subject to the adjustments contained in Section 220.13(1)(e), F.S., for I.R.C. section 179 expense in excess of: \$250,000 (for tax years beginning in 2010) and \$128,000 (for tax years beginning in 2011 and 2012) and bonus depreciation under I.R.C. sections 167 and 168(k) (assets placed in service between January 1, 2010, and December 31, 2012).

RULEMAKING AUTHORITY: 213.06(1), 220.51 FS., s. 3, Ch. 2009-18, s. 4, Ch. 2009-192, s. 3, Ch. 2011-229 L.O.F.

LAW IMPLEMENTED: 220.02(3), 220.03(5), 220.13, 220.131(1), 220.43(1), (3) FS.

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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: Robert DuCasse, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

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DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.:	RULE TITLES:
12C-1.0191	Capital Investment Tax Credit Program
12C-1.0193	Florida Renewable Energy Production Credit
12C-1.0221	Returns, Notices, and Elections; Signing and Verification
12C-1.051	Forms

PURPOSE AND EFFECT: Section 1, Chapter 2011-223, L.O.F., allows certain unused capital investment tax credits to be carried forward through the 30th tax year after commencement of operations. The purpose of the proposed amendments to Rule 12C-1.0191, F.A.C. (Capital Investment Tax Credit Program), is to add this provision to the rule.

Section 7, Chapter 2012-117, L.O.F., effective July 1, 2012, requires an application to be filed with the Department of Agriculture and Consumer Services for an allocation of an annual tax credit against corporate income tax based on the taxpayer's production and sale of electricity from a Florida renewable energy facility. The purpose of the proposed amendments to Rule 12C-1.0193, F.A.C. (Florida Renewable Energy Production Credit), and to Rule 12C-1.051, F.A.C. (Forms), is to update the Department's rules and form to include the provisions of Section 7, Chapter 2012-117, L.O.F., and to remove the obsolete application for the tax credit previously submitted to the Department of Revenue.

The purpose of the proposed amendments to Rule 12C-1.0221, F.A.C. (Returns, Notices, and Elections; Signing and Verification), is to adopt, by reference, updates to Treasury Department Circular Number 230.

The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to: (1) adopt, by reference: (1) annual changes to update Florida corporate income tax returns to reflect law changes; (2) updates to the application used to notify the Department of a transfer of a tax credit to another taxpayer; and (3) to remove an application for the Florida

renewable energy tax credit that will be administered by the Florida Department of Agriculture and Consumer Services beginning July 1, 2012.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the: (1) proposed changes to Rule 12C-1.0191, F.A.C. (Capital Investment Tax Credit Program), to incorporate the provisions of Section 1, Chapter 2011-223, L.O.F.; (2) proposed changes to Rule 12C-1.0193, F.A.C., and Form F-1193T (Notice of Intent to Transfer A Florida Energy Tax Credit) to incorporate the provisions of Section 7, Chapter 2012-117, L.O.F., effective July 1, 2012, and to remove the obsolete application for a Florida renewable energy tax credit; and (3) updates to materials and forms used to administer the Florida corporate income tax.

RULEMAKING AUTHORITY: 213.06(1), 220.191(8), 220.192(5), (7), 220.193, 220.196(4), 220.51, 1002.395(13) FS.

LAW IMPLEMENTED: 119.071(5), 212.08(5)(p), 213.35, 213.755, 220.02(3), (8), 220.03(1), 220.11, 220.12, 220.13(1), (2), 220.131, 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.1875, 220.1895, 220.1896, 220.19, 220.191, 220.192, 220.193, 220.196, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04, 624.5105, 624.51055, 1002.395 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Ensley, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7659

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DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: 12C-1.318
 RULE TITLE: Rules for Recognition of Taxpayers and Their Representatives

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12C-1.318, F.A.C. (Rules for Recognition of Taxpayers and Their Representatives), is to remove provisions that are addressed in other administrative rules and forms. Rule 12-6.005, F.A.C. (Criteria for Qualified Representatives), and Form DR-835 (Power of Attorney and Declaration of Representative), provide the qualifications and requirements of taxpayer representatives. Rule 12-22.005, F.A.C. (Disclosure Procedures), provide the requirements for taxpayer representatives to receive confidential taxpayer information from the Department.

SUBJECT AREA TO BE ADDRESSED: The proposed repeal of Rule 12C-1.318, F.A.C. (Rules for Recognition of Taxpayers and Their Representatives).

RULEMAKING AUTHORITY: 213.06(1), 220.51 FS.

LAW IMPLEMENTED: 213.053, 220.731 FS.

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DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.: 12C-2.004
 RULE TITLES: Property Subject to Tax – Government Leasehold Estates and Nonrecurring

12C-2.010 Valuations
 12C-2.0115 Public Use Forms

PURPOSE AND EFFECT: Sections 1 and 2, Chapter 2012-32, L.O.F., expanded the public purpose exemption from ad valorem taxes to the governmental leasehold intangible tax. The exemption applies retroactively to all governmental leaseholds in existence on January 1, 2011. The purpose of the proposed amendments to Rule 12C-2.004, F.A.C. (Property Subject to Tax – Governmental Leasehold Estates and Nonrecurring), Rule 12C-2.010, F.A.C. (Valuations), and to Rule 12C-2.0115, F.A.C. (Public Use Forms), is to: (1) include the provisions of Sections 1 and 2, Chapter 2012-32, L.O.F.; (2) provide that the Valuation Factor Tables used to calculate the annual tax on governmental leasehold estates will be published annually in Taxpayer Information Publications and posted to the Department's Internet site; and (3) adopt, by reference, updates to the tax return used to report the annual tax on governmental leasehold estates that reflect law changes and to remove provisions that limit the tax return to a single tax year.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to include the provisions of Sections 1 and 2, Chapter 2012-32, L.O.F., and to adopt, by reference, changes to the tax return used to report the annual tax on governmental leasehold estates.

RULEMAKING AUTHORITY: 199.202, 213.06(1) FS.

LAW IMPLEMENTED: 119.071(5), 196.199(2), 199.032 (2005), 199.042 (2005), 199.103(7), 199.133, 199.135 (2005), 199.143, 199.145, 199.155, 199.183, 199.202, 199.232, 199.282 (2005), 199.292, 213.24(3), 215.26 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: August 8, 2012, 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida

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: Tammy Miller at (850)617-8347. 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: Robert DuCasse, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6476

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.: RULE TITLES:
12C-2.0115 Public Use Forms
12C-2.012 Refunds

PURPOSE AND EFFECT: Forms DR-350111 (Intangible Tax Self-Audit Worksheet) and DR-350112 (Taxpayer Affidavit) used in the administration of the annual intangible personal property prior to its repeal are now obsolete. The purpose of the proposed amendments to Rule 12C-2.0115, F.A.C. (Public Use Forms), is to repeal the adoption, by reference, of obsolete Forms DR-350111 and DR-350112.

Form DR-26I (Application for Refund-Intangible Personal Property Tax) is obsolete. Taxpayers seeking refunds of intangible personal property tax that is not automatically refunded by the Department must apply using Form DR-26 (Application for Refund). The purpose of the proposed amendments to Rule 12C-2.012, F.A.C. (Refunds), is to update the application to be used by taxpayers to obtain a refund of intangible personal property tax overpaid or paid when no tax was due.

SUBJECT AREA TO BE ADDRESSED: The proposed changes to the form used by the Department in the administration of refunds of intangible tax and the repeal of obsolete forms.

RULEMAKING AUTHORITY: 199.202, 213.06(1) FS.

LAW IMPLEMENTED: 119.071(5), 196.199(2), 199.032 (2005), 199.042 (2005), 199.103(7) (2005), 199.135 (2005), 199.202, 199.232, 199.282 (2005), 199.292, 213.24(3), 213.255(2), (3), 215.26 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:

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:
12C-3.010 Final Certificate and Nontaxable
 Certificate Mailing Procedure

PURPOSE AND EFFECT: Section 1, Chapter 2011-86, L.O.F., extends the expiration of the period of exemption from filing a Florida Estate Tax Return for decedents who die after December 31, 2004, and prior to January 1, 2013. The purpose of the proposed amendments to Rule 12C-3.010, F.A.C. (Final Certificate and Nontaxable Certificate Mailing Procedure), is to update the rule to provide the statutory period for the exemption from the requirement to file a Florida Estate Tax Return.

SUBJECT AREA TO BE ADDRESSED: The proposed changes to incorporate the provisions of Section 1, Chapter 2011-86, L.O.F., into Rule 12C-3.010, F.A.C.

RULEMAKING AUTHORITY: 198.08, 213.06(1) FS.

LAW IMPLEMENTED: 198.13(2), 198.19 FS.

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DATE AND TIME: August 8, 2012, 9:00 a.m.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE NOS.:	RULE TITLES:
12E-1.001	General
12E-1.002	Services Provided
12E-1.003	Conditions of Eligibility
12E-1.004	Application for Services, Application Forms and Fee
12E-1.005	Collection and Distribution of Payments
12E-1.009	Enforcement of Income Deduction in IV-D Cases Where No Income Deduction Order Currently Exists
12E-1.013	Release of Information
12E-1.015	Reciprocity Requests
12E-1.016	Child Support Guidelines
12E-1.017	Expedited Process
12E-1.019	Judgments by Operation of Law
12E-1.020	Genetic Testing
12E-1.024	Business or Professional License or Certification Suspension or Application Denial
12E-1.025	Procurement of Legal Services
12E-1.026	Central Depository Electronic Transmission of Information

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12E-1.001, F.A.C. (General), is to remove rule provisions that repeat provisions in several statutes and include obsolete terminology.

The purpose of the proposed repeal of Rule 12E-1.002, F.A.C. (Services Provided), is to remove rule provisions that repeat statutes, are inconsistent with the Child Support Enforcement Title IV-D State plan, contain obsolete terminology, and are no longer necessary.

The purpose of the proposed repeal of Rule 12E-1.003, F.A.C. (Conditions of Eligibility), is to remove rule provisions that repeat statutes, are contrary to current law in some ways, incorporate obsolete forms, contain obsolete terminology, and are no longer necessary.

The purpose of the proposed repeal of Rule 12E-1.004, F.A.C. (Application for Services, Application Forms and Fee), is to remove rule provisions that deviate from current law, incorporate obsolete forms, contain obsolete terminology, and are no longer needed.

The purpose of the proposed repeal of Rule 12E-1.005, F.A.C. (Collection and Distribution of Payments), is to eliminate an unnecessary rule about the collection and distribution of support payments that contains obsolete information and references obsolete forms.

The purpose of the proposed repeal of Rule 12E-1.009, F.A.C. (Enforcement of Income Deduction in IV-D Cases Where No Income Deduction Order Currently Exists), is to remove a rule that substantially restates Section 61.1301, Florida Statutes, includes outdated provisions, and is unnecessary.

The purpose of the proposed repeal of Rule 12E-1.013, F.A.C. (Release of Information), is to remove a rule that substantially repeats Section 409.2579, Florida Statutes, and is no longer needed.

The purpose of the proposed amendment of Rule 12E-1.015, F.A.C. (Reciprocity Requests), is to remove a provision that is inconsistent with the Child Support Enforcement Title IV-D State plan and is no longer needed, and correct the cite to rulemaking authority and law implemented in the history notes. The amendment lists the foreign jurisdictions with which Florida has reciprocal agreements for child support enforcement services and will provide a hyperlink members of the public can use to access a copy of reciprocal agreements.

The purpose of the proposed repeal of Rule 12E-1.016, F.A.C. (Child Support Guidelines), is to remove a rule that repeats Section 61.30, Florida Statutes, and is no longer necessary.

The purpose of the proposed repeal of Rule 12E-1.017, F.A.C. (Expedited Process), is to remove a rule that repeats statutes, incorporates superseded federal regulations, cites as rulemaking authority a statute that has been repealed, and is no longer needed because expedited process is provided by rule of the Florida Family Law Rules of Procedure (Rule 12.491).

The purpose of the proposed repeal of Rule 12E-1.019, F.A.C. (Judgments by Operation of Law), is to eliminate a rule that repeats Section 61.14, Florida Statutes, cites as rulemaking authority a statute that has been repealed, and is no longer necessary.

The purpose of the proposed repeal of Rule 12E-1.020, F.A.C. (Genetic Testing), is to remove rule provisions about genetic testing for paternity establishment that repeat Section 742.12, Florida Statutes, contain obsolete information, and are no longer necessary.

The purpose of the proposed repeal of Rule 12E-1.024, F.A.C. (Business or Professional License or Certification Suspension or Application Denial), is to remove obsolete information that has been superseded by statutory changes in Section 409.2598, Florida Statutes.

The purpose of the proposed repeal of Rule 12E-1.025, F.A.C. (Procurement of Legal Services), is to remove rule provisions that cite as rulemaking authority a statute that has been repealed, unnecessarily restate federal regulations, and are unnecessary.

The purpose of the proposed repeal of Rule 12E-1.026, F.A.C. (Central Depository Electronic Transmission of Information), is to remove obsolete and unnecessary rule provisions that substantially repeat statute and reference a terminated contract between the Department of Revenue, the Florida Association of Court Clerks, and the county court depositories.

SUBJECT AREA TO BE ADDRESSED: The proposed addition of a rule provision listing the foreign jurisdictions with which the Florida Attorney General and the United States have issued declarations of reciprocity for enforcement of support orders and the proposed repeal of unnecessary rules.

RULEMAKING AUTHORITY: s. 1, Chapter 94-124, s. 14, Chapter 94-236, L.O.F., 120.535, 409.026, 409.2557, 409.2557(3), 409.2557(3)(i), 409.2567, 409.2574(2)(d) FS.

LAW IMPLEMENTED: Chapter 86-220, Section 127, LOF, 61.13, 61.1301, 61.13015, 61.14, 61.14(6)(a), 61.14(6)(a)3., 61.16(1), 61.181, 61.181(8), 61.1811, 61.30, 61.30(1)(b), 61.30(14), 61.30(15), 88.0405, 88.111, 88.151, 88.171, 88.235, 88.331, 88.1011(19)(b), 90.502(5), 95.11(3), 119.07, 119.08(3), 231.097, 231.28, 319.23, 319.24, 320.01, 327.02(27), 328.01, 328.15, 409.2554, 409.2557, 409.2561, 409.2564(2), 409.2564(3), 409.2564(4), 409.2567, 409.2569, 409.2572, 409.2574, 409.2577, 409.2579, 409.2598, 455.203, 559.79, 695.25, 742.011, 742.045, 742.10, 742.12 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: August 8, 2012, 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida

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: Mike Vergenz at (850)617-8036. 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: Mike Vergenz, Government Analyst II, Child Support Enforcement Program, Department of Revenue, 2450 Shumard Oak Blvd., Suite 2-4829, Tallahassee, Florida 32399-0184, telephone (850)617-8036, email: vergenzm@dor.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules

DEPARTMENT OF CITRUS

RULE NO.: 20-13.003
RULE TITLE: Fruit Classification and Standards Committee – Membership

PURPOSE AND EFFECT: Amendment to reflect the change in membership of the Florida Citrus Commission during the 2011 Legislative session, bringing the FCC membership from seven grower members and five grower/handler members to six grower members and three grower/handler members for the FCC member requirement of the Fruit Classification and Standards Committee

SUBJECT AREA TO BE ADDRESSED: Membership of the Fruit Classification and Standards Committee.

RULEMAKING AUTHORITY: 601.05, 601.10(1),(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.9910(3) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice Wiggins, Legal Department, Florida Department of Citrus, P.O. Box 9010, Bartow, FL 33831 or awiggins@citrus.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-1.1002	Variations from Water Shortage Plan
40A-1.1003	Variance and Emergency Variance or Authorization Procedures
40A-1.1010	Point of Entry Into Proceedings
40A-1.2025	Fees
40A-1.203	Permit Application Procedure
40A-1.205	Suspension, Revocation and Modification of District Permits
40A-1.206	Temporary Permits
40A-1.207	Complaints
40A-1.208	Administrative Enforcement Action
40A-1.209	Emergency Action
40A-1.510	District Investigations and Probable Cause Determination

PURPOSE AND EFFECT: The Northwest Florida Water Management District (NFWFMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to

increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to NFWFMD's Chapters 40A-1, 40A-2, and 40A-21, F.A.C., to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP's website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) an Applicant's Handbook to assist applicants with the requirements of Chapter 40A-2, F.A.C. (14) procedural rules in Chapter 40A-1, F.A.C.; (15) water shortage plan rules in Chapter 40A-21, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 29, 2012, 9:00 a.m. CDT

PLACE: Escambia County Commission Chambers, Room 100, 221 Palafox Place, Pensacola, FL

DATE AND TIME: August 31, 2012, 9:00 a.m. EDT

PLACE: Florida Department of Environmental Protection, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Angela

Chelette, Northwest Florida Water Management District, Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, angela.chelette@nfwfwd.state.fl.us or Terri Peterson, Administrative Assistant, Northwest Florida Water Management District, Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, terri.peterson@nfwfwd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-2.011	Policy and Purpose
40A-2.021	Definitions
40A-2.041	Permits Required
40A-2.051	Exemptions
40A-2.101	Content of Application
40A-2.201	Permit Processing Fee
40A-2.223	Reservation of Water
40A-2.301	Conditions for Issuance of Permits
40A-2.302	General Water Use Permit - Criteria, Limitations and Conditions
40A-2.311	Competing Applications
40A-2.321	Duration of Permits
40A-2.331	Modification of Permits
40A-2.351	Transfer of Permits
40A-2.361	Renewal of Permits
40A-2.381	Limiting Conditions
40A-2.441	Temporary Permits
40A-2.501	Permit Classification
40A-2.511	Declaration of Water Shortage
40A-2.801	Declaration of Water Resource Caution Areas
40A-2.802	Water Resource Caution Areas
40A-2.901	Forms
40A-2.902	Areal Boundary Maps for Water Use Permitting
40A-2.904	Areal Boundary Maps for Water Resource Caution Areas

PURPOSE AND EFFECT: The Northwest Florida Water Management District (NFWFMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to NFWFMD's Chapters 40A-1, 40A-2, and 40A-21, F.A.C., to address the following goals of

the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) an Applicant’s Handbook to assist applicants with the requirements of Chapter 40A-2, F.A.C. (14) procedural rules in Chapter 40A-1, F.A.C.; (15) water shortage plan rules in Chapter 40A-21, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: Immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled on August 29, 2012, 9:00 a.m. CDT

PLACE: Escambia County Commission Chambers, Room 100, 221 Palafox Place, Pensacola, FL

DATE AND TIME: Immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled on August 31, 2012, 9:00 a.m. CDT

PLACE: Florida Department of Environmental Protection, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Angela Chelette, Northwest Florida Water Management District,

Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, angela.chelette@nfwfmd.state.fl.us or Terri Peterson, Administrative Assistant, Northwest Florida Water Management District, Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, terri.peterson@nfwfmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-21.001	Policy and Purpose
40A-21.031	Elements of the Plan
40A-21.051	Definitions
40A-21.221	Evaluating Water Conditions
40A-21.231	Declaring a Water Shortage
40A-21.251	Water Shortage Phases
40A-21.271	Water Use Restrictions
40A-21.275	Variances
40A-21.291	Implementing a Water Shortage Declaration
40A-21.331	Declaring a Water Shortage Emergency
40A-21.371	Water Use Restrictions in a Water Shortage Emergency
40A-21.391	Implementing a Water Shortage Emergency Declaration
40A-21.401	Monitoring
40A-21.421	Enforcement
40A-21.511	Classification System
40A-21.531	Source Classes
40A-21.551	Use Classes
40A-21.571	Method of Extraction or Diversion Classes
40A-21.601	Specific Restrictions
40A-21.621	Phase I: Moderate Water Shortage
40A-21.631	Phase II: Severe Water Shortage
40A-21.641	Phase III: Extreme Water Shortage
40A-21.651	Phase IV: Critical Water Shortage

PURPOSE AND EFFECT: The Northwest Florida Water Management District (NFWFMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to NFWFMD’s Chapters 40A-1, 40A-2, and 40A-21, F.A.C., to address the following goals of

the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) an Applicant’s Handbook to assist applicants with the requirements of Chapter 40A-2, F.A.C. (14) procedural rules in Chapter 40A-1, F.A.C.; (15) water shortage plan rules in Chapter 40A-21, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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DATE AND TIME: Immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled on August 31, 2012, 9:00 a.m. CDT

PLACE: Florida Department of Environmental Protection, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Angela Chelette, Northwest Florida Water Management District,

Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, angela.chelette@nwfwmd.state.fl.us or Terri Peterson, Administrative Assistant, Northwest Florida Water Management District, Bureau of Ground Water Regulation, 152 Water Management Drive, Havana, Florida 32333, (850)539-5999, terri.peterson@nwfwmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-2.011	Policy and Purpose
40B-2.021	Definitions
40B-2.025	Processing of Water Use Applications
40B-2.031	Implementation
40B-2.041	Permits Required
40B-2.051	Exemptions
40B-2.101	Content of Application
40B-2.201	Permit Fees
40B-2.301	Conditions for Issuance of Permits
40B-2.311	Completing Applications
40B-2.321	Duration of Permits
40B-2.331	Modification of Permits
40B-2.341	Revocation of Permits
40B-2.351	Transfer of Permits
40B-2.361	Renewal of Permits
40B-2.381	Limiting Conditions
40B-2.441	Temporary Water Use Permits
40B-2.451	Emergency Authorization for Withdrawal or Diversion
40B-2.501	Classification of Permits
40B-2.751	Investigation, Enforcement, and Penalties
40B-2.781	Enforcement
40B-2.901	Forms and Instructions (Repealed)

PURPOSE AND EFFECT: The Suwannee River Water Management District (SRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the water use permit (WUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SRWMD’s Chapters 40B-1, 40B-2, 40B-21, and 40B-8, F.A.C., and the Water Use Permitting Guide to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the WUP rules less confusing for applicants; (2) treating applicants equitably

statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide WUP consistency initiative is available at DEP's website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish WUP consistency goals, on the following subjects: (1) water use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in chapter 40B-1, F.A.C.; (14) water shortage plan rules in chapter 40B-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in chapter 40B-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATE, TIME AND PLACES SHOWN BELOW:

DATE AND TIME: August 7, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida

DATE AND TIME: August 8, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Tommy Usher Community Center, 506 S.W. 4th Ave, Chiefland, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting/ by contacting: Robin Lamm, (386)362-1001.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim Sagul, Senior Professional Engineer, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, tjs@srwmd.org, (386)362-1001

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-1.1004	Variances from Water Shortage Rules (Chapter 40C-21, F.A.C.)
40C-1.1005	Time for Consideration of Emergency Petition for Variances
40C-1.1007	Point of Entry Into Proceedings
40C-1.1008	Timeframe for Providing Requested Information
40C-1.1011	Submitting Notice of Intent for Consumptive Use Permits Under Rule 40C-20.042, F.A.C
40C-1.1012	Submitting Notice of Intent for Consumptive Use Permits Under Chapter 40C-22, F.A.C
40C-1.106	Interagency Agreements
40C-1.135	Delegations of Authority
40C-1.601	General
40C-1.602	Licenses or Permits Required
40C-1.603	Permit Fees
40C-1.607	Issuance of a License or Permit
40C-1.610	License or Permit Renewal
40C-1.612	Transfer of Ownership or Permit

PURPOSE AND EFFECT: The St. Johns River Water Management District (SJRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SJRWMD's Chapters 40C-1, 40C-2, 40C-20, 40C-21, 40C-22, and 40C-8, F.A.C., and the Applicant's Handbook: Consumptive Uses of Water to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4)

streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40C-1, F.A.C.; (14) water shortage plan rules in Chapter 40C-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40C-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 10, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com or Wendy Gaylord, Legal Administrative Assistant, St. Johns River

Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, wgaylord@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-2.031	Implementation
40C-2.041	Permits Required
40C-2.042	General Permit by Rule
40C-2.051	Exemptions
40C-2.101	Publications Incorporated by Reference
40C-2.301	Conditions for Issuance of Permits
40C-2.302	Reservation of Water from Use
40C-2.311	Competing Applications
40C-2.321	Duration of Permit
40C-2.331	Modification of Permits
40C-2.351	Transfer of Permits
40C-2.361	Renewal of Permits
40C-2.381	Limiting Conditions
40C-2.401	Identification Tags
40C-2.501	Permit Classification
40C-2.900	Forms and Instructions

PURPOSE AND EFFECT: The St. Johns River Water Management District (SJRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SJRWMD’s Chapters 40C-1, 40C-2, 40C-20, 40C-21, 40C-22, and 40C-8, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions

by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40C-1, F.A.C.; (14) water shortage plan rules in Chapter 40C-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40C-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 10, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com or Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, wgaylord@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-8.011	Policy and Purpose
40C-8.021	Definitions

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The St. Johns River Water Management District (SJRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SJRWMD’s Chapters 40C-1, 40C-2, 40C-20, 40C-21, 40C-22, and 40C-8, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in chapter 40C-1, F.A.C.; (14) water shortage plan rules in chapter 40C-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40C-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 10, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com or Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, wgaylord@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-20.011	Policy and Purpose
40C-20.042	General Permit for Water Use
40C-20.301	Conditions for Issuance of Authorization
40C-20.321	Duration of Permit
40C-20.900	Forms and Instructions

PURPOSE AND EFFECT: The St. Johns River Water Management District (SJRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SJRWMD’s Chapters 40C-1, 40C-2, 40C-20, 40C-21, 40C-22, and 40C-8, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including

water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40C-1, F.A.C.; (14) water shortage plan rules in Chapter 40C-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40C-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 10, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com or Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, wgaylord@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-21.001	Policy and Purpose
40C-21.051	Definitions
40C-21.221	Evaluating Water Conditions
40C-21.231	Declaring a Water Shortage
40C-21.251	Water Shortage Phases
40C-21.271	General Water Use Restrictions
40C-21.291	Implementing a Water Shortage Declaration
40C-21.331	Declaring a Water Shortage Emergency
40C-21.371	Water Use Restrictions in a Water Shortage Emergency
40C-21.391	Implementing a Water Shortage Emergency Declaration
40C-21.401	Monitoring
40C-21.421	Enforcement
40C-21.511	Classification System
40C-21.531	Source Classes
40C-21.551	Use Classes
40C-21.571	Method of Extraction or Diversion Classes
40C-21.601	Specific Restrictions
40C-21.621	Phase I Moderate Water Shortage
40C-21.631	Phase II Severe Water Shortage
40C-21.641	Phase III Extreme Water Shortage
40C-21.651	Phase IV Critical Water Shortage

PURPOSE AND EFFECT: The St. Johns River Water Management District (SJRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SJRWMD’s Chapters 40C-1, 40C-2, 40C-20, 40C-21, 40C-22, and 40C-8, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40C-1, F.A.C.; (14) water shortage plan rules in Chapter 40C-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40C-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 10, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177
DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com or Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, wgaylord@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-22.001	Policy and Purpose
40C-22.020	Noticed General Permit for Fire Protection Purposes
40C-22.030	Noticed General Permit for Short-term Construction Dewatering
40C-22.900	Forms and Instructions

PURPOSE AND EFFECT: The St. Johns River Water Management District (SJRWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SJRWMD’s Chapters 40C-1, 40C-2, 40C-20, 40C-21, 40C-22, and 40C-8, F.A.C., and the Applicant’s Handbook: Consumptive Uses of Water to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40C-1, F.A.C.; (14) water shortage plan rules in Chapter 40C-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40C-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshops.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 10, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Governing Board Room, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com or Wendy Gaylord, Legal Administrative Assistant, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, wgaylord@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-1.002	Delegation of Authority
40D-1.1001	Variances from Water Well Construction Rules (Chapter 40D-3, F.A.C.)
40D-1.1002	Variances from Water Shortage Rules and Orders (Chapter 40D-21, F.A.C.)
40D-1.1003	Time for Consideration of a Petition for an Emergency Variance or Waiver
40D-1.1010	Point of Entry into Proceedings
40D-1.102	Definitions
40D-1.1021	Emergency Authorizations for Activities Regulated Under Part IV of Chapter 373, F.S.
40D-1.1022	Emergency Authorization for Well Construction Permits
40D-1.140	District Funds

- 40D-1.602 Permits Required
- 40D-1.603 Permit Application Procedures
- 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
- 40D-1.608 Permit Fee Reduction for Certain Counties and Municipalities
- 40D-1.6105 Limiting Conditions
- 40D-1.659 Forms and Instructions

PURPOSE AND EFFECT: The Southwest Florida Water Management District (SWFWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SWFWMD’s Chapters 40D-1, 40D-2, 40D-8, 40D-20, 40D-21, and 40D-22, F.A.C., and the Southwest Florida Water Management District Water Use Permit Information Manual to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: This rule development will include, but may not be limited to, the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water shortage plan rules in Chapter 40D-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40D-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 15, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, District Headquarters, 2379 Broad Street, Brooksville, Florida 34604

DATE AND TIME: August 16, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

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: Sonya L. White, Senior Legal Assistant, Southwest Florida Water Management District, 7601 U.S. Highway 301 North, Tampa, FL 33637-6759, (813)985-7481, ext. 4660. 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: Laura Jacobs Donaldson, Esq., Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), laura.donaldson@swfwmd.state.fl.us or Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.011	Policy and Purpose
40D-2.021	Definitions
40D-2.031	Implementation
40D-2.041	Permits Required
40D-2.051	Exemptions
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.301	Conditions for Issuance of Permits
40D-2.302	Reservations from Use
40D-2.321	Duration of Permits
40D-2.322	Population and Impact Analysis and Verification of 10-year Requirements
40D-2.331	Modification of Permits
40D-2.341	Revocation and Cancellation of Permits
40D-2.351	Transfer of Permits
40D-2.361	Renewal of Permits
40D-2.381	Standard Permit Conditions
40D-2.401	Identification Tags
40D-2.501	Permit Use Types
40D-2.621	Water-Conserving Credits
40D-2.801	Water Use Caution Areas

PURPOSE AND EFFECT: The Southwest Florida Water Management District (SWFWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SWFWMD’s Chapters 40D-1, 40D-2, 40D-8, 40D-20, 40D-21, and 40D-22, F.A.C., and the Southwest Florida Water Management District Water Use Permit Information Manual to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: This rule development will include, but may not be limited to, the amendment, repeal, or development of rules as needed to

accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water shortage plan rules in Chapter 40D-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40D-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 15, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, District Headquarters, 2379 Broad Street, Brooksville, Florida 34604

DATE AND TIME: August 16, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

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: Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only),

Sonya.White@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Laura Jacobs Donaldson, Esq., Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), laura.donaldson@swfwmd.state.fl.us or Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-8.011	Policy and Purpose
40D-8.021	Definitions
40D-8.031	Implementation
40D-8.041	Minimum Flows
40D-8.621	Operating Levels for Lakes with District-Owned Management Structures
40D-8.623	Minimum Wetland Levels
40D-8.624	Guidance and Minimum Levels for Lakes
40D-8.626	Minimum Aquifer Levels

PURPOSE AND EFFECT: The Southwest Florida Water Management District (SWFWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SWFWMD’s Chapters 40D-1, 40D-2, 40D-8, 40D-20, 40D-21, and 40D-22, F.A.C., and the Southwest Florida Water Management District Water Use Permit Information Manual to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional

information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: This rule development will include, but may not be limited to, the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water shortage plan rules in Chapter 40D-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40D-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 15, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, District Headquarters, 2379 Broad Street, Brooksville, Florida 34604

DATE AND TIME: August 16, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

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: Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Laura Jacobs Donaldson, Esq., Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), laura.donaldson@swfwmd.state.fl.us or Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-21.011	Policy and Purpose
40D-21.051	Definitions
40D-21.211	Monitoring Conditions
40D-21.221	Evaluating Water Conditions
40D-21.231	Declaring a Water Shortage
40D-21.251	Water Shortage Phases
40D-21.275	Implementing a Water Shortage Declaration
40D-21.281	Modifying or Rescinding a Water Shortage Declaration
40D-21.331	Declaring a Water Shortage Emergency
40D-21.371	Water Use Restrictions in a Water Shortage Emergency
40D-21.391	Implementing a Water Shortage Emergency Declaration
40D-21.421	Enforcement
40D-21.511	General
40D-21.531	Source Classifications
40D-21.541	Use Classifications
40D-21.571	Method of Withdrawal Classifications

40D-21.601	General
40D-21.621	Phase I: Moderate Water Shortage
40D-21.631	Phase II: Severe Water Shortage
40D-21.641	Phase III: Extreme Water Shortage
40D-21.651	Phase IV: Critical Water Shortage

PURPOSE AND EFFECT: The Southwest Florida Water Management District (SWFWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SWFWMD’s Chapters 40D-1, 40D-2, 40D-8, 40D-20, 40D-21, and 40D-22, F.A.C., and the Southwest Florida Water Management District Water Use Permit Information Manual to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: This rule development will include, but may not be limited to, the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water shortage plan rules in Chapter 40D-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40D-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 15, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, District Headquarters, 2379 Broad Street, Brooksville, Florida 34604

DATE AND TIME: August 16, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

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: Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Laura Jacobs Donaldson, Esq., Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), laura.donaldson@swfwmd.state.fl.us or Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: RULE TITLES:
40D-22.011 Policy and Purpose

40D-22.101 Definitions
40D-22.201 Year-Round Water Conservation Measures
40D-22.303 Variances and Waivers
40D-22.401 Enforcement

PURPOSE AND EFFECT: The Southwest Florida Water Management District (SWFWMD) gives notice that it is developing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to SWFWMD’s Chapters 40D-1, 40D-2, 40D-8, 40D-20, 40D-21, and 40D-22, F.A.C., and the Southwest Florida Water Management District Water Use Permit Information Manual to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP’s website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: This rule development will include, but may not be limited to, the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) annual allocation requirements and other rules needed to provide continuous reasonable assurance throughout the duration of a permit; (8) modification of permits; (9) 10-year compliance reports; (10) compliance monitoring and forms; (11) application forms; (12) permit fees to address related changes to permit thresholds or permit types; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water shortage plan rules in Chapter 40D-21, F.A.C.; (15) minimum flows and levels (MFLs) rules in Chapter 40D-8, F.A.C.; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250 FS.

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

DATE AND TIME: August 15, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, District Headquarters, 2379 Broad Street, Brooksville, Florida 34604

DATE AND TIME: August 16, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: SWFWMD, Governing Board Meeting Room, Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, Florida 34744

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: Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Laura Jacobs Donaldson, Esq., Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), laura.donaldson@swfwmd.state.fl.us or Sonya White, Senior Legal Assistant, Southwest Florida Water Management District, Office of General Counsel, 7601 US Hwy. 301, Tampa, FL 33637-6759, (813)985-7481 or 1(800)836-0797 (Florida only), Sonya.White@swfwmd.state.fl.us

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-0.101	Scope
40E-0.102	Time for Consideration of Emergency Petition for Variance or Waiver
40E-0.107	Emergency Action
40E-0.108	Emergency Authorization
40E-0.109	Point of Entry Into Proceedings and Mediation
40E-0.111	Exemptions and Variances for Well Construction Permits
40E-0.115	Variances from Water Use Restrictions

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP’s website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13)

procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 120.54(5), 120.60, 373.044, 373.113, 373.171, 373.439, 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 120.54(5), 120.569, 120.57, 120.60, 373.146, 373.175, 373.246, 373.303, 373.308, 373.313, 373.316, 373.326, 373.413, 373.427, 373.439, 668.003, 668.004, 668.50 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen’s Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm, 2301 McGregor Blvd, Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, 33406

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 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: Beth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6257 or (561)682-6257, bross@sfwmd.gov, or Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2133 or (561)682-2133, smemberg@sfwmd.gov. For procedural questions, contact Jan

Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6299, or (561)682-6299, jsluth@sfwmd.gov. Information regarding this rule development effort can be accessed at SFWMD’s website www.sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.021	Definitions
40E-1.602	Permits Required
40E-1.603	Application Procedures for Conceptual Approval, Individual and Standard Permits
40E-1.604	Bond
40E-1.6058	Publication and Requests for Notification of Permit Applications or Notices of Intent
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications
40E-1.607	Permit Application Processing Fees
40E-1.609	Suspension, Revocation and Modification of Permits
40E-1.610	Permit Renewal
40E-1.6105	Notification of Transfer of Interest in Real Property
40E-1.6107	Transfer of Environmental Resource, Surface Water Management, or Water Use Permit
40E-1.659	Forms and Instructions
40E-1.711	Orders of Corrective Action and Consent Agreements
40E-1.715	Civil Penalty Calculation
40E-1.721	Complaints, District Investigations, Probable Cause Determinations and Notices of Violations

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management

District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 120.53(1), 218.075, 373.044, 373.109, 373.113, 373.119, 373.129, 373.136, 373.333(1), 373.4135, 373.4136, 373.416, 373.421, 668.003, 668.004, 668.50, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53(1), 120.57, 120.60, 120.69, 218.075, 373.083, 373.085, 373.103, 373.106, 373.107, 373.109, 373.116, 373.119, 373.129, 373.136, 373.171, 373.209(3), 373.219, 373.229, 373.239, 373.243, 373.309, 373.323, 373.333(2), 373.413, 373.4135, 373.4136, 373.416, 373.417, 373.421, 373.422, 373.426, 373.429, 373.430, 373.436, Chapter 373 Parts II and IV, 373.603, 403.201, 668.003, 668.004, 668.50, 704.06 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd, Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-2.010	Review of Consumptive Use Permit Applications
40E-2.011	Policy and Purpose
40E-2.031	Implementation
40E-2.041	Permits Required
40E-2.051	Exemptions
40E-2.061	No-Notice General Permit by Rule
40E-2.091	Publications Incorporated by Reference
40E-2.101	Content of Application

- 40E-2.301 Conditions for Issuance of Permits
- 40E-2.321 Duration of Permit
- 40E-2.331 Modification of Permits
- 40E-2.341 Revocation of Permits
- 40E-2.351 Transfer of Permits
- 40E-2.381 Limiting Conditions
- 40E-2.451 Emergency Authorization
- 40E-2.501 Permit Classification

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

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Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 120.54(5), 120.60, 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.036, 373.042, 373.0421, 373.103, 373.109, 373.118, 373.1501, 373.1502, 373.196, 373.203, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.2295, 373.232, 373.233, 373.236, 373.239, 373.244, 373.246, 373.249, 373.250, 373.470 FS.

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PLACE: PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

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DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-3.011	Policy and Purpose
40E-3.021	Definitions
40E-3.036	Rules and Publications Incorporated by Reference
40E-3.038	Violations of Contractor Licensing and Well Construction Requirements
40E-3.040	Scope of Part I
40E-3.041	Permits Required
40E-3.051	Exemptions
40E-3.101	Content of Application
40E-3.301	Conditions for Issuance of Permits
40E-3.321	Duration of Permits
40E-3.341	Suspension and Revocation
40E-3.411	Well Completion Reports
40E-3.451	Emergency Authorization
40E-3.461	Inspection
40E-3.500	Scope of Part II
40E-3.502	Construction Methods
40E-3.504	Location
40E-3.507	Casing and Liner Pipe Standards
40E-3.512	Well Construction Requirements
40E-3.517	Grouting and Sealing
40E-3.521	Well Seals
40E-3.525	Explosives
40E-3.529	Flowing Wells
40E-3.531	Abandoned Well Plugging
40E-3.600	Scope of Part VI
40E-3.601	General Permit for Water Wells within a Portion of Southern Miami-Dade County

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21,

40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

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Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.333 FS.

LAW IMPLEMENTED: 373.019, 373.103, 373.106, 373.113, 373.303, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.319, 373.323, 373.324, 373.326, 373.329, 373.333, 373.336, 373.342 FS.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-5.011	Policy and Purpose
40E-5.021	Definitions
40E-5.031	Implementation
40E-5.041	Permits Required
40E-5.051	Exemptions
40E-5.101	Content of Application
40E-5.301	Conditions for Permit Issuance
40E-5.321	Duration of Permit
40E-5.331	Modification of Permit
40E-5.381	Limiting Conditions

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and

joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP’s website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

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Note: Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.229 FS.

LAW IMPLEMENTED: 373.106, 373.219 FS.

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PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6257 or (561)682-6257, bross@sfwmd.gov, or Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2133 or (561)682-2133, smemberg@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6299 or (561)682-6299, jsluth@sfwmd.gov. Information regarding this rule development effort can be accessed at SFWMD's website www.sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-8.011	Purpose and General Provisions
40E-8.021	Definitions
40E-8.221	Minimum Flows and Levels: Surface Waters
40E-8.231	Minimum Levels: Aquifers
40E-8.321	Minimum Flows and Levels: Surface Waters
40E-8.331	Minimum Levels: Aquifers

40E-8.341	Minimum Flows and Levels: Surface Waters for Upper East Coast Regional Planning Area
40E-8.351	Minimum Levels: Surface Waters for Kissimmee Basin Regional Planning Area
40E-8.421	Prevention and Recovery Strategies
40E-8.431	Consumptive Use Permits
40E-8.441	Water Shortage Plan Implementation

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, F.A.C., and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6257 or (561)682-6257, bross@sfwmd.gov, or Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2133 or (561)682-2133, smemberg@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6299 or (561)682-6299, jsluth@sfwmd.gov. Information regarding this rule development effort can be accessed at SFWMD's website www.sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-10.011	Policy and Purpose
40E-10.021	Definitions
40E-10.031	Water Reservations Implementation
40E-10.041	Water Reservation Areas: Lower West Coast Planning Area
40E-10.051	Water Reservation Areas: Upper East Coast Planning Area

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, F.A.C., and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, 33406

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jsluth@sfwmd.gov. Information regarding this rule development effort can be accessed at SFWMD's website www.sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-20.010	Review of General Water Use Permit Applications
40E-20.011	Policy and Purpose
40E-20.061	Delegation of Authority Pertaining to General Water Use Permits
40E-20.091	Publications Incorporated by Reference
40E-20.101	Content of General Water Use Permit Applications
40E-20.301	Conditions for Issuance of General Water Use Permits
40E-20.302	Types of General Water Use Permits
40E-20.321	Duration of General Water Use Permits
40E-20.331	Modification of General Water Use Permits
40E-20.351	Transfer of General Water Use Permits
40E-20.381	Limiting Conditions

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency

initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 120.54(5), 120.60, 373.044, 373.083, 373.113, 373.118, 373.171, 373.216 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.036, 373.042, 373.0421, 373.083, 373.103, 373.118, 373.1501, 373.1502, 373.171, 373.219, 373.223, 373.229, 373.2295, 373.236, 373.239, 373.470 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-21.011	Policy and Purpose
40E-21.051	Definitions
40E-21.221	Evaluating Water Conditions
40E-21.231	Declaring a Water Shortage
40E-21.251	Water Shortage Phases
40E-21.271	General Water Use Restrictions
40E-21.275	Variances
40E-21.291	Implementing a Water Shortage Declaration
40E-21.331	Declaring a Water Shortage Emergency
40E-21.371	Water Use Restrictions in a Water Shortage Emergency
40E-21.391	Implementing a Water Shortage Emergency Declaration
40E-21.401	Monitoring
40E-21.421	Enforcement
40E-21.501	Specific Restrictions
40E-21.521	Phase I Moderate Water Shortage
40E-21.531	Phase II Severe Water Shortage
40E-21.541	Phase III Extreme Water Shortage
40E-21.551	Phase IV Critical Water Shortage
40E-21.631	Source Classes
40E-21.651	Use Classes
40E-21.671	Method of Withdrawal Classes
40E-21.691	Surface Water Use Basin Descriptions

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.026, 373.042, 373.0421, 373.103, 373.119, 373.175, 373.246, 373.603, 373.609 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, 33406

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-22.011	Policy and Purpose
40E-22.061	Indian Prairie Basin Boundary
40E-22.072	Minimum Levels
40E-22.122	Termination of Withdrawals
40E-22.212	Policy and Purpose

- 40E-22.222 St. Lucie County Agricultural Area Boundary
- 40E-22.232 Minimum Levels
- 40E-22.262 Termination of Withdrawals
- 40E-22.312 Policy and Purpose
- 40E-22.322 Geographic Application
- 40E-22.332 Water Shortage Triggers

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, F.A.C., and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and, 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.086, 373.103, 373.175, 373.246 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, 33406

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-24.011	Policy and Purpose
40E-24.101	Definitions
40E-24.201	Year-Round Landscape Irrigation Conservation Measures
40E-24.301	Local Government Option
40E-24.401	Enforcement
40E-24.501	Variances and Waivers

PURPOSE AND EFFECT: The South Florida Water Management District (SFWMD) gives notice that it is developing rules, as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels, and water supply related programs of the WMDs. Procedural issues will also be addressed. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. SFWMD anticipates potential amendments to Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-10, 40E-20, 40E-21, 40E-22, 40E-24, F.A.C., and the Basis of Review for Water Use Permit Applications within the South Florida Water Management District. These changes will address the goals of the DEP and the WMDs for this rulemaking, including: 1) making the consumptive use permitting program less confusing for applicants, particularly those who work in more than one District; 2) treating applicants equitably statewide; 3) providing consistent protection of the environment; 4) streamlining the permitting process; and 5) incentivizing behavior that protects water resources, including conservation. Additional information about the statewide CUP consistency initiative and this rule development effort is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

SUBJECT AREA TO BE ADDRESSED: This rule development will address amendment, repeal, or development of rules needed to accomplish CUP consistency goals and is expected to include, but not be limited to, such topics as: 1) conditions for issuance of consumptive use permit applications; 2) technical permit application review criteria; 3) water conservation; 4) limiting conditions; 5) permit thresholds; 6) permit types; 7) permit duration; 8) modification of permits; 9) 10-year compliance reports; 10) compliance monitoring and forms; 11) application forms; 12) permit fees to address changes to permit thresholds or permit types; 13) procedural rules; and 14) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.119, 373.171, 373.175(4), 373.219, 373.223, 373.227, 373.246(7), 373.603, 373.609 FS.

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

DATE AND TIME: August 21, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, Lower West Coast Service Center, Large Conference Rm., 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, immediately following the Chapter 62-40 rule workshop of the Florida Department of Environmental Protection, which is scheduled to begin at 9:00 a.m.

PLACE: South Florida Water Management District, B1 – Auditorium, 3301 Gun Club Road, West Palm Beach, 33406

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: South Florida Water Management District Clerk's Office, 1(800)432-2045, ext. 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: Beth Ross, Esq., South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6257 or (561)682-6257, bross@sfwmd.gov, or Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2133 or (561)682-2133, smemberg@sfwmd.gov. For procedural questions, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6299 or (561)682-6299, jsluth@sfwmd.gov. Information regarding this rule development effort can be accessed at SFWMD's website www.sfwmd.gov

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NO.: 59B-17.001
 RULE TITLE: Diabetes Outpatient Self-Management Training and Educational Services Standards

PURPOSE AND EFFECT: The Rule adopts standards for diabetes outpatient self-management educational services provided by health maintenance organizations and health insurers.

SUBJECT AREA TO BE ADDRESSED: Per Sections 627.6408(3), 627.6574(3), and 641.31(26)(c), F.S., "The Agency for Health Care Administration shall adopt standards for diabetes outpatient self-management training and educational services, taking into consideration standards approved by the American Diabetes Association".

RULEMAKING AUTHORITY: 627.6408(3), 627.6574(3), 641.31(26)(c) FS.

LAW IMPLEMENTED: 627.6408(3), 627.6574(3), 641.31(26)(c) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diana Picolo, Bureau of Managed Health Care, (850)412-4319

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: 61G20-1.002
 RULE TITLE: Alternative Design Method for Screen Enclosures

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to comply with Ch. 2012-13, Laws of Florida, which directed the Florida Building Commission to establish a workgroup to assist the commission in developing a rule for implementing an alternative design method for screen enclosures which allows for the removal of a section of the screen to accommodate high-wind events consistent with the provisions of the Florida Building Code.

SUBJECT AREA TO BE ADDRESSED: Alternative design methods for screen enclosures.

RULEMAKING AUTHORITY: 2012-13 (Section 19), Florida Law.

LAW IMPLEMENTED: 2012-13 (Section 19), Florida Law.

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

DATE AND TIME: August 7, 2012, 8:30 a.m., or as soon thereafter as the matter is brought before the Commission in accordance with its agenda.

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612. An agenda and other information may be obtained at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-40.110	Declaration and Intent
62-40.210	Definitions
62-40.310	General Policies
62-40.410	Water Supply Protection and Management
62-40.412	Water Conservation
62-40.416	Water Reuse and Recycling
62-40.473	Minimum Flows and Levels
62-40.474	Reservations
62-40.510	Florida Water Plan
62-40.520	District Water Management Plans
62-40.530	Department Review of District Water Management Plans
62-40.531	Regional Water Supply Plans
62-40.540	Water Data

PURPOSE AND EFFECT: The Department of Environmental Protection gives notice that it is developing rules as instructed by House Bill 639 and as part of the statewide effort to

improve consistency in the Consumptive Use Permitting Programs implemented by the Water Management Districts. House Bill 639 requires the Department to initiate rule making by October 1, 2012 to revise the Water Resource Implementation Rule, Chapter 62-40, F.A.C., to include criteria for reuse offsets and credits. The criteria that will be proposed is the product of the Reclaimed Water Policy Workgroup, meeting since January 2009, and comprised of representatives of the Florida Department of Environmental Protection, Florida's five water management districts, Florida Water Environment Association Utility Council, Florida League of Cities, Florida Association of Counties, individual local government utilities, and environmental consulting firms. The Workgroup was convened to discuss how state regulatory policy could better optimize the reuse of reclaimed water. In addition to offsets and credits, Chapter 62-40 will also be revised to include other recommendations of the Reclaimed Water Policy Workgroup and recommendations resulting from the Consumptive Use Permitting Consistency Initiative. The Consumptive Use Permitting Initiative began in the fall of 2011 as a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all five water management districts (WMDs), to increase consistency in the consumptive use permitting (CUP), minimum flows and levels (MFLs), and water supply related programs of the WMDs. This rule development is proposed to be coordinated with similar rule development by the other WMDs throughout Florida. This rule development will make appropriate rule amendments to DEP's Chapter 62-40, F.A.C., to address the following goals of the DEP and the WMDs for this rulemaking: (1) making the CUP rules less confusing for applicants; (2) treating applicants equitably statewide; (3) providing consistent protection of the environment; (4) streamlining the application and permitting process; and (5) incentivizing behavior that protects water resources, including water conservation. Additional information about the statewide CUP consistency initiative is available at DEP's website at: www.dep.state.fl.us/water/waterpolicy/cupcon.htm.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) reuse credits and offsets; (2) declaration and intent; (3) definitions; (4) general policies; (5) water supply protection and management; (6) water conservation requirements; (7) water reuse and recycling; (8) minimum flows and levels; (9) reservations; (10) Florida water plan; (11) district water management plans; (12) department review of district water management plans; (13) regional water supply plans; (14) water data; (15) review and application; and (16) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

RULEMAKING AUTHORITY: 373.026(7), 373.043, 373.036(1)(d), 373.171 FS.

LAW IMPLEMENTED: 373.023, 373.026, 373.036(1)(d), 373.042, 373.046, 373.103, 373.106, 373.171, 373.703, 373.223, 373.246, 373.418, 373.451, 373.453, 403.0615(3), 403.064, 403.0891 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: August 7, 2012, 9:00 a.m.

PLACE: SRWMD Headquarters, Room 102, 9225 CR 49, Live Oak, FL 32060

DATE AND TIME: August 8, 2012, 9:00 a.m.

PLACE: Tommy Usher Pineland Center, 506 SW 4th Ave., Chiefland, FL 32626

DATE AND TIME: August 10, 2012, 9:00 a.m.

PLACE: SJRWMD Headquarters, 4049 Reid Street, Palatka, FL 32178

DATE AND TIME: August 15, 2012, 9:00 a.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

DATE AND TIME: August 16, 2012, 9:00 a.m.

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

DATE AND TIME: August 21, 2012, 9:00 a.m.

PLACE: Florida Cattlemen's Association, 800 Shakerag Road, Kissimmee, FL 34744

DATE AND TIME: August 22, 2012, 9:00 a.m.

PLACE: SFWMD Lower West Coast Service Center, Large Conference Room, 2301 McGregor Blvd., Fort Myers, FL 33901

DATE AND TIME: August 23, 2012, 9:00 a.m.

PLACE: SFWMD Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: August 29, 2012, 9:00 a.m. CST

PLACE: Escambia County Board of County Commission Chambers, Board Chambers, Room 100, 221 Palafox Place, Pensacola, FL 32502

DATE AND TIME: August 31, 2012, 9:00 a.m.

PLACE: DEP Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting/ by contacting: Kathleen P. Greenwood, (850)245-3147. 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: Kathleen

P. Greenwood, Department of Environmental Protection, Environmental Consultant, 3900 Commonwealth Blvd., M.S. 46, Tallahassee, Florida 32399, (850)245-3147, kathleen.greewood@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-503.200	Definitions
62-503.300	General Program Information
62-503.430	Loan Agreements
62-503.500	Funds Reserved for Specific Purposes
62-503.600	Priority List Information
62-503.700	Planning, Design, Construction, and Procurement Requirements
62-503.751	Environmental Review
62-503.800	Audits Required
62-503.850	Exceptions to Program Requirements

PURPOSE AND EFFECT: Amendments to Chapter 62-503, F.A.C., are proposed to clarify administrative procedures and to restructure the priority list process and the methodology for calculating the financing rate. Changes will be made to the priority system to promote Department objectives and to limit funding to projects that will provide the most environmental benefit for years in which funding is limited. The financing rate formula will cap the financing rate subsidy at four percent, but will also incentivize green projects and the implementation of asset management plans. Additionally, a reduction in the financing rate will be provided for loans that are required to incorporate the Davis-Bacon wage rates. Further, new types of loans are also being added to adapt the program to actual planning, design, and construction processes.

SUBJECT AREA TO BE ADDRESSED: Rule 62-503.200, F.A.C., is being amended to incorporate new definitions and revisions to existing definitions. New definitions for “Inflow/Infiltration project,” “planning loan,” “design loan,” and “construction loan” are proposed to provide clarification on the requirements of each type of loan available. New definitions have also been included for “green project,” to establish the eligibility criteria, and “segment cap,” to clarify the annual maximum amount available to any one project sponsor. Rule 62-503.300, F.A.C., establishes new deadlines for project submittals, clarifies allowable and unallowable project costs, and adds planning loans, design loans, sanitary sewer evaluation study loans and inflow/infiltration rehabilitation loans. This rule also establishes a new formula for calculating the financing rate, including incentives for asset management plans and green project design, and clarifies how projects are placed on the fundable and contingency portions of the priority lists. The various loans added by the proposed

revisions will address timing issues encountered with the current rule. Revisions to Rule 62-503.430, F.A.C., proposes language for the planning, design, SSES, and I/I rehabilitation loans. Other minor clarifications are also proposed. The proposed changes to Rule 62-503.500, F.A.C., incorporate anticipated federal requirements for the program, allowing principal forgiveness and reserved funds for green projects as required by the federal government. Proposed revisions to Rule 62-503.600, F.A.C., incorporate various changes to the priority system anticipated in the Clean Water Act as well as promoting Department objectives. The proposed changes to Rule 62-503.700, F.A.C., are intended to clarify what is expected in planning and design documents as well as the procurement process for design/build and construction manager at-risk construction contracts. The proposed changes to Rule 62-503.800, F.A.C., are intended to clarify when an annual audit is required and which type of audit. The proposed changes to Rule 62-503.850, F.A.C., would be minor grammatical changes.

RULEMAKING AUTHORITY: 403.1835(10), 403.1835(9) FS.

LAW IMPLEMENTED: 403.1835 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: August 15, 2012, 2:30 p.m.

PLACE: Bob Martinez Center, 2600 Blair Stone Road, Room 538B, Tallahassee, Florida 32399-2400

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: Timothy Banks, (850)245-8360. 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: Timothy Banks at the Department of Environmental Protection MS 3505, 2600 Blair Stone Road, Tallahassee Florida 32399-2400, phone (850)245-8360. Email at timothy.banks@dep.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.:	RULE TITLE:
64B2-13.004	Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning the requirements when renewing an inactive license; to provide continuing education opportunities for participation as an examiner/grader for the National Board of Chiropractic Examiners.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-3.0035
 RULE TITLE: Demonstrating Knowledge of Laws and Rules for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning applicants submittal of continuing education to the Board.

SUBJECT AREA TO BE ADDRESSED: Demonstrating Knowledge of Laws and Rules for Licensure.

RULEMAKING AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.005(1)(e) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2032
 RULE TITLE: Pharmacy Intern Registration Internship Requirements (U.S. Pharmacy Students/Graduates)

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove the requirement that a pharmacist may only supervise one intern.

SUBJECT AREA TO BE ADDRESSED: Pharmacy Intern Registration Internship Requirements (U.S. Pharmacy Students/Graduates).

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003(12), 465.007, 465.0075, 465.013 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

RULE NO.: 64C-2.004
 RULE TITLE: Sliding Fee Scale

PURPOSE AND EFFECT: To create a sliding fee scale for families of children with chronic and serious conditions who do not qualify for Medicaid or Title XXI of the Social Security Act and to implement Chapter 2012-184, L.O.F.

SUBJECT AREA TO BE ADDRESSED: Sliding fee scale.

RULEMAKING AUTHORITY: 391.026(18) FS.

LAW IMPLEMENTED: 391.029(3)(a) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rae Hendlin, Children’s Medical Services, Chief of Network Administration, 4052 Bald Cypress Way, Bin #A06, Tallahassee, Florida 32399-1707 or at rae_hendlin@doh.state.fl.us or (850)245-4219

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-14.001	Applicability
65E-14.002	Retention and Access Requirements for Records
65E-14.003	Audits of Contractors Participating in the Substance Abuse and Mental Health Programs
65E-14.004	Program Income
65E-14.005	Matching
65E-14.006	Valuation of Donated and Volunteer Services
65E-14.007	Appraisal of Real Property
65E-14.010	Property
65E-14.014	Contractor's Financial Management Responsibilities
65E-14.016	Transactions Resulting in Additional Cost to the Program
65E-14.017	Cost Principles
65E-14.018	Sliding Fee Scale
65E-14.019	Methods of Paying for Services
65E-14.020	Cost Reimbursement Method of Payment
65E-14.021	Unit Cost Method of Payment
65E-14.022	Data Requirements
65E-14.023	Managing Entity Standards

PURPOSE AND EFFECT: The purpose of this rule development is to update all rules in Chapter 65E-14, F.A.C., to implement statutory, procedural and programmatic changes to the business model for the purchase of substance abuse and mental health services. This rule development will: a) develop a new rule to address standards applicable to Behavioral Health Managing Entities as defined in Section 394.9082, Florida Statutes; b) amend current rules in this Chapter to incorporate the Managing Entity business model; c) amend current rules to include additional cost centers, convert some cost centers to utilization-based payment and adjust maximum rates for some cost centers; and d) amend current rules to update materials incorporated by reference, delete unnecessary required audit schedules and related technical revisions. The effect of this rule development will be a substantial rewording of all rules in Chapter 65E-14, F.A.C., to unify financial rules applicable to both behavioral health managing entities and to substance abuse and mental health network service providers.

SUBJECT AREA TO BE ADDRESSED: Proposed changes to the community substance abuse and mental health services financial rules.

RULEMAKING AUTHORITY: 394.493(2), 394.674(4), 394.74, 394.76, 394.77, 394.78(1), 394.78(3), 394.78(6), 397.03, 397.321(5) FS.

LAW IMPLEMENTED: 394.493(2), 394.674(4), 394.74, 394.76, 394.77, 394.78(1), 394.78(3), 394.78(6), 397.03, 397.321(5) FS.

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

DATE AND TIME: August 1, 2012, 1:00 p.m. – 4:00 p.m.

PLACE: 1317 Winewood Blvd., Building 6, Conference Room A (Room 299), Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adrian Williams, Department of Children & Families, 1317 Winewood Blvd. BL 6, Room 260, Tallahassee, FL 32399-0700, (850)717-4353, Email: adrian_williams@dcf.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-12.001	Definitions
65G-12.002	Eligibility for Services
65G-12.003	Allocation of General Revenue for In-Home Subsidies
65G-12.004	Approval of an In-Home Subsidy
65G-12.005	Financial Profile for an In-Home Subsidy
65G-12.006	Maximum In-Home Subsidy Amount
65G-12.007	Letter of Agreement
65G-12.008	Use of In-Home Subsidy funds for Persons receiving Supported Living services
65G-12.009	Reviews and Adjustments to Subsidy Amount
65G-12.010	Payment Mechanism
65G-12.011	Notice of Denial

PURPOSE AND EFFECT: To establish a rule relating to the application for and the distribution of In-Home Subsidies to clients receiving either Medicaid funded or general revenue funded supported living services to enable the client to remain in his or her own home.

SUBJECT AREA TO BE ADDRESSED: Supported Living Services.

RULEMAKING AUTHORITY: 393.501 FS.

LAW IMPLEMENTED: 393.0695, 393.066 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 WEEKLY.

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: Elizabeth Singh-Silva, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4879, elizabeth_singh-silva@apd.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Elizabeth Singh-Silva, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4879

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PROVISION OF IN-HOME SUBSIDY FOR PERSONS RECEIVING SUPPORTED LIVING SERVICES

65G-12.001 Definitions.

(1) “Agency” means the Agency for Persons with Disabilities.

(2) “Central Office” is the Agency’s headquarters located at 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399-0950; main phone number (850)488-4257.

(3) “Client” means any person determined eligible by the Agency for developmental disability services.

(4) “Emergency Subsidy” means a supplement the Agency shall approve for a period of up to 90 days, in the event the financial situation of the client suddenly changes.

(5) “Financial Profile” means a document that the Supported Living Coach or Support Worker is required to assist the client in completing in order to determine a need for an In-Home Subsidy. A copy of the “Financial Profile”, form APD-FP1, May 2012, incorporated herein by reference, may be obtained by writing or calling the Agency for Persons with Disabilities, at 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399-0950; main phone number (850) 488-4257 and is available at: <http://apd.myflorida.com/customers/supported-living/index.htm>.

(6) “In-Home Subsidy” means financial assistance the Agency provides to clients receiving Supported Living services when funds are available that the Agency reassesses quarterly to supplement the client’s income, based on his or her individual need as determined by the Financial Profile.

(7) “Letter of Agreement” means a document signed by both the Agency or designee and the client or guardian, if appropriate, which describes the specific intent of the use of the In-Home Subsidy as well as the payment mechanism through which the client will receive the In-Home Subsidy.

(8) “One-time In-Home Subsidy” means financial assistance the Agency provides to clients receiving Supported Living services when funds are available on a one time basis as a single supplement to the client’s income based on his or her individual need as determined by the Financial Profile.

(9) “Payment Mechanism” means the method in which a One-time In-Home Subsidy, Recurring In-Home Subsidy, or a combination of both is distributed to the client.

(10) “Provider” means an individual vendor, agency or direct service staff of an agency certified by the Agency for Persons with Disabilities to provide Supported Living services.

(11) “Recurring In-Home Subsidy” means financial assistance the Agency provides to clients receiving Supported Living services when funds are available on a monthly basis as a supplement to the client’s income, based on his or her individual need as determined by the Financial Profile and reassessed quarterly or more frequently if necessary.

(12) “Support Coordinator” means a person who is designated by the Agency to assist clients in identifying their desires, capacities, needs, and resources; find and gain access to necessary supports and services; coordinate the delivery of supports and services; and provide other assistance and support as defined in Section 393.063, F.S.

(13) “Support plan” means a plan of supports and services for the individual developed in such a manner whereby the individual controls and directs the process. The support plan identifies the preferences and needs of the individual and authorizes the supports, resources, and services necessary to meet those preferences and needs.

(14) “Supported Living Coach” means a service provider who provides training and assistance, in a variety of activities, to support clients who live in their own homes or apartments. For purposes of this rule, it is the responsibility of the Supported Living Coach to assist the client in completing the Financial Profile in order to substantiate the need for an In-Home Subsidy.

(15) “Supported Living Coaching” means:

(a) Assistance in locating appropriate housing;

(b) Acquisition, retention, or improvement of skills related to activities of daily living; and

(c) Performance of activities with or on behalf of the client.

(16) “Supported Living” means a category of individually determined services designed and coordinated in such a manner as to provide assistance to adult clients who require ongoing supports to live as independently as possible in their own homes, to be integrated into the community, and to participate in community life to the fullest extent possible.

(17) "Support Worker" means a service provider who assists with or performs activities of daily living and other duties necessary to maintain the recipient in Supported Living. For purposes of this rule, if a client does not have a Supported Living Coach then the Support Worker shall assist the client in completing the Financial Profile.

(18) "Unavailability of Funds" means a reduction of funding due to the unavailability of resources. The Agency shall be the final authority as to the unavailability of Agency resources.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-12.002 Eligibility Requirements for Services.

(1) The In-Home Subsidy is limited to adult clients living in their own home and receiving Supported Living services.

(2) The Agency shall pay the In-Home Subsidy when it is determined that all of the following criteria have been met:

(a) It is in the best interest of the client to remain in his or her own home.

(b) It is more cost-effective for the client to remain in his or her own home rather than an out-of-home placement.

(c) The client would not be able to remain in his or her own home without the In-Home Subsidy.

(d) The client's Financial Profile substantiates a need for the In-Home Subsidy, and

(e) General Revenue funding for the In-Home Subsidy is available.

(3) The Agency identifies and approves funds from their General Revenue appropriations.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-12.003 Allocation of General Revenue for In-Home Subsidies.

(1) The Agency shall allocate a portion of their General Revenue budget upon distribution of the annual operating budget for One-time In-Home Subsidies, Recurring In-Home Subsidies, and Emergency Subsidies.

(2) The Agency shall equitably distribute these funds in accordance with individual need as determined by the Financial Profile.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-12.004 Financial Profile for an In-Home Subsidy.

(1) The Financial Profile is a requirement for all persons receiving Supported Living services under the Developmental Disabilities Home and Community-Based Services (DD/HCBS) Waiver and shall be completed in order to determine the need for an In-Home Subsidy prior to any commitment on the part of the client to occupy a selected home.

(2) The Supported Living Coach shall assist the client in completing the Financial Profile in order to substantiate the need for an In-Home Subsidy.

(a) In the absence of a Supported Living Coach the Support Worker shall assume the duties and responsibilities for assisting the client in completing the Financial Profile and submitting a request for an In-Home Subsidy.

(b) In the absence of a Supported Living Coach and a Support Worker, the Support Coordinator shall assume the duties and responsibilities for assisting the client in completing the Financial Profile and submitting a request for an In-Home Subsidy.

(3) The Supported Living Coach or Support Worker, if appropriate, assists the client in completing the Financial Profile and submitting it to the Support Coordinator no more than 10 days following the selection of housing by the client or before the client relocates to a new home.

(4) If the Financial Profile indicates a need for a One-time or Recurring In-Home Subsidy the Agency will review the Financial Profile within 15 working days of receipt and determine eligibility for an In-Home Subsidy before the client signs a lease or mortgage agreement.

(5) The Financial Profile consists of an analysis of household costs and revenue sources associated with maintaining a balanced monthly budget for the client. The analysis must include the following:

(a) Facts supporting the need for a One-time In-Home Subsidy or a Recurring In-Home Subsidy;

(b) A list of the client's SSI, SSA, wages and other sources of income that will be used first and foremost;

(c) The full amount of start-up costs and on-going costs of maintaining the home;

(6) Clients must not commit to a living situation that is beyond their financial means prior to having the Agency review and approve the Financial Profile for an In-Home Subsidy.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-12.005 Approval of an In-Home Subsidy.

(1) The Agency must review the Financial Profile within 15 working days of receipt to ensure it substantiates a need for an In-Home Subsidy.

(2) The Agency shall identify and approve the funding source for the In-Home Subsidy if General Revenue funds are available in the operating budget.

(3) The Agency shall inquire with either the Support Coordinator, Supported Living Coach, or Support Worker, if appropriate, into the ability of the client to acquire roommates and/or be gainfully employed when making the decision to approve or deny an In-Home Subsidy.

(4) The Agency shall make certain that In-Home Subsidies are funds of last resort and the client has exhausted all other resources before granting approval for an In-Home Subsidy.

(5) The approvals of all In-Home Subsidies are subject to the update and approval of the client's support plan.

(6) If the client's third party benefits, wages and other sources of income are insufficient to pay the monthly rent, the Agency shall provide an In-Home Subsidy for a portion of the rent as well as other cost of living items identified in the Letter of Agreement, on condition that the funding source has been approved and all the eligibility requirements are met.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History–New _____.

65G-12.006 Maximum In-Home Subsidy Amount.

(1) The maximum amount for a One-time In-Home Subsidy is \$2,000.

(2) The maximum amount for a Recurring In-Home Subsidy amount will be based on individual need, as determined by the Financial Profile, and must not exceed the Maximum Federal Supplemental Security Income (SSI) payment amounts, which can be found at the following web address: <http://www.ssa.gov/oact/cola/SSI.html>.

(3) The Agency or designee shall review and authorize all In-Home Subsidy amounts that exceed the maximum limits specified above.

(4) In the event that the Agency authorizes a Recurring In-Home Subsidy which exceeds the maximum allowed limits, the Recurring In-Home Subsidy shall be limited to 90 days.

(5) The Agency shall review and renew the Recurring In-Home Subsidy amount every 90 days, if substantiated by the Financial Profile and in accordance with the eligibility requirements in Rule 65G-12.002, F.A.C.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History–New _____.

65G-12.007 Letter of Agreement.

(1) Prior to the initial payment, the Agency shall prepare a Letter of Agreement with the client or guardian, if appropriate, as to the intended use of the In-Home Subsidy funds, including a specific list of allowable items the client intends to purchase.

(2) The Letter of Agreement shall be used for One-time In-Home Subsidies, Recurring In-Home Subsidies, and Emergency Subsidies.

(3) The Agency shall forward the Letter of Agreement to the Support Coordinator who shall obtain the signatures of the client or their guardian, if appropriate.

(4) The Letter of Agreement shall be placed in the client's central record and a copy shall be provided to the client and/or guardian, the Supported Living Coach or Support Worker, if appropriate, and the Support Coordinator.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History–New _____.

65G-12.008 Use of In-Home Subsidy funds for Persons receiving Supported Living services.

(1) In-Home Subsidies are funds of last resort and shall only be granted when all other available resources are exhausted.

(a) Clients requesting a Subsidy for rental assistance must show proof that they have applied for rental assistance through U.S. Department of Housing and Urban Development (HUD) or other local governmental organization (e.g., the local public housing authority).

(b) Clients are expected to participate in utility/telephone company budget plans, if available.

(c) Clients who intend to use the In-Home Subsidy funds for food must show proof they have also applied for Food Stamps.

(2) The client and/or guardian, the Supported Living Coach or Support Worker, if appropriate, and the Support Coordinator shall identify a specific list of items the client intends to purchase with In-Home Subsidy funds.

(3) The use of the In-Home Subsidy are limited to essential items which must relate to the client's goal of remaining in his or her own home.

(4) The use of In-Home Subsidies shall be limited by the availability of funds.

(5) The Financial Profile must substantiate a need for the specific item(s) requested.

(6) In-Home Subsidy funds shall be used for items of personal property normally found in the home. The items must be used for maintenance, use, and occupancy of the home.

(7) The Agency shall take into consideration the average cost of items in the area, priority of need, and whether the client has explored other resources.

(8) Clients shall use the In-Home Subsidy funds to purchase the less costly alternative of the items listed in the Letter of Agreement which achieves the same purpose as the more costly items.

(9) In-Home Subsidy funds shall not be used to purchase non-essential household items and shall not be included in the Letter of Agreement, such items include:

(a) Satellite or cable TV,

(b) Maintenance of swimming pools,

(c) Vacations,

(d) Aesthetic home improvements,

(e) Contractor Services,

(f) Medical or Dental Services,

(g) Medicines, Medical Supplies, or adaptive equipment or aids.

(h) Any portion of the principle or interest of a mortgage payment except in emergency situations in which the client is granted an Emergency Subsidy.

(i) Premiums for life, auto, or medical/health insurance.

(j) Loans, debts, or credit card payments.

(k) Personal spending funds or savings accounts.

(l) Alcohol or cigarettes.

(m) Alimony payments or Child Support payments.

(n) Purchase or replacement of major appliances such as refrigerators, stoves, dishwasher, washer/dryer etc.,

(o) Computers or Tablet Personal Computers.

(p) Cellular phones.

(q) Second Telephone line.

(r) Court costs, lawyer fees, traffic tickets, or fines.

(s) Recreational items or expenses related to events and activities that an individual attends, such as admission to movies, dining out, etc.,

(t) Reimbursement of money owed for cost of expenses related to events and activities that an individual attends.

(u) Capital improvements to property.

(v) General repair and maintenance of property, such as repair of major appliances and HVAC systems.

(w) Fees related to legal guardianship and legal guardianship reports.

(x) Subsidies provided to Supported Living clients cannot be used to support or subsidize other persons in the household who are not approved to receive a In-Home Subsidy.

(y) An In-Home Subsidy shall not be used to pay a contractor for the provision of services and supports to the client.

(10) An In-Home Subsidy shall not be used to cover or replace supports or services which are allowable under the U.S. Department of Housing and Urban Development (HUD), Medicaid State Plan, Medicaid Home and Community-Based Services (HCBS) Waiver, or other governmental agency.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History--New _____.

65G-12.009 Reviews and Adjustments to Subsidy Amount.

(1) The Support Coordinator shall reassess the In-Home Subsidy on a quarterly basis, or more frequently if necessary to determine if the client's needs have increased, decreased, or changed to the extent that the Subsidy is no longer needed.

(2) The Support Coordinator shall verify that the In-Home Subsidy funds have been spent appropriately and according to the Letter of Agreement.

(3) During the quarterly meeting, the Support Coordinator will review receipts verifying the purchase of designated items as specified in the Letter of Agreement.

(4) If the In-Home Subsidy funds have not been spent according to the terms of the Letter of Agreement, the Support Coordinator and the Agency shall take appropriate action to include:

(a) The provision of additional supports such as training or assistance with money management.

(b) Designating someone as a fiscal agent for the client.

(c) Decrease in the amount of the Subsidy, or

(d) Direct payment to the vendor (e.g., utility company, landlord, etc.) in lieu of a Subsidy payment to the client.

(5) If a family member, guardian, or fiscal agent uses Subsidy funds in a way which is not for the sole benefit of the client or is in violation of the Letter of Agreement, the Support Coordinator and the Agency shall take action as warranted by the circumstance including a request for repayment of the funds, and, if necessary, make appropriate referrals to the State Attorney, Abuse Registry, or other appropriate authorities.

(6) Situations that may affect the level of Subsidy payments include:

(a) If the client receives back payment for SSI or other benefits, or when benefits are reduced, the Financial Profile shall be updated to determine the need for an increase or decrease in the Subsidy payment.

(b) When there is a change in the number of roommates:

(i) The Financial Profile must be adjusted.

(ii) In the case of the loss of a roommate who shared expenses, the Agency shall approve a temporary Subsidy or increase in Subsidy for up to 90 days, if funds are available, and the Agency shall then review the need for the Subsidy every 30 days.

(iii) In cases where an additional roommate is added who will share expenses, the Financial Profile shall be updated to reflect a reduction in the Subsidy amount, if warranted.

(c) When a client receives a salary increase or decrease, the net affect must be considered and the Financial Profile shall be updated.

(d) The need for an increase or decrease in the Subsidy amount is based on the unique circumstances surrounding each individual case.

(7) The Agency shall approve an Emergency Subsidy for a period of up to 90 days in the event the financial situation of a client suddenly changes or they experience an unexpected expenditure that will result in the inability to meet monthly expenses in order to assist them in paying their bills.

(a) Emergency Subsidies are subject to the availability of funds.

(b) Clients shall complete the Financial Profile to substantiate the need for an Emergency Subsidy.

(c) The designated fiscal agent or the client, with assistance from their Support Coordinator, Supported Living Coach, or Support Worker, if appropriate, must supervise and oversee the use of Emergency Subsidy funds.

(d) The use of Emergency Subsidy payments shall include all areas of the cost of living including mortgage payments and rent.

(e) Emergencies resulting from the failure of support staff to adequately plan shall not be a reason to deny the Emergency Subsidy.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-12.010 Payment.

(1) Payments to clients eligible for In-Home Subsidies or to their families shall be in the form of either a one-time lump sum, a recurring supplement, or a combination of both.

(2) Payments shall be considered a client service rather than a purchase of service.

(3) Specifics regarding the intent and payment plan of the Subsidy must be addressed in the support plan or its addendum and in the Letter of Agreement.

(4) Payments shall be made directly to the client or his or her designated fiscal agent.

(5) If the client has been adjudicated incompetent, payments shall be made to the guardian, appointed fiscal agent, or representative payee.

(6) The Social Security Administration and the ACCESS Florida Food Program does not consider In-Home Subsidies as reportable income, therefore, Subsidy payments will not affect eligibility for Medicaid services.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

65G-12.011 Notice of Denial or Change of In-Home Subsidy Amount.

The Agency shall inform the client of the action taken on the client’s request for an In-Home Subsidy and include adequate notice of any rights to an administrative hearing pursuant to Section 120.569 F.S.

Rulemaking Authority 393.501(1) FS. Law Implemented 393.0695, 393.066 FS. History—New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NO.:	RULE TITLE:
69L-5.216	Provision of Benefits and Safe Working Environment by Self-Insurers

PURPOSE AND EFFECT: This amendment clarifies when Form SI-19 (Certification of Servicing for Self-Insurers) is due to the Division of Workers’ Compensation or Florida Self-Insurers Guaranty Association (FSIGA) for current and former self-insurers who contract with Qualified Servicing Entities for one or more years.

SUBJECT AREA TO BE ADDRESSED: Certification of Servicing requirements for current and former self-insurers.

RULEMAKING AUTHORITY: 440.38(1), (2), (3), 440.385(6), 440.525(2), 440.591 FS.

LAW IMPLEMENTED: 440.38(1), (2), (3), 440.385(1), (3), (6), 440.525 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: Tuesday, August 7, 2012, 9:30 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

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: Pam Macon, (850)413-1708 or Pamela.Macon@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: Pam Macon, Bureau Chief, Bureau of Monitoring and Audit, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)413-1708 or Pamela.Macon@myfloridacfo.com

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 Cultural Affairs

RULE NOS.:	RULE TITLES:
IT-12.001	Definitions
IT-12.002	Acquisition Procedures
IT-12.003	Accessioning Procedures
IT-12.004	Inventory of State-owned Artifacts
IT-12.005	Loan of State-owned Artifacts
IT-12.006	Deaccession and Disposal of State-owned Artifacts

PURPOSE AND EFFECT: Create a new chapter and rules for the Museum of Florida History. The new chapter is IT-12 Museum of Florida History.

SUMMARY: Create a new chapter and rules for the Museum of Florida History. The new rule details Acquisition Procedures, Accessioning Procedures, Inventory of State-owned Artifacts, Loan of State-owned Artifacts, and Deaccession and Disposal of State-owned Artifacts.

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: Based upon the following, the Agency has determined that the proposed rule will not require legislative ratification pursuant to Section 120.541(3), F.S., or other applicable statutes: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and 2) based on past experiences with cultural-related activities and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 265.704(1), 265.706(6) FS.

LAW IMPLEMENTED: 265.704, 265.706 FS.

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

DATE AND TIME: Monday, August 13, 2012, 9:30 a.m.

PLACE: Museum of Florida History, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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: Jeana Brunson, Museum of Florida History, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6400. 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 RULES IS: Jeana Brunson, Museum of Florida History, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6400

THE FULL TEXT OF THE PROPOSED RULES IS:

MUSEUM OF FLORIDA HISTORY

IT-12.001 Definitions.

The following words and terms are used in reference to the management of permanent historical collections of the Museum of Florida History and shall have the following meanings:

(1) "Accession" means the process of formally adding a newly-acquired artifact to the permanent historical collections records and assigning it a unique number.

(2) "Acquire" means the process of agreeing to accept an artifact for the permanent historical collections of the museum and taking possession of the artifact by any lawful method, including but not limited to donation, bequest, purchase, transfer from another agency, staff field collection, or exchange.

(3) "Artifact" means an object or group of objects of intrinsic historical value relating to the history, government, or culture of the state of Florida.

(4) "Deaccession" means the process of formally removing a state-owned artifact from the permanent historical collections records.

(5) "Disposal" means the process of permanently removing a state-owned artifact from the permanent historical collections by one of the following means:

(a) Transferring title to another agency, institution, organization, or other entity, and moving the artifact to the premises of that agency, institution, organization, or other entity; or

(b) Properly discarding or destroying the artifact, if it has deteriorated or has been damaged beyond usefulness or repair.

(6) "Hazardous" means any material that is regulated by the Florida Department of Environmental Protection.

(7) "Museum" means the Museum of Florida History.

(8) "State-owned artifact" means an artifact in the permanent historical collections of the museum that is owned by the State, with title vested in the division.

(9) "Division" means the Division of Cultural Affairs.

Rulemaking Authority 265.704(1), 265.706(6) FS. Law Implemented 265.7025-265.706 FS. History-New _____.

Editorial Note: Formerly 1A-40.003, F.A.C.

IT-12.002 Acquisition Procedures.

(1) The Division of Cultural Affairs (division) delegates responsibility for management of permanent historical collections to the Museum of Florida History (museum). The museum's policies for the management of historical collections are built upon the accreditation requirements of the American Association of Museums (AAM), the organization responsible for the accreditation of museums throughout the United States. When contacted by a prospective donor or vendor, the museum determines in accordance with subsection IT-12.002(2), F.A.C., whether the offered artifact falls within museum's

responsibility or is the responsibility of another agency, institution, or organization. If the artifact is more appropriate for the collections administered by another agency, institution, or organization, the prospective donor or vendor is referred to that agency, institution, or organization.

(2) The museum evaluates artifacts and determines whether they should be accepted into the permanent historical collections.

(a) When the museum accepts custody of an artifact from a prospective donor or vendor, an Examination Receipt is completed by museum staff. Examination Receipt FAC (Form CAMFH150), effective 9/2012, hereby incorporated by reference and available from the museum at www.museumoffloridahistory.com.

(b) Evaluation of artifacts is based on the following criteria:

1. All acquisitions must have intrinsic historical value relating to the history, government, or culture of the state of Florida; and

2. All acquisitions must possess potential for research or be useful for exhibition or interpretive purposes.

3. In addition to these general criteria, the following factors shall be considered when evaluating artifacts:

a. Whether the artifacts have been carefully examined and evaluated by a museum staff member who is knowledgeable about them;

b. Whether the artifacts have legitimate and clear provenance;

c. Whether the current owner of the artifacts has clear title to them and is free to convey them to the museum;

d. Whether the museum can provide proper storage, protection, and preservation for the artifacts, to ensure their availability for museum and division purposes; and

e. The artifacts' copyright status.

(3) When evaluation is completed, the museum makes a decision whether to acquire the artifact and accept it into the permanent historical collections.

(a) In the case of artifacts that the museum determines will have a significant impact on the public or may cause public controversy, the approval of the division director is required.

(b) The prospective donor or vendor is notified of the decision.

(4) If the museum decides to acquire an artifact, acquisition is accomplished by one of the following methods.

(a) If the artifact is acquired by donation, a Deed of Gift is completed by museum staff and signed by the donor or donors. The Deed of Gift FAC (Form CAMFH151), effective 9/2012, is hereby incorporated by reference and available from the museum at www.museumoffloridahistory.com.

(b) If the artifact is acquired by purchase, a receipt of purchase is secured:

(c) If the artifact is transferred to the museum from another agency, institution, or organization appropriate documentation by acknowledgement and receipt is obtained.

(5) If the museum decides not to acquire an artifact for its permanent collections, the artifact, if it is in the museum's custody, is returned to the prospective donor or vendor, or is disposed of as noted on the Examination Receipt.

Rulemaking Authority 265.704(1), 265.706(6) FS. Law Implemented 265.7025-265.70 FS. History—New _____.

Editorial Note: Formerly 1A-40.005, F.A.C.

1T-12.003 Accessioning Procedures.

(1) When the Museum of Florida History acquires a historical artifact, a designated staff member accessions it into the permanent historical collections. The acquired artifact is assigned a unique accession number and listed in an accessions register. The artifact is moved into the museum's collections storage area.

(2) The accession number assigned to an acquired artifact consists of three elements:

(a) Year of acquisition.

(b) A museum identifier letter. The museum is designated as "M" in the accession number.

(c) Group Number. The group number refers to the museum's acquisition of a specific group of artifacts from a single source on a specific date.

(3) Additional subordinate numbers may be assigned following the accession number, to further identify artifacts within groups. (Example: In the number "99M.5.3," "99" refers to the year 1999, "M" to the Museum of Florida History, "5" to the fifth group of objects acquired during that calendar year, and "3" to the third discrete artifact in a group of several artifacts).

(4) The museum shall maintain electronic databases and files of paper records of the permanent historical collections to document accessioned artifacts.

(a) The electronic databases contain the following information about each state-owned artifact:

1. Accession number;

2. Date of acquisition;

3. Method of acquisition;

4. A brief description of the artifact;

5. Name of the source of acquisition;

6. Storage location; and

7. Catalog information concerning the artifact including, but not limited to, subject headings, information about associations with persons, places, and historical topics, information about the artifact's condition; and information about the materials and techniques of manufacture.

(b) Paper records contain the following information concerning state-owned artifacts:

1. An accessions register that documents the date of accession, the source of the artifact, the method of acquisition, and a short description of the artifact; and

2. The following distinct files:

a. Reference cards, filed by source name, that duplicate the information listed in the accessions register;

b. Reference information about the artifact, filed by accession number, including transfers of title and related documents, research material related to the artifact, and information about the artifact's condition and provenance.

c. Object cards and worksheets that describe the artifact and its location in detail;

d. Photographic records of artifacts;

e. A separate file containing completed copies of the Deaccession Worksheet FAC (Form CAM156), effective 9/2012, and the Deaccessioned Receipt FAC (Form CAMFH152), effective 9/2012. Both forms are hereby incorporated by reference and available from the museum at www.museumoffloridahistory.com; and

f. Records of previous inventories.

Rulemaking Authority 265.704(1), 265.706(6) FS. Law Implemented 265.7025-265.70 FS. History—New _____.

Editorial Note: Formerly 1A-40.006, F.A.C.

IT-12.004 Inventory of State-owned Artifacts.

(1) The Museum of Florida History (museum) conducts an annual inventory of artifacts in its permanent historical collections beginning July 1, or as soon thereafter as practicable, and completes the inventory not later than August 31, according to the following procedures:

(a) A complete inventory is taken of all state-owned artifacts valued at \$1,000 or more. Using a printout of information from an electronic database, a designated staff member looks for each item listed on the inventory, and records whether the item is present, updating its location as necessary. If inventory information is maintained manually, rather than in an electronic database (i.e., on object cards and worksheets), the staff member uses these paper records to conduct the inventory.

(b) An inventory is taken, by a simple random sample, of one per cent (1%) of all accessioned artifacts valued at less than \$1,000. Using a printout of information from an electronic database, the designated staff member looks for each randomly-selected item listed on the inventory, and records whether the item is present, updating its location as necessary. If inventory information is maintained manually (i.e., on object cards and worksheets), rather than in an electronic database, the staff member uses these paper records to conduct the inventory.

(2) If a state-owned artifact is not found during the inventory, all relevant collections records are checked to determine if the artifact has been removed from the location given on the inventory for a particular purpose.

(3) If the state-owned artifact cannot be located after collections records are checked, the division director is informed, and the Florida Department of Law Enforcement (FDLE) is notified if the value exceeds \$1,000. To accomplish this, the museum completes a Missing Artifact FAC (Form CAMFH153), effective 9/2012, hereby incorporated by reference, and available from the museum at www.museumoffloridahistory.com. The Florida Department of Law Enforcement also is asked to conduct an investigation or take other appropriate steps to determine the whereabouts of the missing state-owned artifact and recover it.

(4) The fact that the state-owned artifact is missing is noted on all museum collections records.

Rulemaking Authority 265.704(1), 265.706(6) FS. Law Implemented 265.7025-265.70 FS. History—New _____.

Editorial Note: Formerly 1A-40.007, F.A.C.

IT-12.005 Loan of State-owned Artifacts.

(1) The Museum of Florida History may make loans of state-owned historical artifacts for scholarly or educational purposes or to assist in carrying out its responsibility to ensure proper curation of state-owned artifacts.

(2) While the museum makes loans primarily to not-for-profit agencies, institutions, and organizations, a loan occasionally may be made to a for-profit agency, institution, or organization when the loan's purpose is consistent with the purposes set out in subsection IT-12.005(1), F.A.C. The museum does not loan state-owned artifacts:

(a) For decorative or personal use.

(b) To any agency, institution, or organization that is or has been under criminal investigation, unless the agency, institution, or organization has been cleared of any wrongdoing.

(c) To any agency, institution, or organization that plans to offer artifacts for sale during the term of the loan.

(3) Whether a loan is initiated by the museum or is requested by another agency, institution, or organization, a written request is submitted to the museum at least two months prior to the anticipated date for the requested artifacts to leave the museum's premises. This request includes the following information:

(a) A list of the state-owned artifacts requested for loan;

(b) A statement of the proposed loan's purpose, including, if applicable, the title of the exhibition in which state-owned artifacts will be displayed;

(c) The dates for which the proposed loan of state-owned artifacts is requested; and

(d) The manner in which loaned state-owned artifacts will be presented in an exhibition and the estimated size and composition of the exhibition's audience.

(e) A copy of the agency, institution, or organization's facilities report.

(4) Upon receipt of a written request and the organization's facilities report, the museum evaluates the request.

(a) To be approved, a loan must serve one of the following purposes and satisfy the criteria in paragraph (4)(b):

1. To provide state-owned artifacts relating to interpretive exhibits and other educational programs which promote knowledge and appreciation of Florida history and culture, and the programs of the museum; or

2. To assist the museum in carrying out its responsibility to ensure proper curation of state-owned artifacts.

(b) The following criteria are considered when evaluating loan requests, to determine that the loan will produce a substantial public benefit and that loaned state-owned artifacts will be properly protected and preserved:

1. The care, security, and insurance to be provided by the borrowing agency, institution, or organization. No loans of state-owned artifacts are made without adequate insurance coverage for these artifacts. Information is obtained about the amount of fine arts or liability insurance coverage needed for the requested loan, based on its appraised value. The appraisal is obtained by one of the following methods:

a. Determination by a museum staff member;

b. Consultation of collections records; or

c. Determination by a hired consultant. The cost of this type of appraisal shall be paid for as agreed between the parties.

2. Any anticipated use by the museum itself of the requested artifact;

3. The condition, rarity, and value of the requested artifact;

4. The duration of the loan, all loans being made for a specified period of time only;

5. The feasibility of preparing the loan within the time requested;

6. The size and composition of the anticipated audience, if this information is appropriate to the purpose of the loan; and

7. The context in which the requested artifact will be exhibited and how this would reflect on the museum, division, and the State of Florida.

(5) Based on the criteria set out in subsection IT-12.005(4), F.A.C., the museum decides whether to approve the loan request and notifies the requesting agency, institution, or organization in writing of the decision. To complete the loan process:

(a) Collections records are verified to ensure that they are current, and that they contain a photograph or photocopy of the artifact;

(b) A Outgoing Loan Form FAC (Form CAMFH155), effective 9/2012, hereby incorporated by reference and available from the museum at www.museumoffloridahistory.com, is completed by museum staff and signed and returned by the borrowing agency, institution, or organization;

(c) A commitment is obtained for insurance of loaned state-owned artifacts in an amount determined by museum staff members or by outside appraisal. For loans of state-owned artifacts whose combined value is over \$500, proof of insurance is obtained. Proof of insurance must be received by the museum before state-owned artifacts leave the museum's custody; and

(d) The artifact is prepared for delivery to the borrower and arrangements are made for transportation.

(6) The museum may seek to recover costs associated with loans, including costs for materials, staff time, and shipping or transportation, and such costs may be charged to the borrowing agency, institution, or organization. These charges are negotiated prior to approving a loan, and moneys collected are deposited in the division's Grants and Donations Trust Fund. Any income received from the loan of state-owned artifacts is used to defray costs associated with the loan, or assist in the curation or maintenance of state-owned artifacts.

(7) A written request to renew a loan must be received at least one month prior to the end of the existing loan agreement. Procedures described in subsections IT-12.005(5)-(7), F.A.C., are followed to evaluate each request for renewal and to complete the loan process.

(8) Every loan, including those considered to be long-term, must be reviewed annually. If any of the loan conditions are violated, and if the museum determines that such violations are detrimental to the security or preservation of the artifacts, the museum shall terminate the loan agreement.

Rulemaking Authority 265.704(1), 265.706(6) FS. Law Implemented 265.7025-265.70 FS. History—New _____.

Editorial Note: Formerly 1A-40.008, F.A.C.

IT-12.006 Deaccession and Disposal of State-owned Artifacts.

Decisions to remove a state-owned artifact from the Museum of Florida History's permanent collections by deaccession and disposal are made in the best interests of the public and the artifact. The museum initiates recommendations for state-owned artifacts that should be deaccessioned and the method of disposition. A Deaccession Worksheet FAC (Form CAMFH156), effective 9/2012, hereby incorporated by reference and available from the museum at www.museumoffloridahistory.com, is completed to document the deaccession and disposal process. The museum's policies

and procedures for deaccession and disposal are in keeping with the accreditation requirements of the American Association of Museums.

(1) The criteria listed below are used to determine whether a state-owned artifact may be deaccessioned and disposed of:

(a) Deaccessioning and disposing of a state-owned artifact may be recommended only if:

1. The artifact is not relevant and useful to the functions and activities of the museum;

2. The artifact cannot be properly stored, preserved, or interpreted by the museum; and

3. The artifact has been in the museum's permanent collections for at least one year (hazardous or actively decomposing materials excepted).

(b) Circumstances under which the museum may recommend the deaccession and disposal of a state-owned artifact include, but are not limited to, instances in which an artifact:

1. Has no further use or value for the research, exhibit, or interpretive programs of the museum;

2. Will receive appropriate interpretation, maintenance, or preservation by another agency, institution, or organization;

3. Has deteriorated or been damaged beyond usefulness or repair;

4. Is made of hazardous materials or is actively decomposing in a manner that directly affects the condition of other state-owned artifacts or the health and safety of employees or other persons.

(c) Before a recommendation on deaccession and disposal is made, a determination is made as to whether the museum is free to deaccession and dispose of a state-owned artifact by verifying that the State of Florida legally owns the artifact, and that the division is not prohibited from deaccessioning and disposing of the artifact by a legal condition of ownership. Where any such restriction of ownership applies:

1. An opinion is sought from the Florida Department of State General Counsel regarding the intent and force of any restrictions; and

2. A deaccessioned artifact to which precatory restrictions apply is not disposed of until reasonable efforts have been made to comply with the restrictions.

(2) If the division is free to deaccession and dispose of a state-owned artifact, the museum determines an appropriate method of disposal.

(a) The museum ensures that:

1. Preference shall be given to retaining within Florida those materials that are part of the state's historical heritage; and

2. Ownership shall not be given to any employee of the State of Florida, or board, council, or committee member, or to a spouse or relative of an employee or board, council, or committee member, unless that person was the original donor of the artifact.

(b) The appropriate method of disposal is chosen from among the following:

1. If a state-owned artifact is made of hazardous materials or is actively decomposing in a manner that directly affects the condition of other state-owned artifacts or the health and safety of employees or other persons, the Florida Department of Environmental Protection shall be contacted to determine appropriate procedures for handling, transporting, and disposing of the artifact.

2. If a state-owned artifact has deteriorated or been damaged beyond usefulness or repair, it may be properly discarded or destroyed.

3. When determining the appropriate method of disposal, every reasonable effort shall be made to ensure that ownership of the artifact is maintained by a public or not-for-profit historical, archaeological, cultural, or other educational agency, institution, or organization. To accomplish this end, the following options may be investigated:

a. Donating the deaccessioned artifact to another public or not-for-profit historical, archaeological, cultural, or other educational agency, institution, or organization; or

b. Exchanging the deaccessioned artifact for a Florida-related artifact owned by another public or not-for-profit historical, archaeological, cultural, or other educational agency, institution, or organization; or

c. Selling the deaccessioned artifact to another public or not-for-profit historical, archaeological, cultural, or other educational agency, institution, or organization; or

d. Transferring the deaccessioned artifact to the museum's non-permanent education collection to be used for research or in interpretive exhibits or other educational programs which promote knowledge and appreciation of Florida history and culture.

e. Only after all reasonable efforts have been made to ensure that ownership of a deaccessioned artifact is maintained by a public or not-for-profit historical, archaeological, cultural, or other educational agency, institution, or organization may the following alternatives be investigated for disposing of the artifact:

1. All reasonable efforts are made to locate the original donor and offer the deaccessioned artifact to him or her;

2. If the original donor cannot be located, or does not wish to have custody of the deaccessioned artifact, the artifact may be donated to, sold to, or exchanged with a private, for-profit organization, or not-for-profit organization, other than one of the types of not-for-profit entities named in subsection IT-12.006(2), F.A.C., or the artifact may be disposed of by any other legal means.

(c) The method of disposal chosen shall be consistent with the principles described in subsection IT-12.006(1), F.A.C., and the reason or reasons for choosing a method shall be documented in writing by the museum.

(3) After determining an appropriate method of disposal, the museum seeks final approval from the division director for deaccessioning and disposing of a state-owned artifact. If approval is received, the museum carries out deaccession and disposal in the manner recommended.

(a) The following steps are taken to complete the process:

1. A staff member ensures that collections records contain the following:

a. A photograph or photocopy of the artifact;

b. A physical description of the artifact; and

c. Information about the provenance of the artifact, if available.

2. The museum's accession number is removed from the artifact unless, by doing so, the integrity of the artifact would be damaged; and

3. Deaccession of the artifact is noted on all relevant division and museum collections records.

(b) If ownership is being given to another agency, institution, or organization, the new owner:

1. Signs a Deaccession Receipt FAC (Form CAMFH152), effective 9/2012, hereby incorporated by reference and available from the museum at www.museumoffloridahistory.com; and

2. Removes the artifact from the museum's premises.

(c) If the artifact is made of hazardous materials or is actively decomposing in a manner that directly affects the condition of other state-owned artifacts or the health and safety of employees or other persons, recommendations of the Florida Department of Environmental Protection for handling, transporting, and disposing of the artifact are complied with.

(d) In the sale of deaccessioned artifacts, the museum ensures that:

1. Deaccessioned artifacts are not offered for sale in any retail establishment operated by the Department of State or where state-owned artifacts are on loan from the department; and

2. Any income received from the sale of deaccessioned artifacts is deposited in the division's Grants and Donations Trust Fund, pursuant to Section 265.706(5), F.S. Such funds remain permanently restricted and used only as allowed by Section 265.706(5), F.S., and by the accreditation requirements of the American Association of Museums (AAM).

Rulemaking Authority 265.704(1), 265.706(6) FS. Law Implemented 265.7025-265.70 FS. History--New _____.

Editorial Note: Formerly 1A-40.009, F.A.C.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jeana Brunson, Museum of Florida History, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner, Secretary of State

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 1, 2012

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.:

RULE TITLE:

59C-1.0355

Hospice Programs

PURPOSE AND EFFECT: The agency is proposing to update the rule to reflect changes to the hospice rule as currently defined in 59C, F.A.C.

SUMMARY: The proposed rule is updated to include the dates of material incorporated by reference in the rule as adopted May 3, 2010, and the dates of the data included in the semi-annual reports.

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.

Based on the fact that the updates to the proposed rule simply facilitate the addition of dates of material incorporated by reference in the rule as adopted May 3, 2010 along with the dates of the data included in the semi-annual reports, the Agency has determined that no SERC is required.

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: Based on the fact that the updates to the proposed rule simply facilitate the addition of dates of material incorporated by reference in the rule as adopted May 3, 2010 along with the dates of the data included in the semi-annual reports, the Agency has determined that no legislative ratification pursuant to subsection 120.541(3), F.S. is required.

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

RULEMAKING AUTHORITY: 408.15(8), 408.034(3), (6) FS.

LAW IMPLEMENTED: 408.034(3), 408.035, 408.036(1)(d), 408.043(2), 400.606(3), (4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, August 13, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Conference Room C, 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 3 days before the workshop/meeting by contacting: Marisol Novak at (850)412-4401. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marisol Novak, Certificate of Need, 2727 Mahan Drive, Mail Stop 28, Building 3, Tallahassee, Florida or call (850)412-4401

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.0355 Hospice Programs.

(1) through (3) No change.

(4) Criteria for Determination of Need for a New Hospice Program.

(a) Numeric Need for a New Hospice Program. Numeric need for an additional hospice program is demonstrated if the projected number of unserved patients who would elect a hospice program is 350 or greater. The net need for a new hospice program in a service area is calculated as follows:

$$(HPH) - (HP) \geq 350$$

where:

(HPH) is the projected number of patients electing a hospice program in the service area during the 12 month period beginning at the planning horizon. (HPH) is the sum of $(U65C \times P1) + (65C \times P2) + (U65NC \times P3) + (65NC \times P4)$

where:

U65C is the projected number of service area resident cancer deaths under age 65, and P1 is the projected proportion of U65C electing a hospice program.

65C is the projected number of service area resident cancer deaths age 65 and over, and P2 is the projected proportion of 65C electing a hospice program.

U65NC is the projected number of service area resident deaths under age 65 from all causes except cancer, and P3 is the projected proportion of U65NC electing a hospice program.

65NC is the projected number of service area resident deaths age 65 and over from all causes except cancer, and P4 is the projected proportion of 65NC electing a hospice program.

The projections of U65C, 65C, U65NC, and 65NC for a service area are calculated as follows:

U65C	=	(u65c/CT)	×	PT
65C	=	(65c/CT)	×	PT
U65NC	=	(u65nc/CT)	×	PT
65NC	=	(65nc/CT)	×	PT

where:

u65c, 65c, u65nc, and 65nc are the service area’s current number of resident cancer deaths under age 65, cancer deaths age 65 and over, deaths under age 65 from all causes except cancer, and deaths age 65 and over from all causes except cancer.

CT is the service area’s current total of resident deaths, excluding deaths with age unknown, and is the sum of u65c, 65c, u65nc, and 65nc.

PT is the service area’s projected total of resident deaths for the 12-month period beginning at the planning horizon.

“Current” deaths means the number of deaths during the most recent calendar year for which data are available from the Department of Health Office of Vital Statistics at least 3 months prior to publication of the fixed need pool.

“Projected” deaths means the number derived by first calculating a 3-year average resident death rate, which is the sum of the service area resident deaths for the three most recent calendar years available from the Department of Health Office of Vital Statistics at least 3 months prior to publication of the fixed need pool, divided by the sum of the July 1 estimates of the service area population for the same 3 years. The resulting average death rate is then multiplied by the projected total population for the service area at the mid-point of the 12-month period which begins with the applicable planning horizon. Population estimates for each year will be the most recent population estimates from the Office of the Governor at least 3 months prior to publication of the fixed need pool. The following materials are incorporated by reference within this rule; Department of Health Office of Vital Statistics Florida Vital Statistics Annual Report ~~2010~~ ~~2008~~, Deaths, and the Office of the Governor Florida Population Estimates And Projections by AHCA District 2000 To 2020, released September ~~2010~~ ~~2009~~. These publications are available on the Agency website at http://ahca.myflorida.com/MCHQ/CON_FA/Publications/index.shtml.

The projected values of P1, P2, P3, and P4 are equal to current statewide proportions calculated as follows:

$$P1 = (Hu65c/Tu65c)$$

$$P2 = (H65c/T65c)$$

$$P3 = (Hu65nc/Tu65nc)$$

$$P4 = (H65nc/T65nc)$$

where:

Hu65c, H65c, Hu65nc, and H65nc are the current 12-month statewide total admissions of hospice cancer patients under age 65, hospice cancer patients age 65 and over, hospice patients under age 65 admitted with all other diagnoses, and hospice patients age 65 and over admitted with all other diagnoses. The current totals are derived from reports submitted under subsection (8) of this rule.

Tu65c, T65c, Tu65nc, and T65nc are the current 12-month statewide total resident deaths for the four categories used above.

(HP) is the number of patients admitted to hospice programs serving an area during the most recent 12-month period ending on June 30 or December 31. The number is derived from reports submitted under subsection (8) of this rule.

350 is the targeted minimum 12-month total of patients admitted to a hospice program.

(4)(b) through (7) No change.

(8) Semi-Annual Utilization Reports. Each hospice program shall report utilization information to the agency or its designee on or before July 20 of each year and January 20 of the following year. The July report shall indicate the number of new patients admitted during the 6-month period composed of the first and second quarters of the current year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The January report shall indicate the number of new patients admitted during the 6-month period composed of the third and fourth quarters of the prior year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The following detail shall also be provided.

(a) For the number of new patients admitted:

1. The 6-month total of admissions under age 65 and age 65 and over by type of diagnosis (e.g., cancer; AIDS).
2. The number of admissions during each of the 6 months covered by the report, by service area of residence.

(b) For the patient census on January ~~April~~ 1 or July ~~October~~ 1, as applicable, the number of patients receiving hospice care in:

1. A private home.
2. An assisted adult congregate ~~adult congregate~~ living facility.
3. A hospice residential unit.
4. A nursing home.
5. A hospital.

(9) No change.

Rulemaking Authority 408.034(3), (6), 408.15(8) FS. Law Implemented 408.034(3), 408.035, 408.036(1)(d), 408.043(2), 400.606(3), (4) FS. History—New 4-17-95, Amended 7-30-95, 7-21-09, 5-3-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Marisol Novak

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 23, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-6.020

RULE TITLE:
Payment Methodology for Inpatient Hospital Services

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Title XIX Inpatient Hospital Reimbursement Plan (the Plan), effective July 1, 2011. The Plan, effective July 1, 2011, includes the addition of a reference to Rule Number 59G-9.070, F.A.C. for the amount of late cost report sanctions; a reimbursement rate reduction (Medicaid trend adjustment), exemptions from reimbursement ceilings; the opportunity for certain hospitals to buy back their reimbursement rate reductions; a rate freeze on inpatient hospital reimbursement rates; the establishment of hospitals rates being set once a year every July 1; and disproportionate share payments in compliance with the limits set forth in Section 1923(g-j) of the Social Security Act and overpayments made in the disproportionate share program handled in compliance with 42 CFR Part 433, Subpart F; the addition of a definition of a hospital buy back, rate setting unit cost, legislative unit cost, and base rate; statutory teaching hospitals allocation formula changes; updated audited disproportionate share data years used to calculate disproportionate share payments, revised buy back descriptions, and the addition of an appendix explaining Provider Preventable Conditions (PPC).

SUMMARY: The proposed rule incorporates changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan (the Plan) payment methodology, effective July 1, 2011 for a recurring reimbursement rate reduction (Medicaid trend adjustment), exemptions, buy backs, specification of the rule for the amount of late cost report sanctions, a reimbursement rate freeze, and an annual reimbursement rate calculation, a buy back definition, and updates to the disproportionate share hospital payment methodology.

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: At the time of the analysis of the regulatory impact it was determined that this rule will not require ratification by the Legislature pursuant to Section 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.9117, 409.9118, 409.9118, 409.9119 FS.

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

DATE AND TIME: August 22, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308

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: Edwin Stephens, (850)412-4077 or edwin.stephens@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, (850)412-4077 or edwin.stephens@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.020 Payment Methodology for Inpatient Hospital Services.

Reimbursement to participating inpatient hospitals for services provided shall be in accord with the Florida Title XIX Inpatient Hospital Reimbursement Plan, Version XXXVIII, Effective Date July 1, 2011 and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.911, 409.9112, 409.9113, 409.9115, 409.9116, 409.9117, 409.911, 409.9119, 409.913 FS. History--New 10-31-85, Formerly 10C-7.391, Amended 10-1-86, 1-10-89, 11-19-89, 3-26-90, 8-14-90, 9-30-90, 9-16-91, 4-6-92, 11-30-92, 6-30-93, Formerly 10C-7.0391, Amended 4-10-94, 8-15-94, 1-11-95, 5-13-96, 7-1-96, 12-2-96, 11-30-97, 9-16-98, 11-10-99, 9-20-00, 3-31-02, 1-8-03, 7-3-03, 2-1-04, 2-16-04, 2-17-04, 8-10-04, 10-12-04, 1-10-06, 4-19-06, 12-11-06, 3-4-08, 6-10-08, 1-11-09, 3-24-10, 7-5-10, 7-15-10, 2-23-11.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 17, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

59G-6.030

RULE TITLE:

Payment Methodology for Outpatient Hospital Services

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Title XIX Outpatient Hospital Reimbursement Plan (the Plan), effective July 1, 2011. The Plan, effective July 1, 2011, includes the addition of a reference to Rule Number 59G-9.070, F.A.C., for the amount of late cost report sanctions; a reimbursement rate reduction (Medicaid trend adjustment); exemptions from reimbursement ceilings; the opportunity for certain hospitals to buy back their reimbursement rate reductions; a rate freeze on inpatient hospital reimbursement rates; the establishment of hospital rates being set once a year every July 1; revisions to buy back descriptions; the addition of definitions for a hospital buy back, rate setting unit cost, legislative unit cost, and a base rate; and the addition of an appendix explaining Provider Preventable Conditions (PPC).

SUMMARY: The proposed rule incorporates changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan (the Plan) payment methodology, effective July 1, 2011 for a recurring reimbursement rate reduction (Medicaid trend adjustment), exemptions, buy backs, specification of the rule for the amount of cost report sanctions, a reimbursement rate freeze, an annual reimbursement rate calculation, and addition of definitions, and an appendix for PPCs.

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: At the time of the analysis of the regulatory impact it was determined that this rule will not require ratification by the Legislature pursuant to Section 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: August 22, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308

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: Edwin Stephens, Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 21, Tallahassee, Florida 32308, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.030 Payment Methodology for Outpatient Hospital Services.

Reimbursement to participating outpatient hospitals for services provided shall be in accordance with the Florida Title XIX Outpatient Hospital Reimbursement Plan, Version XXII Effective date: July 1, 2011, and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Office of the Deputy Secretary for Medicaid, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.913 FS. History—New 10-31-85, Amended 12-31-85, Formerly 10C-7.401, Amended 10-1-86, 3-26-90, 9-30-90, 10-13-91, 7-1-93, Formerly 10C-7.0401, Amended 4-10-94, 9-18-96, 9-5-99, 9-20-00, 12-6-01, 11-10-02, 2-16-04, 10-12-04, 7-4-05, 4-19-06, 12-11-06, 3-4-08, 6-10-08, 1-11-09, 3-24-10, 6-24-10, 2-23-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 17, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.081

RULE TITLE: Developmental Disabilities Home and Community Based Medicaid Waiver Services Tiers 1 through 4 and Individual Budgeting Waivers Provider Rate Tables

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.081, F.A.C., is to incorporate by reference the Developmental Disabilities Medicaid Home and Community Based Waiver Services Tiers 1 through 4 and Individual Budgeting (iBudget) Waivers Provider Rate Tables. The new rate tables will be available upon adoption of the rule.

SUMMARY: This rule will implement a four (4) percent rate reduction for all Developmental Disabilities Medicaid Waiver’s services enacted during the 2011 legislative session and provided for in Senate Appropriations Act 2000. Tiers 1-4 Waivers:

This rate table contains the 4% reduction for all rates, required by statute in General Appropriations Act (GAA) for FY 2011-12. It incorporates Companion rate change, limits Transportation units and frequencies, standardizes Residential Habilitation Intensive Behavior rates, and Nursing services and Nursing and Therapy Assessments to align with Medicaid State Plan rates in conjunction with the September 1, 2011 Legislative Cost Containment Plan.

iBudget:

This rate table contains the 4% reduction for all rates, required by statute in General Appropriations Act (GAA) for FY 2011-12, and rates applicable to combined services. It incorporates Life Skills Development Level 1 (formerly Companion) rate change, limits Transportation units and frequencies, standardizes Residential Habilitation Intensive Behavior rates, and Nursing services and Nursing and Therapy Assessments to align with Medicaid State Plan rates in conjunction with the September 1, 2011 Legislative Cost Containment Plan.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

There is no additional regulatory cost associated with this rule. The Florida Legislature mandated a 4% rate reduction for the Developmental Disabilities Home and Community Based Services Waivers, effective July 1, 2011. The Agency for Persons with Disabilities (APD) in consultation with AHCA, instituted cost savings measures under the authority in Section 393.0661(8)-(9), F.S. Providers of Developmental Disabilities

waiver services enter into a voluntary contract with the Florida Medicaid program; therefore there is no regulatory effect from these rate cuts. The accompanying waiver coverage and limitations handbooks for the waiver programs that describe the services have reduced regulation and will continue to be reviewed for further opportunities to streamline regulations while still maintaining health and safety standards requirements for these services. The APD was spending more than its appropriation of \$805 million. For fiscal year 2010-2011, service expenditures were approximately 958 million. Additionally, the Florida Legislature required that the APD submit a cost containment plan. These rate changes are aligned with the cost containment plan developed in September 2011.

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: Refer to Summary of Statement of Estimated Regulatory Costs above.

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: 409.919 FS.

LAW IMPLEMENTED: 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, August 20, 2012, 1:00 p.m. –3:00 p.m.

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

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: Susan DeBeaugrine at the Bureau of Medicaid Services, (850)412-4261. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan DeBeaugrine, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4261, e-mail: susan.debeaugrine@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.081 Developmental Disabilities Home and Community Based Medicaid Waiver Services Tiers 1 through 4 and Individual Budgeting Waivers Provider Rate Tables.

(1) This rule applies to all developmental disabilities home and community based services Tiers 1 through 4 Waiver providers and Individual Budgeting Waiver providers enrolled in the Medicaid program.

(2) All developmental disabilities home and community based services Tiers 1 through 4 providers and Individual Budgeting providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community Based Services Tiers 1 through 4 and Individual Budgeting Waivers Provider Rate Tables, which is incorporated by reference. In accordance with the Agency for Persons with Disabilities Cost Containment Plan, dated September 1, 2011, as required by the 2011/2012 General Appropriations Act, the following services were implemented on the dates specified herein: August 1, 2011 for Companion; September 1, 2011 for Transportation (trip); January 1, 2012 for Residential Habilitation Intensive Behavior in a Licensed Facility (Levels 1-6); and April 1, 2012 for Nursing Assessment Registered Nurse, Occupational Therapy Assessment, Physical Therapy Assessment, Private Duty Nursing Licensed Practical Nurse (LPN) and Registered Nurse (RN), Residential Nursing Services LPN and RN, Respiratory Therapy Assessment, Skilled Nursing LPN and RN, and Speech Therapy Assessment. The rate tables are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies of the reimbursement schedule may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

~~Developmental Disabilities Waiver Provider Rate Table:~~

~~(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program.~~

~~(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community Based Services Waiver Provider Rate Table, July 1, 2008, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.~~

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.902, 409.906, 409.908, 409.912, 409.913 FS. History—New 5-29-06, Amended 11-15-07, 10-13-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Susan DeBeaugrine
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Karen Zeiler for Elizabeth Dudek
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 11, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 3, 2011

DEPARTMENT OF MANAGEMENT SERVICES

IFAS Supplemental Benefit Program

RULE NOS.:	RULE TITLES:
60W-5.001	Scope and Purpose
60W-5.002	Statements of Policy
60W-5.003	Receipts
60W-5.004	Investment of Funds
60W-5.005	Disbursements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal this rule as it is no longer necessary.

SUMMARY: The assets and liabilities of the Institute of Food and Agricultural Sciences Supplemental Retirement Program were consolidated into the Florida Retirement System as provided in Section 121.047, F.S., making this rule obsolete and unnecessary.

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:

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: 121.40(13) FS.

LAW IMPLEMENTED: 112.61, 121.40, 121.40(13) FS.

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

DATE AND TIME: August 10, 2012, 10:00 a.m.

PLACE: Division of Retirement, 1317 Winewood Blvd., Bldg 8., Suite 208, Tallahassee, Florida 32399-1560

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: Richard Clifford, Senior Benefits Analyst, Division of Retirement, Department of Management Services at (850)414-6345 or via e-mail at richard.clifford@dms.myflorida.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 RULES IS: Garry Green

THE FULL TEXT OF THE PROPOSED RULES IS:

60W-5.001 Scope and Purpose.

~~This chapter establishes the procedures for the management of the Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund and administration of the Institute of Food and Agricultural Sciences Supplemental Benefit Program, pursuant to Section 121.40, Florida Statutes.~~

~~Rulemaking Specific Authority 121.40(13)(14) FS. Law Implemented 121.40 FS. History—New 2-4-86, Formerly 22Q-5.001, Repealed_____.~~

60W-5.002 Statements of Policy.

~~(1) It shall be the responsibility of the Administrator to administer the Institute's Supplemental Benefit Program in accordance with applicable laws and sound actuarial principles.~~

~~(2) The use of any procedure, methodology, or assumptions the effect of which would be to transfer to future taxpayers any portion of the costs which may reasonably have been expected to be paid by the current taxpayers shall be prohibited.~~

~~Rulemaking Specific Authority 121.40(13)(14) FS. Law Implemented 112.61, 121.40 FS. History—New 2-4-86, Formerly 22Q-5.002, Repealed_____.~~

60W-5.003 Receipts.

~~(1) The Administrator shall insure that all receipts are promptly deposited in the State Treasury.~~

~~(2) The Administrator shall maintain accurate records of the contributions of each participant made each pay period.~~

~~Rulemaking Specific Authority 121.40(13)(14) FS. Law Implemented 121.40(13)(14) FS. History—New 2-4-86, Formerly 22Q-5.003, Repealed_____.~~

60W-5.004 Investment of Funds.

~~The State Board of Administration shall be responsible for investing the funds of the trust fund in accordance with the provisions of Sections 215.44-53, F.S.~~

Rulemaking Specific Authority 121.40(13)(14) FS. Law Implemented 121.40(13) FS. History–New 2-4-86, Formerly 22Q-5.004, Repealed _____.

60W-5.005 Disbursements.

~~(1) The Administrator shall be responsible for authorizing disbursements from the trust fund and accounts in accordance with applicable laws and these rules.~~

~~(2) Expenses of the Division for administering the Institute’s Supplemental Benefit Program, and administrative expenses of the State Board of Administration for investing the funds of the trust fund, shall be paid from interest earned on investments of the trust fund.~~

Rulemaking Specific Authority 121.40(13)(14) FS. Law Implemented 121.40(13)(14) FS. History–New 2-4-86, Formerly 22Q-5.005, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Garry Green, Operations & Management Consultant Manager, Research & Education Section, Division of Retirement, Department of Management Services. Office, tel.: (850)414-6349, E-mail: garry.green@dms.myflorida.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Scott Stewart, Interim Secretary of the Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.0161
RULE TITLE: Mobile Food Dispensing Vehicles and Theme Park Food Carts

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to exempt self-sufficient mobile food dispensing vehicles from the requirements to operate from a commissary, report to a commissary, and notify the division of the commissary used.

SUMMARY: The proposed rule exempts self-sufficient mobile food dispensing vehicles from the commissary requirement and specifies that mobile food dispensing vehicles may not conduct public food service related activities in a private residence.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

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 economic review conducted by the agency.

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: 509.032, 509.221 FS.

LAW IMPLEMENTED: 509.032, 509.101, 509.211, 509.215, 509.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) No change.

(2) Mobile food dispensing vehicles shall meet the following additional requirements:

(a) through (b) No change.

(c) Mobile food dispensing vehicles shall operate from an approved commissary that meets all applicable requirements of this rule. The commissary must be provided with potable water and adequate facilities for disposal of liquid and solid waste. The mobile food unit must report to the commissary to store or replenish supplies, clean utensils and equipment, or dispose of liquid and solid waste. ~~Mobile food dispensing vehicles which are self-sufficient for equipment, storage, and utilities must report to the commissary as often as needed, but not less than once weekly, to replenish supplies, clean the interior of the unit, or dispose of liquid or solid wastes. For the purpose of this rule, a mobile food dispensing vehicle which is self-sufficient includes a three compartment sink for washing, rinsing, and sanitizing of equipment and utensils; a separate handwash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP gas, or a portable power generation unit; a potable water holding tank; and a liquid waste disposal system in accordance with Subparts 5-3 and 5-4 of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. Mobile food dispensing vehicles which are not self-sufficient must report to their commissary at least once~~

~~daily. The exterior of the vehicle may be washed in any location, provided the waste water does not create a sanitary nuisance.~~

(d) through (e) No change.

(f) Mobile food dispensing vehicles shall not obtain water from or dispose of wastewater at a private residence or prepare food; store food products, equipment or utensils; or conduct warewashing or any other activities related to the public food service in a private residence. The exterior of the vehicle may be washed in any location, provided the wastewater does not create a sanitary nuisance.

(g) Self-sufficient mobile food dispensing vehicles are exempt from paragraphs (2)(c) and (2)(e) of this rule.

(3) through (9) No change.

Rulemaking Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.101, 509.211, 509.215, 509.221 FS. History—New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, 2-12-08, 8-12-08, 6-13-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2012

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.002 RULE TITLE: Requirements for Certification

PURPOSE AND EFFECT: The Board proposes this rule amendment to approve another certification body for acute care nurse practitioners.

SUMMARY: In this rule amendment another approved certification body for acute care nurse practitioners.

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: 456.048, 464.006, 464.012 FS.

LAW IMPLEMENTED: 456.048, 456.072(1)(f), 464.012, 464.018(1)(b), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-4.002 Requirements for Certification.

(1) through (2) No change.

(3) Professional or national nursing specialty boards recognized by the Board include, but are not limited to:

(a) through (h) No change.

(i) American Association of Critical-Care Nursing's (AACN) (certification for acute care nurse practitioners) (ACNP).

(4) through (5) No change.

Rulemaking Authority 456.048, 464.006, 464.012 FS. Law Implemented 456.048, 456.072(1)(f), 464.012, 464.018(1)(b), (2) FS. History—New 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 21O-11.23, Amended 3-19-87, 4-6-92, Formerly 21O-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, 4-5-00, 3-23-06, 6-4-09, 12-6-10, 1-3-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2012

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-7.001 RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose of this amendment is to reduce the active renewal license fees.

SUMMARY: The rule amendment will correct the active renewal license fees.

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: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (6) No change.

(7) For renewal of RN or LPN license as provided in Section 464.013, F.S., seventy dollars (\$70.00) ~~eighty dollars (\$80.00)~~.

(8) For renewal of a dual RN/ARNP license certificate, one hundred twenty ~~thirty~~ dollars (\$120.00 ~~\$30.00~~).

(9) For renewal of a dual RN/CNS license certificate, one hundred forty-five ~~fifty-five~~ dollars (\$145.00 ~~\$55.00~~).

(10) For renewal of an RN/CNS/ARNP license certificate, one hundred ninety-five ~~two hundred five~~ dollars (\$195.00 ~~205.00~~).

(11) through (19) No change.

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, 5-20-07, 12-21-08, 1-3-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 2, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2012

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-10.014

RULE TITLE: Administration Procedures for Licensure Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the correct Department of Health rule.

SUMMARY: The referenced rule will be updated to incorporate the correct Department of Health rule and change the title to reflect the rule's contents.

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 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: 456.017(1)(d) FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-10.014 ~~Administration Security and Monitoring~~ Procedures for Licensure Examination.

The Board adopts by reference Rule ~~64B-1.003~~ 64B-1.010, F.A.C., of the Department of Health as its rule governing examination ~~administration security and monitoring~~.

~~Rulemaking Specific~~ Authority 456.017(1)(d) FS. Law Implemented 456.017(1)(d) FS. History—New 1-5-82, Formerly 21Z-10.14, 21Z-10.014, 61G12-10.014, 59T-10.014, Amended 5-17-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2012

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.003
 RULE TITLE: Requirements for Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language from the rule due to changes to Chapter 468, Florida Statutes.

SUMMARY: The rule amendment will delete unnecessary language from the rule due to changes to Chapter 468, Florida Statutes.

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: 456.013, 456.034(5), 468.705, 468.711(2), (3) FS.

LAW IMPLEMENTED: 456.013, 456.034, 468.711(2), (3) FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B33-2.003 Requirements for Continuing Education.

(1) In the 24 months preceding each biennial renewal period, every athletic trainer licensed pursuant to Chapter 468, Part XIII, F.S., shall be required to complete 24 hours of continuing education in courses approved by the Board. However, athletic trainers who receive an initial license during the second half of the biennium shall be required to complete only 12 hours of continuing education in courses approved by the Board prior to renewal. The hours of continuing education required for renewal must include a minimum of ~~one hour in HIV/AIDS as described in Rule 64B33-2.002, F.A.C., and~~ a two-hour course in prevention of medical errors required by Section 456.013(7), F.S. The continuing education requirement includes current certification in cardiovascular pulmonary resuscitation with an automated external defibrillator at the professional rescue level from the American Red Cross, the American Heart Association, American Safety and Health Institute, the National Safety Council, or an entity approved by the Board as equivalent. Athletic trainers who receive an initial

license during the 90 days preceding a renewal period shall not be required to complete any continuing education for that renewal period.

(2) through (6) No change.

Rulemaking Authority 456.013, 456.034(5), 468.705, 468.711(2), (3) FS. Law Implemented 456.013(7), 456.034, 468.711(2) FS. History—New 8-4-98, Formerly 64B30-25.0031, Amended 8-22-00, 3-6-07, 8-12-08, 7-29-09, 1-16-12_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Athletic Training

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Department of Health

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2012

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-5.001 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to update penalties in the disciplinary guidelines.

SUMMARY: The rule amendment will add new language to update penalties in the disciplinary guidelines.

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: 456.079, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.072, 456.717, 456.079, 468.719 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B33-5.001 Disciplinary Guidelines.

(1) through (4) No change.

(5) When the Board finds an applicant or licensee whom it regulates under Chapter 468, Part XIII, F.S., has violated Section 456.072, F.S., by violating any of the following provisions, it shall issue a final order imposing appropriate penalties within the ranges recommended in the following disciplinary guidelines:

VIOLATIONS	RECOMMENDED PENALTIES		
	First Offense	Second Offense	Third Offense
(a) No change			
(b) No change			
(c) No change			
(d) No change			
(e) No change			
(f) No change			
(g) No change			
(h) No change			
(i) No change			
(j) No change			
(k) No change			
(l) No change			
(m) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement. (456.072(1)(jj), F.S.)	From reprimand to suspension of license up to five years and an administrative fine of \$1,000 to \$25,000, or refusal to certify an application for licensure		
(n) No change			

<p>(o) Being convicted of, or entering into a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, which relates to health care fraud. (456.072(1)(II), F.S.)</p>	<p><u>From reprimand to suspension of license up to five years and an administrative fine of \$1,000 to \$25,000, or refusal to certify an application for licensure</u></p>		
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Rulemaking Authority 456.079, 468.705, 468.719 FS. Law Implemented 456.072, 456.717, 456.079, 468.719 FS. History--New 10-22-02, Amended 1-16-07, 6-30-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Athletic Training
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Department of Health
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2012

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.0011	Definitions
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirements
65C-22.005	Food and Nutrition
65C-22.006	Record Keeping
65C-22.007	Evening Child Care
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: Chapter 2010-161 sections 17 & 18, Laws of Florida eliminated the Department of Health’s authority to license and inspect food preparation and food service in child care facilities. The legislation effectively requires the Department to assume responsibility for food hygiene in licensed child care facilities. The Department adopted an emergency rule to provide temporary standards for food preparation and food service similar to those previously administered by the Department of Health, but a permanent

rule is required to establish ongoing standards and enforcement authority to ensure the health, safety, and welfare of children in childcare facilities that provide meals/snacks. Chapter 2010-114 sections 22 & 38, Laws of Florida provides updated background screening requirements for child care personnel. Title 16, Parts 1219 & 1220, Code of Federal Regulations updated crib requirements. Modifications to fire safety and emergency preparedness rules reflect updated standards that provide clarifying language; incorporate provisions for emergency procedures for children with special needs; and procedures related to parental notification in the event of an emergency. Modifications to planned activities rules reflect updated standards based on National Health and Safety Performance Standards and the national initiative to combat childhood obesity. The modifications to the training curriculum rule provide clarifying language and incorporate food safety training as a new topic area option for continuing education. Clarifying language is also included for indoor square footage. Finally, the modifications to the after-school program descriptions provide clarifying language regarding instructional based after-school programs and provides an exception for programs that are otherwise excluded from licensure, that are on the federal After School Nutrition Program to provide a dinner meal.

SUMMARY: The proposed rule amends several rules within Chapter 65C-22, F.A.C., regarding food preparation, food service, and food storage in child care facilities licensed by the Department. It will also revise language concerning indoor square footage; background screening standards; procedures related to fire safety and parental notification following an emergency; planned activity schedules; updated crib safety standards; updated topics acceptable to meet continuing education requirements; and afterschool program descriptions for programs that do not require licensure by the Department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The proposed rule revisions will provide for lower costs to child care providers who provide food service to children in care compared to the regulatory scheme previously administered by the Department of Health. Providers will no longer be required to pay an annual permit fee (approximately \$110) previously charged by the Department of Health.

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: 402.305 FS.
LAW IMPLEMENTED: 402.305 FS.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES:

1. August 28, 2012 8:30 a.m. – 10:30 a.m.;
2. August 29, 2012 9:00 a.m. – 11:00 a.m.;
3. August 31, 2012 9:00 a.m. – 11:00 a.m.

PLACES:

1. Early Learning Coalition of Miami-Dade/Monroe, 2555 Ponce de Leon Boulevard, Fifth Floor Board Room, Coral Gables, Florida 33134
2. Institute of Early Childhood Professionals, 8413 Laurel Fair Circle, Suite 100, Tampa, Florida 33610
3. Department of Children and Families, 1317 Winewood Boulevard, Building 4, Tallahassee, Florida 32399-0700

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: Child Care Program Office, 1317 Winewood Boulevard, Building 6, 3rd Floor, Tallahassee, Florida 32399-0700, (850)488-4900. 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 RULES IS: Dinah Gallon, (850)488-4900

The Department will receive comments through close of business September 7, 2012. Comments may be sent to the following email address: dinah_gallon@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-22.001 General Information.

(1) No change.

(a) Application for a license or for renewal of a license to operate a child care facility must be made on CF-FSP Form 5017, July 2012 ~~March 2009~~, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at www.myflorida.com/childcare.

(b) No change.

(c) The completed CF-FSP Form 5017 must be signed by the individual owner, prospective owner, or the designated representative of a partnership, association, or corporation, and must include ~~submission of~~ background screening clearance documents for the owner/operator/director, and an approved fire and environmental health inspections. Child care facilities that have a well or septic system must maintain current written records indicating the well and/or septic system meets the requirements of the Department of Health on an annual basis.

(d) through (e) No change.

(2) through (4) No change.

(5) Supervision.

(a) Direct supervision means actively watching and directing children's activities within the same room or designated outdoor play area, and responding to the needs of each child. Child care personnel at a facility must be assigned to provide direct supervision to a specific group of children, and be present with that group of children at all times. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care, shall be capable of responding to emergencies, and are accountable for children at all times, including when children are separated from their groups.

(b) During nap time, supervision requires that staff be in close proximity, within sight and hearing of all the children. All other staff required to meet the staff-to-child ratio shall be within the same building on the same floor, and must be readily accessible and available to be summoned to ensure the safety of the children. Nap time supervision, as described in this section, does not include supervision of children up to 24 months of age, who must be directly supervised at all times.

(c) During feeding times, children shall be individually fed or supervised appropriately for their ages.

1. High chairs shall be used for infants at feeding times. The use of safety straps to prevent falls is required whenever children are placed in high chairs.

2. There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding. There shall be no automatic feeding devices unless medically prescribed and documented in the child's file.

~~(d)(e)~~ No person shall be an operator, owner, or employee of a child care facility while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.

~~(e)(d)~~ Additional Supervision Requirements.

1. through 3. No change.

(6) through (7) No change.

(a) Each age group or class must have a written and followed plan of scheduled daily activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served, and must include alternate activities in case of inclement weather, and include scheduled activities that:

1. Promote emotional, social, intellectual and physical growth. Children shall not be left in confining devices as an alternative to active play or adult/child interaction, supervision, or discipline. If television, videos, movies, and/or computer games are used, they shall be limited to a maximum combined total of two hours per day, or in the case of school age children, the length of one movie if the movie is more than two (2) hours in length.;

2. Include quiet and active play, both indoors and outdoors; ~~and.~~

3. No change.

(b) through (c) No change.

(8) through (11) No change.

Rulemaking Authority 402.305, 402.309 FS. Law Implemented 402.305, 402.309, 402.3055, 402.308, 402.310 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10,_____.

65C-22.0011 Definitions.

(1) Definitions

(a) Caterer – A food service business that prepares food at a remote or distant location and transports ready-to-be-served meals to a provider for a fee. Caterers must be licensed and/or permitted by the applicable state or federal agency. A copy of the license or permit must be in the facility and available for review by licensing authority.

(b) Classroom – Rooms occupied by children, arranged with materials and equipment intended to implement a plan of activities.

(c) Food equipment – All stoves, ranges, crock pots, microwaves, hoods, tables, counters, cabinets, refrigerators, freezers, sinks, dishwashing machines, and other items used in the preparation, reheating, and serving of food, with the exception of utensils.

(d) Potentially Hazardous Food – Any food that requires time-temperature control (refrigeration or hot holding) and contains in whole or in part: milk, milk products, eggs, meat, poultry, fish, shellfish, cooked plant food (rice, beans, vegetables, and baked potatoes), tofu, other soy-protein products, mushrooms, cut melon, cut tomatoes, raw sprouts, and untreated garlic/oil mixtures.

(e) Preparation of food – Includes the selection, measurement and combining of ingredients in an ordered procedure to create a meal intended for consumption. This definition is not limited to cooking. Bottle preparation and the cutting of fruits and vegetables are included in this definition. Excludes warming of pre-prepared bottles and pre-prepared food (including catered food and food brought from home), distributing snacks, and learning activities provided by a child care program that may include raw and prepared food. A learning activity may not replace a regularly scheduled meal.

(f) Sanitize – The process of destroying or reducing organisms to a safe level. Includes properly cleaned equipment and surfaces, such as sinks and sleep mats. Sanitation shall be accomplished with the application of an approved chemical sanitizer or the use of hot water or steam.

(g) Serving food – for the purpose of this definition, serving food is limited to meals and snacks, as indicated on the posted menu.

(h) Single-service articles – Any cups, containers, plates, straws, place mats, napkins, doilies, spoons, stirrers, paddles, knives, forks, wrapping materials and all similar articles that are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic or other readily

destructible materials, and which are intended by the manufacturers to be for one-time, one-person use, then to be discarded.

(i) Tableware – utensils used for eating, drinking, and serving food including forks, knives, spoons, bowls, cups and serving dishes. Tableware may be either multi-use or single service.

(j) Utensils – pots, pans, ladles, pitchers, cutting boards, knives, or food containers used in the preparation, storage, transportation, or serving of food.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New_____.

65C-22.002 Physical Environment.

(1) No change.

(a) through (b) No change.

(c) It is the responsibility of the director/operator to ensure all areas and equipment of the facility are free from fire hazards, such as; lint build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents; and grease build up in ovens, stoves, and food equipment.

(d) No change.

(e) Animals must be properly immunized, free from disease, and clean. Parents must be informed in writing of all animals on the premises. Such information may be provided by way of a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Documentation of current immunizations must be available for review upon request by the licensing authority. Animals are prohibited in areas where food is prepared. If animals or birds are kept in classrooms as pets, they shall be caged away from the food storage and preparation or service area, and cages kept clean.

(f) through (h) No change.

(i) Pursuant to Chapter 386, F.S., smoking is prohibited within the child care facility, all outdoor areas, during field trips, and in vehicles when being used to transport children. Owners/operators are to notify custodial parents and legal guardians, in writing, that smoking is prohibited on the premises of the child care facility.

(j) Design and construction of a new child care facility or modifications to an existing facility must meet the minimum requirements of the applicable local governing body. The facility must provide current written approval from the local governing body to verify compliance with building and plumbing requirements.

(2) through (3) No change.

(a) No change.

(b) Usable indoor floor space refers to ~~that~~ space available for indoor play, classroom, work area, or nap area ~~space~~. To determine overall facility capacity, usable indoor floor space; for the facility as a whole, is calculated by measuring at floor level from interior walls, and by deleting space for stairways,

toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens and designated food preparation areas, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space to determine total facility capacity. Each room routinely used as a classroom must provide the minimum square footage per child defined in paragraph (3)(a), above.

~~(e)~~ In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must also have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times, pursuant to Section 402.305(6), F.S.

~~(c)(d)~~ Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.

~~(d)(e)~~ Where infants are in care, they shall have open indoor floor space outside of cribs and playpens. The space used for play may be interchangeable with space used for cribs and play pens.

~~(e)(f)~~ The capacity, as calculated by the licensing authority for each room, must be posted in a conspicuous location within the room.

~~(f)(g)~~ When common or multi-purpose areas are used for dining or occasional large group assembly activities and special events, the applicable 20 or 35 square feet requirement of usable space for each child does not apply for that period of time only; however, the facility must maintain minimum square footage per child in accordance with the local fire authority requirements.

(4) through (5) No change.

(a) through (b) No change.

(c) Children up to one year of age must be in an individual crib, portacrib, or playpen with sides. Crib sides must be ~~raised~~ and secured while an infant is in the crib, and bar spacings may not exceed two and three-eighths inches. Cribs must meet the construction regulations as outlined in Title 16, Parts 1219 & 1220 1508 & 1509, Code of Federal Regulations, December 28, 2010 January 2009, which is incorporated by reference. A copy ~~of~~ may be obtained from the department's website, www.myflorida.com/childcare. No double or multi-deck cribs, cots or beds may be used.

(d) No change.

(6) Restrooms Toilet and Bath Facilities.

(a) through (f) No change.

(g) Each sink basin and toilet must be maintained in good operating condition, clean, and sanitized or disinfected as needed, at least once per day.

(7) No change.

(a) through (b) No change.

(c) The ~~child-care~~ facility must properly maintain fire extinguishers with a minimum rating of 2A10BC at all times. All staff shall be trained in the use and operation of a fire extinguisher. Travel distance to the nearest extinguisher shall not be more than 50 feet from rooms occupied by children. A fire extinguisher must be present in a kitchen.

(d) No change.

(e) During the facility's operating licensure year, fire drills shall be conducted monthly a minimum of 10 times and be conducted at various dates and times when children are in care; 30 days and shall not occur less than apart. A current attendance record must accompany staff out of the building during a drill or actual evacuation, and be used to account for all children. The fire drills conducted must include, at a minimum:

1. through 3. No change.

(f) through (g) No change.

(h) The operator shall develop a written emergency preparedness plan to include, at a minimum, procedures to be taken by the ~~child-care~~ facility during a fire, lockdown and inclement weather (tornadoes), and to facilitate parent/guardian reunification. The plan shall describe how the facility will meet the needs of all children, including children with special needs, during and following an emergency event.

(i) Emergency preparedness drills shall be conducted when children are in care. Each drill, ~~excluding fire drills~~, outlined in the emergency preparedness plan must be practiced a minimum of one time per year, and may substitute for up to three monthly fire drill as referenced in paragraph 65C-22.003(7)(e), F.A.C., documentation of which must be maintained for one year. A current attendance record must accompany staff during the drill or actual emergency and must be used to account for all children.

(j) through (l) No change.

(m) Automatic range-top fire suppression systems are required in the kitchen for facilities that produce steam or grease laden vapors or shallow fry or deep fry food. Documentation of an approved annual inspection of the suppression system per the Fire Prevention Code is required by local fire safety authority.

(n) The use of portable equipment utilized to fry food is allowable in a kitchen beneath an automatic range-top fire suppression system.

(8) Food Preparation Area. A food preparation area is a designated room, such as a kitchen, or a designated space in a facility not used in normal day-to-day operations - such as indoor play, classroom, work, or nap spaces - and not included when calculating usable indoor floor space. A food preparation area is required for facilities that choose to prepare food in a manner consistent with the definition of "preparation of food" in paragraph 65C-22.002(1)(c), F.A.C.

(a) The food preparation area must include the following:

1. Ventilation provided either by mechanical or natural means to provide fresh air and control of unpleasant odors.

2. Smooth, nonabsorbent food contact surfaces with no unsealed cracks or seams. Food-contact surfaces are surfaces of equipment, countertops, utensils, etc. that food contacts during food preparation.

3. Food equipment maintained and stored in a sanitary manner and out of the reach of children.

4. Shielded lighting.

5. Nonabsorbent and easily-cleaned flooring or floor covering.

6. Nonabsorbent walls and ceilings by means of surface material or applied coating/sealant.

7. A separate hand washing station with hot running water a minimum of 100 degrees Fahrenheit. A hand washing station must include a sink with running water and drainage, soap, trash receptacle, and disposable towels or hand drying machines that are properly installed and maintained. Hand washing stations must include posted signs visible to employees and children demonstrating proper hand washing technique. Portable sinks may not be used for warewashing or food preparation. If a portable sink is used for hand washing in the food preparation area, hot water must be provided.

8. Leakproof, nonabsorbent containers, covered with a tight-fitting lid, for all food waste stored inside the facility. The container shall be emptied, cleaned and sanitized or disinfected at least daily.

(b) Employees, volunteers, and substitutes, while working in the food preparation area, must wear clean outer garments and proper head covering, such as a hair net or hat, and must use disposable gloves, utensils, or similar items to prevent barehand contact with ready to eat foods.

(c) For safety, children shall not be present in the food preparation area when meals and snacks are prepared.

(d) The food preparation area must be clean and free of dust, dirt, food particles, and grease deposits.

(9) Food Storage. Facilities choosing to prepare food must have a designated space for food storage within the designated food preparation area or in a room not calculated as part of indoor floor space, and in an area not used for diapering. Off-site food storage is permissible only if site of storage is a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

(a) Food containers, such as, but not limited to cans, plastic containers, boxes, and bags, shall be stored above the floor, a minimum of six inches, on clean surfaces protected from splash and other contamination.

(b) Food must be consumed or discarded on or before the expiration dates listed by the manufacturer.

(c) Poisonous/toxic or cleaning products must be stored separately from food.

(d) Opened packages of perishable or leftover food items must be properly covered/sealed, labeled with date, properly stored, and discarded within seven calendar days.

(e) Opened packages of dried goods must be properly covered/sealed, properly stored, and discarded according to the manufacturer's recommended date or if the quality of the goods has been compromised.

(f) Refrigerators/freezers.

1. An accurate thermometer must be inside each refrigeration unit used to verify adequate cold storage temperature.

2. Food may be frozen prior to the expiration date but when thawed it must be labeled with the date it was removed from the freezer and discarded within seven calendar days.

3. Frozen food must be labeled by date and type noted below and stored according to the following table:

Food Item	Months
Bacon and sausage	1 to 2 months
Casseroles	2 to 3 months
Frozen dinner and entrees	3 to 4 months
Ham, hot dogs, lunchmeats	1 to 2 months
Meat, uncooked	4 to 12 months
Meat, uncooked ground	3 to 4 months
Meat, cooked	2 to 3 months
Poultry, cooked	4 months
Soups and stews	2 to 3 months

(10)(8) Health and Sanitation.

(a) No change.

1. No change.

2. Employees, volunteers, substitutes, and children shall wash their hands with soap and running water, dry thoroughly, and follow personal hygiene procedures for themselves, or while assisting others, and immediately after outdoor play. Examples of activities when hand washing is required include, but are not limited to: before and after eating, immediately following outdoor play, after toileting, following the use of any cleaners or toxic chemical, before and after administering medication, and during food preparation and snack distribution.

a. Employees, volunteers, substitutes, and children must follow the Centers for Disease Control guidelines for hand washing and encourage the children in care to develop good hand washing habits. Copies of the Center for Disease Control guidelines may be obtained from the Center for Disease Control website at www.cdc.gov.

b. The use of hand sanitizers does not substitute for hand washing.

c. Employees, volunteers, and substitutes with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, shall not prepare food.

3. through 4. No change.

(b) Diapering Requirements.

1. A hand-washing station facilities that includes a sink basin with running water, soap, trash receptacle, and disposable towels or hand drying machines that are properly installed and maintained shall be provided in the infant room or in an adjoining room which opens into the room where infants or children with special needs in diapers are in care.

2. through 8. No change.

(c) No change.

1. through 3. No change.

(d) Warewashing and Sanitization. For facilities that prepare food, non-disposable food equipment, tableware, and utensils utilized for food preparation and food consumption shall be properly cleaned by pre-rinsing or scraping, washing, rinsing, sanitizing, and air drying. If the child care facility lacks adequate warewashing and sanitation described in this section for dishes, equipment, and utensils, only disposable single-use items may be used. All single service items must be discarded after each use. Food equipment, tableware, and utensils used to prepare food must be washed and sanitized on-site, except when a caterer is used and the caterer is responsible for warewashing as evidenced by a written agreement.

1. Warewashing and sanitation must be accomplished by one of the following:

a. A dishwasher with a sanitizing cycle.

1. The dishwasher must use heat or chemical injection for sanitization.

2. If chemical sanitization is used, the wash water temperature must be set at a minimum of 120 degrees Fahrenheit and the rinse water must be a minimum of 75 degrees Fahrenheit.

3. Automatic sanitizing dispenser must be properly installed and maintained.

4. A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during one full cycle per day at minimum.

5. If hot water is used for sanitization, the dishwasher must achieve a temperature of 160 degrees Fahrenheit on the surface of equipment/dishes/utensils being washed.

6. The facility must have a means for measuring the required temperature either by an irreversible registering temperature indicator (heat strip) or an external temperature display built into the machine:

b. An installed three compartment sink or an installed two compartment sink with a non-stationary or portable compartment receptacle. Installed compartment sinks may be used to wash produce and to fill cooking pots and pans with water when not in use for warewashing. Sinks must be sanitized before and after each use.

1. The first compartment must be used for washing, the second compartment must be used for rinsing, and the third compartment must be used for sanitizing.

2. If chemical sanitization is used, an exposure time of at least seven seconds is required for a chlorox solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 75 degrees Fahrenheit. If other sanitizers are used, equipment/dishes/utensils must be immersed for a period of at least one minute in sanitizing solution at a temperature not less than 75 degrees Fahrenheit. The sanitizing solution must contain the minimum concentration per manufacturer instructions.

3. A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during each use.

4. If hot water is used for sanitizing, equipment/dishes/utensils must be immersed for a period of at least one-half minute in hot water at a temperature of 170 degrees Fahrenheit or above:

(e) Food handling.

1. Bottles and sippy cups provided by the facility must be washed and sanitized between each use. Bottles and sippy cups brought from home shall be individually labeled with the child's first and last name. Sippy cups and bottles brought from home shall be returned to the custodial parent or legal guardian daily.

2. Bottles and sippy cups provided by the facility which are washed, rinsed, and sanitized after each use do not have to be labeled.

3. Milk and food shall not sit out for longer than 15 minutes prior to the beginning of the meal to avoid contamination and spoilage.

4. Employees, volunteers, and substitutes, while distributing snacks or serving food, must use disposable gloves, utensils, or similar items to prevent skin contact with food.

5. Food provided by parents must be stored and handled in a sanitary manner at all times.

(9) No change.

(a) No change.

1. through 2. No change.

3. Facilities shall provide sufficient age-appropriate seating at meals.

(b) No change.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-13-03, 9-12-04, 6-30-05, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10,_____.

65C-22.003 Training.

(1) No change.

(a) through (k) No change.

(l) Foster Grandparents” are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs. Foster grandparents are not counted in the staff-to-child ratio. Foster grandparents shall be required to have 100% attendance in the following department’s training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. This requirement can be met by either instructor-led or online training. Foster grandparents must begin training within 30 days of working in the child care industry in any licensed Florida child care facility. Training must be completed within one year from the date of working in the child care industry in any licensed Florida child care facility. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher’s aides, group leaders or other similar positions.

(m) through (s) No change.

(2) No change.

(a) No change.

1. All child care personnel must begin training within 90 days of employment in the child care industry and successfully complete training within 12 months from the date training begins. Training completion may not exceed 15 months from the date of employment in the child care industry in any licensed Florida child care facility.

2. The 40 hour Introductory Child Care Training requirement is divided into two parts. Part I is comprised of 30 hours of training ~~that consists of the department’s training courses~~, developed by the department, identified below:

a. through e. No change.

3. No change.

4. No change.

5. In the event an individual leaves Child care personnel who left the child care industry in compliance with the training requirements described in this section, and upon returning to the industry either at the same or a different child care facility, he or she shall be granted 90 days to comply with any new mandated training requirements established during the gap in employment in the child care industry. Completion of such training may be counted toward the in-service training requirement.

6. In the event an individual leaves Child care personnel who left the child care industry not in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, he or she must comply with the training requirements described in this section, in addition to any new mandated training requirements that may have been established during the gap in employment in the child care industry complete required training prior to re-employment.

7. No change.

(b) No change.

(3) through (4) No change.

(a) A copy of the ~~CF-FSP Form 5267 until October 1, 2010, or~~ Training Transcript must be included in each staff member’s child care personnel record and maintained at each child care facility.

(b) A copy of the ~~CF-FSP Form 5267 until October 1, 2010, or~~ Training Transcript for the director of a child care facility must be included in the department’s official licensing file.

(c) through (d) No change.

(5) through (6) No change.

(a) Upon completion of Part I and Part II introductory training requirements, child care personnel ~~All child care facility personnel~~ must complete a minimum of 10-clock-hours or one CEU of in-service training annually during the state’s fiscal year beginning July 1 and ending June 30.

(b) No change.

1. through 20. No change.

21. Food safety training;

~~22.21.~~ Developing special interest centers/spaces and environments; ~~or~~

~~23.22.~~ Other course areas relating to child care or child care management.

(c) Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268, ~~July 2012-March 2009,~~ Child Care In-Service Training Record, which is incorporated by reference, and included in the child care facilities’ personnel records. CF-FSP Form 5268 may be obtained from the department website at www.myflorida.com/childcare. A new in-service training record is required each fiscal year. The in-service training records for the previous two fiscal years must also be maintained at the child care facility for review by the licensing authority.

~~(d) Mandated 40 clock hour introductory child care training, Parts I and II, may be used to meet the annual in-service training requirement during the first fiscal year of employment.~~

~~(d)(e)~~ All child care personnel employed in the industry beyond 15 months, who change employment from one child care program to another during the fiscal year continuously employed or hired between July 1 and June 1 of the state’s fiscal year must complete the annual in-service training requirement. This includes any changes in employment from one program to another.

~~(e)(f)~~ Child care personnel not in compliance with the annual in-service training requirement described in this section continuously employed or hired between July 1 and June 1 of the state’s fiscal year who do not complete the required annual in-service training during any given year must complete the

remaining in-service training ~~requirement hours~~ within 30 days of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year’s in-service training requirements.

(7) through (8) No change.

Rulemaking Authority 402.305 FS. Law Implemented 402.305, 402.309 FS. History–New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 10-10-01, 4-2-02, 7-17-03, 9-12-04, 6-30-05, 4-12-07, 5-1-08, 1-13-10, _____.

65C-22.004 Health Related Requirements.

(1) through (2)(b) No change.

(c) At least one first aid kit must be maintained on the premises of the child care facility at all times. A first aid kit must also accompany child care staff when children are participating on field trips. Each kit shall be in a closed container and labeled “First Aid.” The kits shall be accessible to the child care staff at all times and kept out of the reach of children. If the first aid kit is stored in the food preparation area it shall be stored in a manner to prevent contamination of food, food contact surfaces, or first aid supplies. Each kit must, at a minimum, include:

1. Soap, (to be used with water) and or hand sanitizer (for use when water may not be available).

2. through 11. No change.

(d) No change.

(3) No change.

(a) through (f) No change.

(g) All medicine must have child resistant caps, if applicable, and shall either be stored in a locked area or must be inaccessible and out of a child’s reach. If medication is stored in the food preparation area it must be stored in a manner to prevent contamination of food, food contact surfaces, or medication.

(h) No change.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History–New 6-1-97, Amended 3-17-99, 7-26-00, 4-2-02, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, _____.

65C-22.005 Food and Nutrition.

(1) Nutrition.

(a) If a facility ~~provides~~ ~~chooses to supply~~ food to children in care, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA MyPlate MyPyramid, June 2011 April 2005, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. The categories “oils” and “discretionary calories” may not be considered food groups. Copies of the USDA MyPlate MyPyramid may be obtained from the USDA website at http://www.choosemyplate.gov www.mypyramid.gov. Using the USDA MyPlate MyPyramid, breakfast shall consist of at

least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups.

(b) If a facility chooses to provide food to children in care, directly or by contract with an outside source such as a caterer, the food must be in sound condition, free from spoilage and contamination and safe for human consumption, and must be stored and handled in a sanitary manner at all times. The facility must have adequate equipment available to maintain food safety.

1. Meat, poultry, fish, dairy products, and processed foods shall have been inspected under the United States Department of Agriculture requirements.

2. No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian.

3. No home-canned food may be served.

4. No home-grown eggs may be served.

5. No recalled food products may be served.

6. All raw fruits and vegetables shall be washed thoroughly before being served or cooked.

7. To prevent food from becoming potentially hazardous, hot foods shall be maintained at a temperature of 135 degrees Fahrenheit or above, and cold foods shall be maintained at a temperature of 40 degrees Fahrenheit or below. The facility must supply adequate equipment to maintain temperature requirements.

8. Foods that comprise meals included on a facility’s menu may not be prepared or partially prepared outside of the facility unless prepared by a caterer or a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

9. Food must be thoroughly cooked and or reheated according to the following table:

Food	Minimum Internal Temperature
Fruits, Vegetables, Grains, and Legumes	135°F
Roasts (Beef, Pork and Ham)	145° F
Fish	145° F
Eggs – to be served immediately	145° F (whites and yolks are firm)
Eggs – cooked and held for service	155° F
Ground meat	155° F
Poultry – whole, parts, or ground	165° F
Leftovers	165° F
Foods cooked in microwave	165° F
Sauces, gravy, soups	165° F

(c) If a facility chooses to provide or make available food to children in care from an outside source such as a caterer, or as the result of a learning activity provided by a child care

program, such as a garden, it is the responsibility of the provider to ensure all food intended for consumption by a child in care be in sound condition, free from spoilage, and contamination and safe for human consumption. The following documentation shall be maintained by the provider:

1. Food Acceptance Log. A log shall be maintained for all pre-prepared meals being transported into the facility. The log shall be retained for a minimum of four months. The log shall include the date, time of arrival, quantity and types of food, verification by recipient of condition of food, verification by recipient of adequate temperatures of food, and the name and signature of recipient.

2. Written permission slips for all food-related activities, such as special occasions and learning activities, which include food consumption.

~~(d)(b)~~ If a facility chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

~~(e)(e)~~ If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file and followed. If the custodial parent or legal guardian notifies the child care facility of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

~~(f)(d)~~ Meal and snack menus shall be planned, written, dated, and posted at the beginning of each week. ~~Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Any menu substitution shall be noted on the menu. All meals and snacks prepared outside of the facility's kitchen or designated food preparation area, such as catered food, must be listed along with the source of the prepared food.~~ Daily meal and snack menus shall be maintained for a minimum of four months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and the USDA requirements.

(2) Infant Formula and Food.

1. Formula and breast milk must be handled in a sanitary manner at all times and according to manufacturer's instructions and instructions by parent. All formulas and food brought from home shall be labeled with the child's first and last name. Bottles of formula prepared from powder or concentrate ready-to-feed formula must be labeled with the time and date the bottle was prepared. Frozen breast milk shall be dated when expressed. Breast milk provided for a specific infant by a parent or guardian shall not be fed to other children. Prepared bottles shall be placed immediately in the refrigerator and used within 48 hours.

a. In the event that the wrong formula or breastmilk is provided to an infant in care, the provider must immediately inform the child's parent or legal guardian of the incident as well as the parent or legal guardian of the infant that the formula/breast milk was intended. These events must be documented as an accident/incident referenced in subparagraph 65C-22.004(2)(d)3., F.A.C.

b. Due to extreme risk of choking, solid foods including cereal, shall not be given in bottles or with infant feeders to children with normal eating abilities unless authorized by a physician.

2. Bottle warming. For optimum digestion, formula is to be served at body temperature.

a. Bottle warming devices and crock pots, including cords shall be kept inaccessible to children at all times; shall be maintained at the devices' lowest available temperature setting; and shall be secured in such a manner as to prevent them from tipping over, splashing, or spilling. Any bottle warming device that has a water reservoir must be emptied, washed, and refilled each day.

b. Bottled breast milk, infant bottles, and formula shall not be heated in a microwave oven.

c. Heated bottles or food must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.

d. Once milk has been warmed, it shall not be re-warmed or returned to the refrigerator. All milk remaining in bottles after feeding shall be discarded within one hour after serving an infant.

3. Previously opened baby food jars shall not be accepted in the center. If food is fed directly from the jar by the caregiver, the jar shall be used for only one feeding and the remainder discarded.

~~(3) Food Service.~~

~~(a) Children shall be individually fed or supervised at feeding, and offered foods appropriate for their ages.~~

~~(b) Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles, and sippy cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.~~

~~(c) There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding. There shall be no automatic feeding devices unless medically prescribed. Formula shall be refrigerated and handled in a sanitary manner at all times.~~

~~(d) All bottles and sippy cups prepared and used continuously throughout the day or brought from home shall be individually labeled with the child's first and last name. Sippy cups and bottles brought from home shall be returned to the custodial parent or legal guardian daily.~~

~~(e) Heated foods and bottles must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.~~

~~(f) Facilities shall provide sufficient age appropriate seating so that children are seated at tables for meals.~~

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, _____.

65C-22.006 Record Keeping.

(1) through (2) No change.

(3) Enrollment Information. The facility operator shall obtain enrollment information from the child’s custodial parent or legal guardian prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, June 2012 March 2009, Child Care Application for Enrollment, which is incorporated by reference, or an equivalent form that contains all the information required by the department on CF-FSP Form 5219. CF-FSP Form 5219 may be obtained from the licensing authority or on the department’s website at www.myflorida.com/childcare.

(a) through (c) No change.

1. No change.

2. No change.

3. The child care facility’s food and nutrition policies that includes language on food safety and food allergens.

~~4.3.~~ Annually, during the months of August and September, the child care facility director must provide parents with information detailing the causes, symptoms, and transmission of the influenza virus. To assist providers the department developed a brochure, CF/PI 175-70, June 2009, Influenza Virus, Guide to Parents, which may be obtained from the department’s website at www.myflorida.com/childcare.

~~5.4.~~ Prior to beginning volunteering in a child care facility, a CF-FSP 5217, July 2012 March 2009, Volunteer Affidavit, which is incorporated by reference, and may be obtained from the department’s website www.myflorida.com/childcare, must be completed and on file at the child care facility for the volunteer.

(4) No change.

(a) through (c) No change.

(d) Initial Screening. Screening information must be documented on CF-FSP Form 5131, July 2012 March 2009, Background Screening and Personnel File Requirements, which is incorporated by reference. Screening includes the following:

1. Level 2 screening as defined in Section 435.04, F.S. ~~which includes at a minimum Federal Bureau of Investigations (FBI), Florida Department of Law Enforcement (FDLE), and local law enforcement records checks.~~ For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida, would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

2. No change.

3. CF Form 1649A, July 2012 January 2007, Child Care Affidavit Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel at time of initial screening or upon a change in employers annually or in accordance with the local licensing authority. A copy of the CF Form 1649A may be obtained from the department’s website at www.myflorida.com/childcare.

(e) Re-Screening. A screening conducted under this rule is valid for five years, at which time a statewide re-screen must be conducted in the same manner as the initial screening.

1. The five year re-screen is required for all child care personnel.

~~2. The five year re screen must include, at a minimum, statewide criminal records checks through the FDLE and a local criminal records check.~~

~~3. CF Form 1649A Child Care Attestation of Good Moral Character must be completed for all child care personnel annually. A copy of the CF 1649A may be obtained from the department’s website at www.myflorida.com/childcare.~~

~~2.4. Re-screening.~~ Re-screening information for all child care personnel must be documented on CF-FSP Form 5131 July 2012 March 2009, Background Screening and Personnel File Requirements.

~~3.5.~~ A copy of all background screening clearance documents for the director and owner must be included in the department’s official licensing file or in accordance with the appropriate local licensing agency requirements.

~~4.6.~~ Break In Employment. Child care personnel must be re-screened as outlined in paragraph (4)(d) above following a break in employment in the child care industry that exceeds 90 days.

~~5.7.~~ Leave of Absence. If child care personnel takes a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five year re-screen has come due during the leave of absence.

(f) Copies of training information and credentials as described in subsections 65C-22.004(4), (6) and (7) 65C-22.003(4), (6) and (7), F.A.C., as applicable.

(g) No change.

(5) No change.

(a) Driver’s log must be retained for a minimum of four months as referenced in subparagraph 65C-22.001(6)(f)1., F.A.C.

(b) Documentation of parental permission for field trips and food activities/special occasions must be retained for a minimum of four months as referenced in paragraphs 65C-22.001(7)(c) and 65C-22.006(1)(c), F.A.C.

(c) Facility’s written disciplinary policies as referenced in paragraph 65C-22.001(8)(c), F.A.C.

(d) Daily attendance of children records must be maintained for a minimum of four months as referenced in subsection 65C-22.001(10), F.A.C.

(e) Written record of fire drills must be maintained for a minimum of one year as referenced in paragraph ~~65C-22.003(7)(f)~~, ~~65C-22.002(7)(f)~~, F.A.C.

(f) Documentation of staff members that have met the first aid and infant and child cardiopulmonary resuscitation (CPR) training requirement as referenced in paragraph ~~65C-22.005(2)(b)~~ ~~65C-22.004(2)(b)~~, F.A.C.

(g) Posted emergency telephone numbers, the facility address, and directions to the facility as referenced in subparagraph ~~65C-22.005(2)(d)1~~, ~~65C-22.004(2)(d)1~~, F.A.C.

(h) Documentation of accidents/incidents must be maintained for one year as referenced in subparagraph ~~65C-22.005(2)(d)3~~, ~~65C-22.004(2)(d)3~~, F.A.C.

(i) Emergency evacuation plan and emergency preparedness plan as referenced in subparagraph ~~65C-22.003(7)(h)-(k)~~ ~~65C-22.002(7)(h)-(k)~~, F.A.C. Written records of emergency preparedness plan drills must be maintained for one year from each drill.

(j) Record for each child receiving medication must be maintained for a minimum of four months after the last day the child received the dosage as referenced in paragraph ~~65C-22.005(3)(f)~~ ~~65C-22.004(3)(f)~~, F.A.C.

(k) Sample meal plan for special diet (if applicable). A copy of the physician’s order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in paragraph ~~65C-22.006(1)(e)~~ ~~65C-22.005(1)(e)~~, F.A.C.

(l) Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in paragraph ~~65C-22.006(1)(e)~~ ~~65C-22.005(1)(e)~~, F.A.C.

(m) Daily meal and snack menus, including meal substitutions must be maintained for four months as referenced in paragraph ~~65C-22.006(1)(f)~~ ~~65C-22.005(1)(d)~~, F.A.C.

(n) Food Acceptance Log must be retained for a minimum of four months as referenced in paragraph 65C-22.006(1)(c), F.A.C.

(o) Copy of license or permit for caterers, if applicable.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, _____.

65C-22.007 Evening Child Care.

(1) Hours of Care. Evening Child Care, as defined in Section 402.302(6), F.S., means child care provided during evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m.

(2) Supervision. During evening child care hours, staff must remain awake at all times. While children are awake, direct supervision as described in paragraph 65C-22.001(5)(a),

F.A.C., must be provided. When children are sleeping, supervision, as defined in paragraph 65C-22.001(5)(b), F.A.C., is required.

(3) Exemptions. Child care standards, as outlined in Sections 402.301 through 402.305, F.S., and Rules 65C-22.001 through ~~65C-22.007~~ ~~65C-22.006~~, F.A.C., apply to Evening Child Care with the following exceptions:

(a) No change.

(b) Credentialed staff, pursuant to Sections 402.305(3), F.S., are not required for Evening Child Care.

(c) No change.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 7-2-98, Amended 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, _____.

65C-22.008 School Age Child Care.

(1) No change.

(a) No change.

(b) “School-Age Child Care Program” means any licensed child care facility serving school-aged children as defined in paragraph (1)(a), above or any before and after school programs that are licensed as a child care facility defined in Sections 402.302, F.S., and serve only school-aged children as defined in paragraph (1)(a), above.

(2) No change.

(a) through (b) No change.

(c) An “After School Program” serving school-age children is not required to be licensed if the program meets one of the following criteria, and complies with the minimum background screening requirements provided in Sections 402.305 and 402.3055, F.S.:

1. Program is located on public/nonpublic school sites, operated and staffed directly by that school or through a written or formal agreement between the school and a provider to serve school-age children attending the school. These programs exclusively serve those children who attend the public/nonpublic school during the school day. The program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district’s official calendar year. Pursuant to Section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator, shall follow the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities; or

2. Program provides only activities that are strictly instructional or tutorial/academic in nature. These programs cannot provide any services extend beyond its regular the instructional and tutorial/academic activities, of that program and cannot serve or prepare meals. The program may choose to provide drinks, snacks, and vending machine items that do not require refrigeration. Some examples of these programs include, but are not limited to, computer class; ballet; karate; gymnastics; baseball, and other sports; or

3. No change.

a. through c. No change.

d. Does not serve or prepare any meals, except those provided through the federal After school Nutrition Program (ANP) administered by the Florida Department of Health. The Department will consider a meal to be provided through the ANP only if the program is actively participating in the ANP, is in good standing with the Department of Health, and the meal meets ANP requirements or snacks. Programs not participating in the ANP The program may choose to provide drinks, snacks, and vending machine items that do not require refrigeration; or

4. No change.

(d) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form 5017, July 2012 March 2009, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department’s website at www.myflorida.com/childcare.

1. No change.

2. The completed CF-FSP Form 5017 must be signed by the individual owner, or prospective owner, or director, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and approved fire and environmental health inspections.

3. No change.

4. A completed CF-FSP Form 5017 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.011(2)(d) ~~65C-22.010(2)(d)~~, F.A.C.

(e) No change.

(3) No change.

(a) through (c) No change.

1. through 4. No change.

5. During feeding times, children shall be individually fed or supervised appropriately for their ages.

(d) No change.

(e) No change.

1. All school-age child care program facilities must be clean, in good repair, and free from health and safety hazards and from vermin infestation. During the hours that the program is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children. It is the responsibility of the director/owner that all areas and equipment of the facility are free from fire

hazards, such as lint and dust build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents; and grease build up in ovens, stoves, and food equipment.

2. through 5. No change.

6. Animals must be properly immunized, free from disease, and clean. Parents must be informed in writing of all animals on the premises. Such information may be provided by way of a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Documentation of current immunizations must be available for review upon request by the licensing authority. Animals are prohibited in areas where food is prepared. If animals or birds are kept in classrooms as pets, they shall be caged away from the food storage and preparation or service area, and cages kept clean.

7. Pursuant to Chapter 386, F.S., smoking is prohibited within the school-age child care facility, all outdoor areas, during field trips, and in vehicles when being used to transport children. Owner/operators are to notify custodial parents and legal guardians, in writing that smoking is prohibited on the premises of the child care facility.

8. Design and construction of a new child care facility or modifications to an existing facility must meet the minimum requirements of the applicable local governing body. The facility must provide current written approval from the local governing body to verify compliance with building and plumbing requirements.

(f) through (g) No change.

(h) ~~Restrooms Toilet and Bath Facilities.~~

1. through 5. No change.

(i) No change.

1. No change.

2. Usable indoor floor space refers to ~~that~~ space available for indoor play, classroom, work area, or nap area space. To determine overall facility capacity, usable indoor floor space; for the facility as a whole; is calculated by measuring at floor level from interior walls, and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens and designated food preparation areas, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space to determine total facility capacity. Each room routinely used as classroom must provide the minimum square footage per child defined in paragraph (i)1., above.

~~3. In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times.~~

a. through b. No change.

4. through 5. No change.

(j) No change.

(k) Health and Sanitation.

1. No change.

2. Employees, volunteers, substitutes, and children shall wash their hands with soap and running water, dry thoroughly, and follow personal hygiene procedures for themselves, or while assisting others, and immediately after outdoor play. Examples of activities when hand washing is required include, but are not limited to: before and after eating, immediately following outdoor play, after toileting, following the use of any cleaners or toxic chemical, before and after administering medication, and during food preparation and snack distribution.

a. Employees, volunteers, substitutes, and children must follow the Centers for Disease Control guidelines for hand washing and encourage the children in care to develop good hand washing habits. Copies of the Center for Disease Control guidelines may be obtained from the Center for Disease Control website at www.cdc.gov.

b. The use of hand sanitizers does not substitute for hand washing.

c. Employees, volunteers, and substitutes with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, shall not prepare food.

3. No change.

4. Warewashing and Sanitization. For facilities that prepare food, non-disposable food equipment, tableware, and utensils utilized for food preparation and food consumption shall be properly cleaned by pre-rinsing or scraping, washing, rinsing, sanitizing, and air drying. If the school-age child care facility lacks adequate warewashing and sanitation described in this section for dishes, equipment, and utensils, only disposable single-use items may be used. All single service items must be discarded after each use. Food equipment, tableware, and utensils used to prepare food must be washed and sanitized on-site, except when a caterer is used and the caterer is responsible for warewashing as evidenced by a written agreement. Warewashing and sanitation must be accomplished by one of the following: School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards.

a. A dishwasher with a sanitizing cycle.

(I) The dishwasher must use heat or chemical injection for sanitization.

(II) If chemical sanitization is used, the wash water temperature must be set at a minimum of 120 degrees Fahrenheit and the rinse water must be a minimum of 75 degrees Fahrenheit.

(III) Automatic sanitizing dispenser must be properly installed and maintained.

(IV) A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during one full cycle per day at minimum.

(V) If hot water is used for sanitization, the dishwasher must achieve a temperature of 160 degrees Fahrenheit on the surface of equipment/dishes/utensils being washed.

(VI) The facility must have a means for measuring the required temperature either by an irreversible registering temperature indicator (heat strip) or an external temperature display built into the machine;

b. An installed three compartment sink or an installed two compartment sink with a non-stationary or portable compartment receptacle. Installed compartment sinks may be used to wash produce and to fill cooking pots and pans with water when not in use for warewashing. Sinks must be sanitized before and after each use.

(I) The first compartment must be used for washing, the second compartment must be used for rinsing, and the third compartment must be used for sanitizing.

(II) If chemical sanitization is used, an exposure time of at least seven seconds is required for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 75 degrees Fahrenheit. If other sanitizers are used, equipment/dishes/utensils must be immersed for a period of at least one minute in sanitizing solution at a temperature not less than 75 degrees Fahrenheit. The sanitizing solution must contain the minimum concentration per manufacturer instructions.

(III) A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during each use.

(IV) If hot water is used for sanitizing, equipment/dishes/utensils must be immersed for a period of at least one-half minute in hot water at a temperature of 170 degrees Fahrenheit or above;

5. Food handling.

a. Milk and food shall not sit out for longer than 15 minutes prior to the beginning of the meal to avoid contamination and spoilage.

b. Employees, volunteers, and substitutes, while distributing snacks or serving food, must use disposable gloves, utensils, or similar items to prevent skin contact with food.

c. Food provided by parents must be stored and handled in a sanitary manner at all times.

(I) No change.

1. No change.

a. through b. No change.

c. Facilities shall provide sufficient age-appropriate seating at meal and snack time.

2. No change.

(m) No change.

1. through 2. No change.

a. through b. No change.

c. At least one first aid kit must be maintained on the premises of the school-age child care program at all times. A first aid kit must also accompany child care staff when children are participating on field trips. Each kit shall be in a closed container and labeled "First Aid." The kits shall be accessible to the child care staff at all times and kept out of the reach of children. If the first aid kit is stored in the food preparation area it shall be stored in a manner to prevent contamination of food, food contact surfaces, or first aid supplies. Each kit must at a minimum include:

(I) Soap, (to be used with water) and or hand sanitizer (for use when water may not be available),

(II) through (XI) No change.

3. through 4. No change.

a. through f. No change.

g. All medicine must have child resistant caps, if applicable, and shall either be stored in a locked area or must be inaccessible and out of a child's reach. If medication is stored in the food preparation area it must be stored in a manner to prevent contamination of food, food contact surfaces, or medication.

h. No change.

(n) through (p) No change.

1. If a school-age child care program ~~provides~~ chooses to supply food to children in care, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA MyPlate My Pyramid, June 2011 April 2005, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. Using the USDA MyPlate My Pyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA MyPlate My Pyramid may be obtained from the USDA website at <http://www.choosemyplate.gov> www.mypyramid.gov.

2. If a facility chooses to provide food to children in care, directly or by contract with an outside source such as a caterer, the food must be in sound condition, free from spoilage and contamination and safe for human consumption, and must be stored and handled in a sanitary manner at all times. The facility must have adequate equipment available to maintain food safety.

a. Meat, poultry, fish, dairy products, and processed foods shall have been inspected under the United States Department of Agriculture requirements.

b. No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian.

c. No home-canned food.

d. No home grown eggs may be served.

e. No recalled food products may be served.

f. All raw fruits and vegetables shall be washed thoroughly before being served or cooked.

g. To prevent food from becoming potentially hazardous, hot foods shall be maintained at a temperature of 135 degrees Fahrenheit or above, and cold foods shall be maintained at a temperature of 40 degrees Fahrenheit or below. The facility must supply adequate equipment to maintain temperature requirements.

h. Foods that comprise meals included on a facility's menu may not be prepared or partially prepared outside of the facility unless prepared by a caterer or a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

i. Food must be thoroughly cooked and or reheated according to the following table:

Food	Minimum Internal Temperature
Fruits, Vegetables, Grains, and Legumes	135° F
Roasts (Beef, Pork and Ham)	145° F
Fish	145° F
Eggs – to be served immediately	145° F (whites and yolks are firm)
Eggs – cooked and held for service	155° F
Ground meat	155° F
Poultry – whole, parts, or ground	165° F
Leftovers	165° F
Foods cooked in microwave	165° F
Sauces, gravy, soups	165° F

3. If a facility chooses to provide or make available food to children in care from an outside source such as a caterer, or as the result of a learning activity provided by a child care program, such as a garden, it is the responsibility of the provider to ensure all food intended for consumption by a child in care be in sound condition, free from spoilage, and contamination and safe for human consumption. The following documentation shall be maintained by the provider:

a. Food Acceptance Log. A log shall be maintained for all pre-prepared meals being transported into the facility. The log shall be retained for a minimum of four months. The log shall include the date, time of arrival, quantity and types of food,

verification by recipient of condition of food, verification by recipient of adequate temperatures of food, and the name and signature of recipient.

b. Written permission slips for all food-related activities, such as special occasion and learning activities which include food consumption.

4.2. If a school-age child care program chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

5.3. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file and followed. If the custodial parent or legal guardian notifies the school-age child care program of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

6.4. Meal and snack menus shall be planned, written, dated, and posted at the beginning of each week in a conspicuous place accessible to parents. Any menu substitution shall be noted on the menu. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. All meals and snacks prepared outside of the facility's kitchen or designated food preparation area, such as catered food, must be listed along with the source of the prepared food. Daily meal and snack menus shall be maintained for a minimum of four months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and USDA requirements.

(q) Food Preparation Area. A food preparation area is a designated room, such as a kitchen, or a designated space in a facility not used in normal day-to-day operations – such as that available for indoor play, classroom, work, or nap spaces – and not included when calculating usable indoor floor space. A food preparation area is required for facilities that choose to prepare food in a manner consistent with the definition of "preparation of food" in paragraph 65C-22.002(1)(c), F.A.C.

1. The food preparation area must include the following:

a. Ventilation provided either by mechanical or natural means to provide fresh air and control of unpleasant odors.

b. Smooth, nonabsorbent food contact surfaces with no unsealed cracks or seams. Food-contact surfaces are surfaces of equipment, countertops, utensils, etc. that food comes into contact during food preparation.

c. Food equipment maintained and stored in a sanitary manner and out of the reach of children.

d. Shielded lighting.

e. Nonabsorbent and easily-cleaned flooring and floor covering.

f. Nonabsorbent walls and ceilings by means of surface material or applied coating/sealant.

g. A separate hand washing station with hot running water a minimum of 100 degrees Fahrenheit. A hand washing station must include a sink with running water and drainage, soap, trash receptacle, and disposable towels or hand drying machines that are properly installed and maintained. Hand washing stations must include posted signs visible to employees and children demonstrating proper hand washing technique. Portable sinks may not be used for warewashing or food preparation. If a portable sink is used for hand washing in the food preparation area, hot water must be provided.

h. Leakproof, nonabsorbent containers, covered with a tight fitting lid, for all food waste stored inside the facility. The container shall be emptied, cleaned and sanitized or disinfected at least daily.

i. The food preparation area must be clean and free of dust, dirt, food particles, and grease deposits.

2. Employees, volunteers, and substitutes, while working in the food preparation area, must wear clean outer garments and proper head covering, such as a hair net or hat, and must use disposable gloves, utensils, or similar items to prevent barehand contact with ready to eat foods.

3. For safety, children shall not be present in the food preparation area when meals and snacks are prepared.

1. All licensed school age child care programs approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.

2. School age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards, specified in Chapter 64E-11, F.A.C., Food Hygiene, as it pertains to the food preparation area defined above.

(r) Food Service: Food Storage. Facilities choosing to prepare food must have a designated space for food storage within the designated food preparation area or in a room not calculated as part of indoor floor space, and in an area not used for diapering. Off-site food storage is permissible only if site of storage is a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

1. Food containers, such as, but not limited to cans, plastic containers, boxes, and bags, shall be stored above the floor, a minimum of six inches, on clean surfaces protected from splash and other contamination.

2. Food must be consumed or discarded on or before the expiration dates listed by the manufacturer.

3. Poisonous/toxic or cleaning products must be stored separately from food.

4. Opened packages of perishable or leftover food items must be properly covered/sealed, labeled with date, properly stored, and discarded within seven calendar days.

5. Opened packages of dried goods must be properly covered/sealed, properly stored, and discarded according to the manufacturer's recommended date or if the quality of the goods has been compromised.

6. Refrigerators/freezers.

a. An accurate thermometer must be inside each refrigeration unit used to verify adequate cold storage temperature.

b. Food may be frozen prior to the expiration date but when thawed it must be labeled with the date it was removed from the freezer and discarded within seven calendar days.

c. Frozen food must be labeled by date and type noted below and stored according to the following table:

Food Item	Months
Bacon and sausage	1 to 2 months
Casseroles	2 to 3 months
Frozen dinner and entrees	3 to 4 months
Ham, hot dogs, lunchmeats	1 to 2 months
Meat, uncooked	4 to 12 months
Meat, uncooked ground	3 to 4 months
Meat, cooked	2 to 3 months
Poultry, cooked	4 months
Soups and stews	2 to 3 months

~~1. School age child care programs shall provide sufficient age appropriate seating so that children are seated at tables for meals.~~

~~2. Children shall be supervised during all meals and snacks and offered foods appropriate for their ages.~~

~~3. Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils and cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.~~

(s) No change.

1. through 2. No change.

3. The child care facility must properly maintain fire extinguishers with a minimum rating of 2A10BC at all times. All staff shall be trained in the use and operation of a fire extinguisher. Travel distance to the nearest extinguisher shall not be more than 50 feet from rooms occupied by children. A fire extinguisher must be present in a kitchen.

4. No change.

5. During the facility's operating license year, fire drills shall be conducted monthly a minimum of 10 times and be conducted at various dates and times when children are in care; 30 days and shall not occur less than apart. A current attendance record must accompany staff out of the building

during a drill or actual evacuation, and be used to account for all children. The fire drills conducted must include, at a minimum:

a. through b. No change.

6. through 7. No change.

8. The operator shall develop a written emergency preparedness plan to include, at a minimum, procedures to be taken by the child care facility during a fire, lockdown, and inclement weather (tornadoes), and facilitating parent/guardian reunification. The plan shall describe how the facility will meet the needs of all children, including children with special needs, during and following an emergency event.

9. Emergency preparedness drills shall be conducted when children are in care. Each drill, excluding fire drills, outlined in the emergency preparedness plan must be practiced a minimum of one time per year, and may substitute for up to three monthly fire drill as referenced in paragraph 65C-22.003(7)(e), F.A.C., documentation of which must be maintained for one year. A current attendance record must accompany staff during the drill or actual emergency and must be used to account for all children.

10. through 12. No change.

13. Automatic range-top fire suppression systems are required in the kitchen for facilities that produce steam or grease laden vapors or shallow fry or deep fry food. Documentation of an approved annual inspection of the suppression system per the Fire Prevention Code is required by local fire safety authority.

14. The use of portable equipment utilized to fry food is allowable in a kitchen beneath an automatic range-top fire suppression system.

(t) No change.

1. through 11. No change.

12. No change.

a. Each group or class must have a written and followed plan of scheduled activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served, and must include alternate activities in case of inclement weather, and include scheduled activities that:

(I) Promote emotional, social, intellectual and physical growth. If television, videos, movies, and/or computer games are used, they shall be limited to a maximum combined total of two hours per day or the length of a movie if more than two (2) hours in length.

(II) Include both indoors and outdoor play, if applicable; and

(III)(H) Include meals, snacks, and the times the children are in care.

b. No change.

(u) No change.

1. through 2. No change.

3. Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, Child Care Application for Enrollment, which is incorporate by reference in subsection ~~65C-22.007(3)~~ ~~65C-22.006(3)~~, F.A.C., or an equivalent form that contains all the information required by the department on CF-FSP Form 5219. CF-FSP Form 5219 may be obtained from the licensing authority or by going to the department's website at www.myflorida.com/childcare.

a. through c. No change.

(I) The department's child care facility brochure, CF/PI 175-24, Know Your Child Care Facility, which is incorporated by reference in subparagraph ~~65C-22.007(3)(a)1.~~ ~~65C-22.006(3)(a)1.~~, F.A.C. This brochure may be obtained from the licensing authority or by going to the department's website at www.myflorida.com/childcare. Local licensing agencies may use an equivalent brochure approved by the department.

(II) through (III) No change.

4. No change.

a. An employment application with the required statement pursuant to Section 402.3055(1)(b), F.S.

b. No change.

c. CF-FSP Form 5337, Child Abuse & Neglect Reporting Requirements, which is incorporated by reference in paragraph ~~65C-22.007(4)(c)~~ ~~65C-22.006(4)(c)~~, F.A.C., must be signed annually by all child care personnel.

d. Prior to beginning volunteering in a school-age program, a CF-FSP 5217, ~~July 2012~~ ~~March 2009~~, Volunteer Affidavit, which is incorporated by reference, and may be obtained from the department's website www.myflorida.com/childcare, must be completed and on file at the facility for the volunteer.

e. Initial Screening. Screening information must be documented on CF-FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in paragraph ~~65C-22.007(4)(d)~~ ~~65C-22.006(4)(d)~~, F.A.C. Screening includes the following:

(I) Level 2 screening as defined in Section 435.04, F.S.; ~~which includes at a minimum, FBI, FDLE, and local law enforcement records checks.~~

(II) No change.

(III) CF Form 1649A, ~~July 2012~~ ~~January 2007~~, Child Care ~~Affidavit~~ ~~Attestation~~ of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel at time of initial screening or upon a change in employers annually. CF Form 1649A may be obtained from the department's website at www.myflorida.com/childcare.

f. Re-Screening. A screening conducted under this rule is valid for five years, at which time a ~~statewide~~ re-screen must be conducted in the same manner as the initial screening.

(I) The five year re-screen is required for the all child care personnel.

~~(II) The five year re-screen must include, at a minimum, statewide criminal records checks through the Florida Department of Law Enforcement (FDLE) and a local criminal records check.~~

~~(III) CF 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. A copy of the CF 1649A may be obtained from the department's website at www.myflorida.com/childcare.~~

~~(II)(IV)~~ A copy of all background screening clearance documents for the director and owner must be included in the department's official licensing file or in accordance with the appropriate local licensing agency requirements.

g. through h. No change.

i. Copies of training information and credentials as described in subsection ~~65C-22.009(4)~~ ~~65C-22.008(4)~~, below.

j. No change.

5. No change.

a. through h. No change.

i. Sample meal plan for special diet (if applicable). A copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)~~5.3~~, above.

j. Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)~~5.3~~, above.

k. Daily meal and snack menus, including meal substitutions. Must be maintained for four months as referenced in subparagraph (3)(p)~~6.4~~, above.

(4) No change.

(a) No change.

1. through 2. No change.

3. "Begin training for child care personnel" refers to a candidate's commencement of at least one of the child care training courses listed in Section 402.305(2)(d), F.S. and paragraph 65C-22.009(4)(c), F.A.C. This may be accomplished by classroom attendance in a department-approved training course, acquiring an educational exemption from a department-approved training course, beginning a department-approved online child care training course, or by receiving results from a department-approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida school-age child care program. The child care facility is responsible for obtaining documentation from child care personnel.

4. through 6. No change.

7. "Foster Grandparents" are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional

needs in child care programs. Foster grandparents are not counted in the staff-to-child ratio. Foster grandparents shall be required to have 100% attendance in the following department's training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. This requirement can be met by either instructor-led or online training. Foster grandparents must begin training within 30 days of working in the child care industry in any licensed Florida child care facility. Training must be completed within one (1) year from the date of working in the child care industry in any licensed Florida child care facility. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher's aides, group leaders or other similar positions."

8. through 13. No change.

(b) No change.

(c) No change.

1. Child Care Facility Rules and Regulation (6 hours);

2. Health, Safety, and Nutrition (8 hours);

3. Identifying and Reporting Child Abuse and Neglect (4 hours); ~~and~~

4. School Age-Appropriate Practices (10 hours); ~~and~~

5. The remaining 12 hours must be met by completing ~~any combination of training identified in either sub-subparagraphs a. or and b. below.~~

a. Successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better for ~~any~~ of the following courses:

(I) Standards for Quality Afterschool Programs (8 hours online).

(II) Quality Self-Assessment and Improvement for Afterschool Programs (4 hours online).

~~(I) Child Growth and Development (6 or 10 hours);~~

~~(II) Behavioral Observation and Screening (6 or 10 hours);~~

~~(III) Infant and Toddler Appropriate Practices (10 hours);~~

~~(IV) Preschool Appropriate Practices (10 hours);~~

~~(V) Special Needs Appropriate Practices (10 hours);~~

~~(VI) Basic Guidance and Discipline (5 hours online);~~

~~(VII) Early Literacy for Children Ages Birth Through Three (5 hours online);~~

~~(VIII) Early Childhood Computer Learning Centers (5 hours online);~~

~~(IX) Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online); or~~

b. Completion of specialized school-age training, provided by ~~the department~~, a national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

6. School-age child care personnel in compliance with paragraph ~~65C-22.004(2)(a)~~ ~~65C-22.003(2)(a)~~, F.A.C., shall be considered in compliance with the school-age child care personnel training requirements.

7. ~~In the event an individual leaves Child care personnel who left the child care industry in compliance with the training requirements described in this section, and upon returning to the industry either at the same or a different child care facility, he or she shall be granted 90 days to comply with any new mandated training requirements established during the gap in employment in the child care industry. Completion of such training may be counted toward the in-service training requirement.~~

8. ~~In the event an individual leaves Child care personnel who left the child care industry not in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, he or she must comply with the training requirements described in this section, in addition to any new mandated training requirements that may have been established during the gap in employment in the child care industry complete required training prior to re-employment.~~

9. ~~Child care personnel employed at the same child care facility prior to October 1, 1992, with no break in employment with the same employer, are exempt from completing Part II of the child care training.~~

(d) No change.

1. A copy of ~~the CF-FSP Form 5267 until October 1, 2010, or~~ Training Transcript must be maintained at the school-age child care program.

2. A copy of ~~the CF-FSP Form 5267 until October 1, 2010, or~~ Training Transcript for the director of a school-age child care program must be maintained in the department's licensing file.

3. ~~Training documented on CF-FSP Form 5267 that is not included on the Training Transcript must be sent to the department or designated representative prior to October 1, 2010, to be documented on the individual's Training Transcript.~~

~~3.4.~~ As of October 1, 2010, any course completion certificate not documented on the Training Transcript will be considered invalid, requiring that the course(s) retaken. Until the coursework is retaken and completed, child care facilities will be out of compliance with the mandated training standard.

(e) School-age child care personnel are exempt from the training requirement of five clock-hour early literacy and language development of children from birth to five years of age, under paragraph ~~65C-22.004(2)(b)~~ ~~65C-22.003(2)(b)~~, F.A.C.

(f) School-age child care programs are exempt from the staff credential requirement as outlined in subsection ~~65C-22.004(7)~~ ~~65C-22.003(7)~~, F.A.C.

(g) No change.

1. Competency Examination Exemptions. Child care personnel have one opportunity, if they choose, to exempt from one or more of the department’s Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. ~~Exemption examinations are not available for the department’s online Part II specialized training courses.~~

2. No change.

(h) No change.

1. Upon successful completion of the 40-hr introductory training requirements, as referenced in paragraph 65C-22.009(4)(c), F.A.C., child care personnel ~~All child care facility personnel~~ must complete a minimum of 10 clock-hours or one CEU of in-service training annually during the state’s fiscal year beginning July 1 and ending June 30.

2. No change.

a. through t. No change.

u. Food safety training:

~~u.~~ Developing special interest centers/spaces and environments; ~~or~~

~~u.~~ Other course areas relating to child care or child care management.

3. Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268, Child Care In-Service Training Record, which is incorporated by reference in paragraph ~~65C-22.004(6)(c)~~ ~~65C-22.003(6)(e)~~, F.A.C., and included in the child care facilities’ personnel records. CF-FSP Form 5268 may be obtained from the department’s website at www.myflorida.com/childcare. A new in-service training record is required each fiscal year. The in-service training records for the previous two fiscal years must also be maintained at the school-age child care program for review by the licensing authority.

4. ~~Mandated 40 clock hour introductory child care training, Parts I and II, may be used to meet the annual in-service training requirement during the first fiscal year of employment.~~

~~4.5. All child care personnel employed in the industry beyond 15 months, who change employment from one child care program to another during the fiscal year continuously employed or hired between July 1 and June 1 of the state’s fiscal year must complete the annual in-service training requirement. This includes any changes in employment from one program to another.~~

~~5.6. Child care personnel not in compliance with the annual in-service training requirement described in this section continuously employed or hired between July 1 and June 1 of the state’s fiscal year who do not complete the required annual in-service training during any given year must complete the remaining in-service training requirement hours within 30 days~~

of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year’s in-service training requirements.

(i) No change.

1. Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., a child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential must meet the requirements referenced in CF-FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which is incorporated by reference in paragraph ~~65C-22.004(8)(a)~~ ~~65C-22.003(8)(a)~~, F.A.C. CF-FSP Form 5290 may be obtained from the department’s website at www.myflorida.com/childcare. All applications and documentation will be verified, and if complete, the credential will be issued by the department or designated representative on CF-FSP Form 5252, April 2006, Florida Director Credential Certificate, which is incorporated by reference in paragraph ~~65C-22.004(8)(a)~~ ~~65C-22.003(8)(a)~~, F.A.C.

a. through e. No change.

2. No change.

a. through b. No change.

c. In counties where the public school district has included four year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts that serve four year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in paragraph ~~65C-22.004(7)(a)~~ ~~65C-22.003(7)(a)~~, F.A.C., in order to accommodate the four year-old children.

d. No change.

3. through 4. No change.

Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History–New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, _____.

65C-22.009 Gold Seal Quality Care Program.

(1) No change.

(a) through (c) No change.

(d) “Gold Seal Quality Care Accrediting Association” refers to an accrediting association that has applied for and been approved by the department as an accrediting association.

1. through 2. No change.

3. “Nationally Recognized” refers to an association whose accrediting body is recognized and is actively issuing accreditation certificates in at least five states ~~at the time of approval~~.

(2) No change.

(a) through (b) No change.

1. No change.

~~2. If a provider's Gold Seal Quality Care designation is revoked by the department, the Gold Seal Quality Care designation will be terminated effective on the date of revocation. The effective date of a termination of a provider's Gold Seal Quality Care designation is the date of the department's written notification to the provider.~~

~~3. If a provider's accreditation is revoked by the accrediting association, termination of the provider's Gold Seal Quality Care designation by the department will be effective on the date of revocation.~~

~~3.4.~~ If a provider receives accreditation from an inactive accrediting association, it shall not be recognized as a Gold Seal Quality Care Provider.

(3) No change.

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History—New 5-1-08, Amended 1-13-10,_____.

65C-22.010 Enforcement.

(1) No change.

(a) through (c) No change.

(d) No change.

1. "Class I Violation" is an incident of noncompliance with a Class I standard as described on CF-FSP Form 5316, July 2012 ~~March 2009~~. Child Care Facility Standards Classification Summary, which is incorporated by reference. A copy of the CF-FSP Form 5316 may be obtained from the department's website at www.myflorida.com/childcare. Class I violations are the most serious in nature, pose an imminent threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well-being of a child.

2. through 4. No change.

(2) No change.

Rulemaking Authority 402.305, 402.310 FS. Law Implemented 402.305, 402.310 FS. History—New 5-1-08, Amended 1-13-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah Russo

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011, Vol. 37/51 (original notice) February 3, 2012 Vol. 38/05 (second notice)

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NOS.:	RULE TITLES:
69C-8.001	Purpose
69C-8.002	Scope
69C-8.003	Definitions
69C-8.0035	Procedures for Cashing Personal Checks
69C-8.004	Procedures for Approval of Personal Check Cashing Privileges
69C-8.0045	Procedures for Cashing State Warrants
69C-8.005	Cancellation of Check Cashing Privilege
69C-8.006	Collection of Dishonored Checks and Forged Warrants

PURPOSE AND EFFECT: The proposed rule repeals rules that are no longer necessary. All rules listed under Rule Chapter 69C-8, F.A.C., were rendered obsolete following the 2011 Florida legislature's repeal of Section 17.53, F.S.

SUMMARY: Rule Chapter 69C-8, F.A.C., is repealed. A review determined that all rules contained therein were made obsolete as a result of changes in statute.

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 above rules implemented Section 17.53, F.S., which was repealed by the 2011 Florida legislature. The rules provided guidance regarding procedures related to check-cashing services available through the Department of Financial Services' Division of Treasury. The repeal of these obsolete rules will not have any adverse impact or impose any regulatory costs.

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: 17.29 FS.

LAW IMPLEMENTED: 17.53, 832.07(1)(a) FS.

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

DATE AND TIME: Friday, August 10, 2012, 10:00 a.m.
 PLACE: Suite 440, Hermitage Building, 1801 Hermitage Blvd., Tallahassee, Florida

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: Karen Ashworth, (850)413-3304 or Karen.Ashworth@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 RULES IS: Karen Ashworth, Senior Management Analyst, Division of Treasury, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319, (850)413-3304 or Karen.Ashworth@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69C-8.001 Purpose.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 6-19-89, Amended 7-17-91, Formerly 4C-8.001, Repealed.

69C-8.002 Scope.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 6-19-89, Amended 7-17-91, 1-10-99, Formerly 4C-8.002, Repealed.

69C-8.003 Definitions.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 6-19-89, Amended 7-17-91, 12-8-91, 1-10-99, Formerly 4C-8.003, Repealed.

69C-8.0035 Procedures for Cashing Personal Checks.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 7-17-91, Amended 12-8-91, 1-10-99, Formerly 4C-8.0035, Repealed.

69C-8.004 Procedures for Approval of Personal Check Cashing Privileges.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 6-19-89, Amended 7-17-91, 12-8-91, 1-10-99, Formerly 4C-8.004, Repealed.

69C-8.0045 Procedures for Cashing State Warrants.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 7-17-91, Amended 12-8-91, 1-10-99, Formerly 4C-8.0045, Repealed.

69C-8.005 Cancellation of Check Cashing Privilege.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53 FS. History–New 6-19-89, Amended 7-17-91, 1-10-99, Formerly 4C-8.005, Repealed.

69C-8.006 Collection of Dishonored Checks and Forged Warrants.

Rulemaking Specific Authority 17.29 FS. Law Implemented 17.53, 832.07(1)(a) FS. History–New 6-19-89, Amended 7-17-91, 12-8-91, Formerly 4C-8.006, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bert Wilkerson, Director, Division of Treasury, Florida Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-32.003	Time for Completion of Courses
69K-32.004	Confirmation of Completion of Courses
69K-32.006	Failure to Complete Course
69K-32.007	Requirement for Instruction on Human Immunodeficiency Virus, Acquired Immune Deficiency Syndrome and Communicable Diseases

PURPOSE AND EFFECT: This rulemaking is for purposes of repealing Rule(s) 69K-32.003, 69K-32.004, 69K-32.006, and 69K-32.007, F.A.C. The repeal of Section 497.367, F.S., as enacted by the Florida Legislature in Chapter 2010-125, Laws of Florida, rendered the aforementioned rules obsolete.

SUMMARY: All rules listed under Chapter 69K-32, F.A.C., have become obsolete; the rules are repealed.

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: A preliminary analysis performed by the agency indicates that the repeal of these rules will result in reduced

costs to licensees. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require ratification pursuant to Section 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 497.103, 497.367, 397.368, 497.369, 497.370, 497.373, 497.374, 497.378, 497.379, 497.602, 497.603 FS.

LAW IMPLEMENTED: 497.367, 397.368, 497.369, 497.370, 497.373, 497.374, 497.378, 497.379, 497.602, 497.603 FS.

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

DATE AND TIME: Tuesday, August 14, 2012, 8:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison 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: Douglas Shropshire, (850)413-4984 or Doug.Shropshire@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 RULES IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4984, Doug.Shropshire@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69K-32.003 Time for Completion of Courses.

Rulemaking Specific Authority 497.103, 497.367, 397.368, 497.369, 497.370, 497.373, 497.374, 497.378, 497.379, 497.602, 497.603 FS. Law Implemented 497.367, 397.368, 497.369, 497.370, 497.373, 497.374, 497.378, 497.379, 497.602, 497.603 FS. History–New 5-24-89, Amended 2-14-90, Formerly 21J-32.003, Amended 10-29-97, Formerly 61G8-32.003, Repealed.

69K-32.004 Confirmation of Completion of Courses.

Rulemaking Specific Authority 497.103, 497.367 FS. Law Implemented 497.367 FS. History–New 5-24-89, Amended 2-14-90, Formerly 21J-32.004, 61G8-32.004, Repealed.

69K-32.006 Failure to Complete Course.

Rulemaking Specific Authority 497.103, 497.367 FS. Law Implemented 497.367 FS. History–New 5-24-89, Amended 2-14-90, Formerly 21J-32.006, 61G8-32.006, Repealed.

69K-32.007 Requirement for Instruction on Human Immunodeficiency Virus, Acquired Immune Deficiency Syndrome and Communicable Diseases.

Rulemaking Specific Authority 497.103, 497.367, 397.368, 497.369, 497.370, 497.373, 497.374, 497.378, 497.379, 497.602, 497.603 FS. Law Implemented 497.367, 397.368, 497.369, 497.370, 497.373, 497.374, 497.378, 497.379, 497.602, 497.603 FS. History–New 3-19-92, Amended 6-17-92, Formerly 21J-32.007, Amended 5-1-95, 10-29-97, 8-8-00, 10-17-01, 3-13-02, Formerly 61G8-32.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Doug Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2012

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-100.026	Charge for Installation and Maintenance of Marker or Monument

PURPOSE AND EFFECT: The Department has reviewed Rule 69K-100.026, F.A.C., and determined it to be obsolete; the rule is repealed.

SUMMARY: Rule 69K-100.026, F.A.C., is repealed following a review that determined it to be obsolete.

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: There is no adverse impact on economic growth, private-sector job creation or employment or private sector investment from the repeal of this rule. Further, there is no adverse impact on business competitiveness or innovation and

no regulatory costs resulting from the repeal of this rule. There is no cost to other states, local government entities, small counties or small cities and no impact on state or local revenues from the repeal of this rule.

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: 20.05(5), 120.53(2)(a) FS.

LAW IMPLEMENTED: 497.023(3) FS.

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

DATE AND TIME: Tuesday, August 14, 2012, 9:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison 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: Douglas Shropshire, (850)413-4984 or Doug.Shropshire@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4984, Doug.Shropshire@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-100.026 Charge for Installation and Maintenance of Marker or Monument.

Rulemaking Specific Authority 20.05(5), 120.53(2)(a), 497.011(1), FS. Law Implemented 497.023(3) FS. History—New 1-27-81, Formerly 3D-30.26, 3D-30.026, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Doug Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
690-137.001	Annual and Quarterly Reporting Requirements

PURPOSE AND EFFECT: This rule is being amended to adopt the current NAIC Annual Statement Instructions and also adopts the 2011 NAIC accounting practices and procedures manual.

SUMMARY: Section 624.424, Florida Statutes, requires insurers to file quarterly and annual financial reports with the Office of Insurance Regulation and allows the Office to enact rules setting the standards for those reports. By adopting the current versions of these NAIC instructions and manuals, the Office is establishing up-to-date, uniform standards for annual and quarterly reports which will provide the information necessary for the Office to evaluate insurers' financial conditions. In addition, by adopting the 2011 versions of the manuals, the Office is preventing any potential challenges from insurers who may protest the Office using manuals which have not been formally adopted.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess 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: 624.308(1), 624.424(1) FS.

LAW IMPLEMENTED: 624.424(1) FS.

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

DATE AND TIME: August 14, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-137.001 Annual and Quarterly Reporting Requirements.

- (1) through (3) No change.
- (4) Manuals Adopted.

(a) Annual statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, 2011 ~~2010~~;
2. The NAIC's Annual Statement Instructions, Life, Accident and Health, 2011 ~~2010~~;
3. The NAIC's Annual Statement Instructions, Health, 2011 ~~2010~~;
4. The NAIC's Annual Statement Instructions, Title, 2011 ~~2010~~; and
5. The NAIC's Accounting Practices and Procedures Manual, as of March 2011 ~~2010~~;

(b) Quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Quarterly Statement Instructions, Property and Casualty, 2012 ~~2011~~;
2. The NAIC's Quarterly Statement Instructions, Life, Accident and Health, 2012 ~~2011~~;
3. The NAIC's Quarterly Statement Instructions, Health, 2012 ~~2011~~;
4. The NAIC's Quarterly Statement Instructions, Title, 2012 ~~2011~~; and
5. The NAIC's Accounting Practices and Procedures Manual, as of March 2012 ~~2011~~.

- (c) No change.

Rulemaking Authority 624.308(1), 624.424(1) FS. Law Implemented 624.424(1) FS. History—New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-137.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, 9-28-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-138.001
 RULE TITLE: NAIC Financial Condition Examiners Handbook Adopted

PURPOSE AND EFFECT: This rule is being amended to adopt the 2012 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2010 version.

SUMMARY: Section 624.316, Florida Statutes, requires the Office to examine insurer's financial condition using generally accepted accounting procedures. This statute also allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule ensures that the procedures used by the Office to examine insurers are the current generally accepted accounting practices.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess 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: 624.308(1), 624.316(1)(c) FS. LAW IMPLEMENTED: 624.316(1)(c) FS.

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

DATE AND TIME: August 14, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-138.001 NAIC Financial Condition Examiners Handbook Adopted.

(1)(a) The National Association of Insurance Commissioners Financial Condition Examiners Handbook 2012 (~~2010~~) is hereby adopted and incorporated by reference.

(2) through (3) No change.

Rulemaking Specific Authority 624.308(1), 624.316(1)(c) FS. Law Implemented 624.316(1)(c) FS. History—New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-138.001, Amended 1-6-05, 9-15-05, 1-25-07, 3-16-08, 3-4-09, 1-4-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

690-142.011 Insurer Conduct Penalty Guidelines

PURPOSE AND EFFECT: Repeals Rule 690-142.011, Florida Administrative Code.

SUMMARY: This rule establishes guidelines for the assessment of administrative fines imposed upon entities, concerning certain violations of the Florida Insurance Code and applicable Office Rules.

This rule became effective on November 6, 1994. Since that time, many of the fines prescribed by the rule have become antiquated. Furthermore, the Florida Insurance Code, specifically Section 624.4211, Florida Statutes, contains guidelines for the assessment of administrative fines. As a result, this rule is unnecessary and should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess 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: 624.308 FS.

LAW IMPLEMENTED: 624.11, 624.307(1), 624.418, 624.4211 FS.

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

DATE AND TIME: August 16, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-142.011 Insurer Conduct Penalty Guidelines.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.11, 624.307(1), 624.418, 624.4211 FS. History—New 11-6-94, Formerly 4-142.01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-143.045 RULE TITLE: Definitions

PURPOSE AND EFFECT: Repeals Rule 690-143.045, Florida Administrative Code.

SUMMARY: Rule 690-143.045, Florida Administrative Code, was originally promulgated in the early 1970s. The rule defines a list of insurance terms. Many of the terms defined in the rule are inconsistent with portions of the Insurance Code. As result of these inconsistencies, this rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess 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: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 624.317, 624.318, 624.424(6), 628.251, 628.461, 628.801 FS.

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

DATE AND TIME: August 16, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-143.045 Definitions.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.317, 624.318, 624.424(6), 628.251, 628.461, 628.801 FS. History—New 12-16-70, Formerly 4-26.01, 4-26.001, 4-143.045, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-149.003 RULE TITLE: Rate Filing Procedures

PURPOSE AND EFFECT: Amends Rule 690-149.003, Florida Administrative Code.

SUMMARY: Pursuant to Section 627.410(6)(a), Florida Statutes, health insurers seeking to issue or renew health insurance policy forms in the State of Florida must submit documentation (rating manuals, rating schedules, change in rating manual, change in rating schedule, etc) to the Office demonstrating that the proposed policy or policy renewal's premium rates are reasonable in relation to the benefits provided. Rule 690-149.003, Florida Administrative Code, provides insurers with detailed rate filing procedures.

Subsection 690-149.003(5), Florida Administrative Code, allows insurers without fully credible data to make streamlined rate increase filings with the Office that are simpler in format and content than the full filing format defined in subsection 690-149.003(2), Florida Administrative Code. Insurers who qualify and elect to file streamlined rate increase filings with the Office are limited to rate increases equal to the maximum annual medical trend for medical expense coverage or the

maximum annual medical trend for Medicare Supplement coverage. The current version of subsection 690-149.003(6), Florida Administrative Code, includes tables which display the applicable maximum annual medical trend. The proposed amendments to Rule 690-149.003, Florida Administrative Code deletes the aforementioned maximum annual medical trend tables from the text of the rule and provides the URL of the Office's website on which the Office will update the tables as needed.

Paragraph 690-149.003(5)(a), Florida Administrative Code, defines the qualifications that insurers must meet to make streamlined rate increase filings. The current version of paragraph 690-149.003(5)(a), Florida Administrative Code, allows Medicare Supplement providers with fewer than 1,000 Florida policyholders to make streamlined rate increase filings with the Office. The proposed amendments to paragraph 690-149.003(5)(a), Florida Administrative Code, limit the use of streamlined rate increase filings to Medicare Supplement providers with fewer than 1,000 policyholders nationwide rather than to 1,000 policyholders in Florida.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess 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: 624.308(1), 624.424(1)(c), 627.410(6)(b), (e) FS.

LAW IMPLEMENTED: 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS.

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

DATE AND TIME: August 16, 2012, 1:00 p.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-149.003 Rate Filing Procedures.

(1) through (2) No change.

(3) Filings shall be submitted electronically to <https://portal.fldfs.com/>.

(4) No change.

(5)(a) Insurers with fewer than 1,000 Florida policyholders, under medical expense forms with coverage meeting the definition of Section 627.6561(5)(a)2., F.S., or any form or pooled group of Medicare supplement forms with fewer than 1,000 Nationwide policyholders, or medical expense forms with coverage meeting the definition of Section 627.6561(5)(a)2., F.S., may, at their option, file a streamlined rate increase filing where the annualized rate increase does not exceeding annual medical trend as provided in subsection (6) below.

(b) through (f) No change.

(6)(a) The ~~following~~ tables found at www.flor.com shall apply to filings made pursuant to subsection (5) above. They contain the maximum medical trend for medical expense coverage described in Section 627.6561(5)(a)2., F.S. and the maximum medical trend for Medicare Supplement coverage.

(b) A company without fully credible data may, at its option, use an annual medical trend assumption not to exceed the values in the ~~following~~ tables referenced in paragraph (a) for the medical trend assumption used in a complete filing made pursuant to paragraph 690-149.003(2)(b), F.A.C., including the actuarial memorandum required by Rule 690-149.006, F.A.C., without providing explicit trend justification.

(c) Use of an annual medical trend assumption exceeding the maximum medical trend in the ~~following~~ tables referenced in paragraph (a) shall be filed pursuant to subparagraph 690-149.006(3)(b)18., F.A.C.

(d) ~~The maximum medical trend for medical expense coverage described in Section 627.6561(5)(a)2., F.S., is:~~

Category	Individual Without Rx	Individual With Rx	Group Without Rx	Group With Rx
Major Medical	11.5%	12.0%	13.0%	13.5%
Health Maintenance Organizations	10.5%	11.0%	13.0%	13.5%

(e) The maximum medical trend for Medicare supplement coverage is:

Medicare supplement	5.5%	10%	5.5%	10%
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Rulemaking Specific Authority 624.308(1), 624.424(1)(c), 627.410(6)(b), (e) FS. Law Implemented 119.07(1)(b), 624.307(1), 626.9541(1), 627.410 FS. History—New 7-1-85, Formerly 4-58.03, 4-58.003, Amended 8-23-93, 4-18-94, 8-22-95, 4-4-02, 10-27-02, 6-19-03, Formerly 4-149.003, Amended 5-18-04, 12-22-05, 1-16-08, 10-2-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-149.022
 RULE TITLE: Forms Adopted

PURPOSE AND EFFECT: To update and edit the contents of the forms and instructions used by Life and Health insurers to make electronic form filings via the Office’s I-File system.

SUMMARY: Form OIR-B2-1507 “Universal Standardized Data Letter” and OIR-B2-1505A “Instruction Sheet” are being revised to provide for more efficient generation of data processing for review by the Office of form and rate filings submitted by insurers. The definitions used in the instructions are being updated and made consistent.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is

unlikely to have an adverse impact on the State economy in excess 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: 624.308 FS.

LAW IMPLEMENTED: 624.424(1)(c), 627.410, 636.216 FS.

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

DATE AND TIME: Friday, August 24, 2012, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-149.022 Forms Adopted.

(1) The forms adopted in subsection (2), below, shall be used, as applicable, by insurers making form filings for life and accident insurance, annuities, and health insurance. All the forms in subsection (2), below, are hereby adopted and incorporated by reference. All forms are available and may be printed from the Office’s website: www.flor.com.

(2)(a) Form OIR-B2-1507, “Office of Insurance Regulation, Life and Health Forms and Rates Universal Standardized Data Letter”, Rev. ~~06/12~~ ~~9/04~~.

(b) Form OIR-B2-1507 A, “Office of Insurance Regulation, Life and Health Forms and Rates Universal Standardized Data Letter Instruction Sheet”, Rev. ~~06/12~~ ~~9/04~~.

(c) through (d) No change.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.424(1)(c), 627.410, 636.216 FS. History–New 10-29-91, Amended 5-15-96, 4-4-02, 5-2-02, 6-19-03, Formerly 4-149.022, Amended 4-7-05, 1-12-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Zutell, Office of Insurance Regulation, E-mail Tom.Zutell@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 20, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-164.030
RULE TITLE: Application of Rule 690-164.020, F.A.C., to Various Product Designs

PURPOSE AND EFFECT: Repeals Rule 690-164.030, Florida Administrative Code.

SUMMARY: The Office of Insurance Regulation has recently conducted a comprehensive review of all agency rules to determine whether any of its rules should be modified or eliminated. As a result of this process, it has been determined that Rule 690-164.030, Florida Administrative Code, is unnecessary and should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess 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: 624.308(1), 625.121(5) FS.

LAW IMPLEMENTED: 624.307(1), 625.121(5) FS.

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

DATE AND TIME: August 14, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-164.030 Application of Rule 690-164.020, F.A.C., to Various Product Designs.

Rulemaking Specific Authority 624.308(1), 625.121(5) FS. Law Implemented 624.307(1), 625.121(5) FS. History–New 5-4-06, Amended 1-16-08, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Life and Health Financial Oversight, Office of Insurance Regulation, E-mail Kerry.Krantz@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-170.012
RULE TITLE: Sinkhole Insurance

PURPOSE AND EFFECT: Repeals Rule 690-170.012, Florida Administrative Code.

SUMMARY: This rule prohibits insurers from non-renewing or canceling property insurance policies “on the basis of filing of claims for partial loss caused by sinkhole damage or clay shrinkage.”

This rule has become antiquated and unnecessary due to legislative changes dealing with sinkhole loss that occurred after the rule was promulgated. As a result, this rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess 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: 624.308(1) FS.

LAW IMPLEMENTED: Sec. 4, House Bill 89-B, Special Session B (1992), Ch. 92-146, Sec.2 Laws of Florida, 624.307(1), 626.9541, 626.9641, 627.4133, 627.706 FS.

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

DATE AND TIME: August 16, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.012 Sinkhole Insurance.

Rulemaking Specific Authority 624.308(1) FS. Law Implemented Sec. 4, House Bill 89-B, Special Session B (1993), Ch. 92-146, Sec. 2, Laws of Florida, 624.307(1), 626.9541, 626.9641, 627.4133, 627.706 FS. History—New 9-29-92, Amended 9-8-93, Formerly 4-170.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-198.003

RULE TITLE: License Required

PURPOSE AND EFFECT: Repeals Rule 690-198.003, Florida Administrative Code.

SUMMARY: This rule prohibits any person, entity or administrator from providing or offering to provide service warranties unless they are authorized to do so under a license issued by the Office. This rule substantially restates the language of Section 634.403, Florida Statutes and is unnecessary. This rule should be repealed.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess 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: 634.402 FS.

LAW IMPLEMENTED: 634.403 FS.

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

DATE AND TIME: August 16, 2012, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-198.003 License Required.

Rulemaking Specific Authority 634.402 FS. Law Implemented 634.403. History—New 3-28-93, Formerly 4-198.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-21.003
 RULE TITLE: Filing an Appeal

PURPOSE AND EFFECT: The Commission is proposing to amend the rule to include delivery through the future Connect system, to clarify where an appeal may be filed, and to clarify what will signify receipt of an appeal.

SUMMARY: The amended rule will clarify the specific process by which a claimant files a timely appeal to the Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: 443.012(11), 443.151(4)(b) (d) FS.

LAW IMPLEMENTED: 443.151(4)(b), (d) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 31, 2012, 10:00 a.m.

PLACE: Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

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 24 hours before the workshop/meeting by contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-21.003 Filing an Appeal.

(1) Any person who is entitled by law to notice of an appeals referee’s decision and is adversely impacted by that decision may file an appeal of that decision within 20 calendar days after the ~~mailing~~ of notice of the appeals referee’s decision is mailed to the parties at their last known addresses or made available electronically through a Department-approved electronic account, or, in the absence of mailing or electronic delivery, the date of other delivery to the appellant, if not mailed, within 20 calendar days after the date of delivery of such notice.

~~(2) The appeal shall be filed by mail to any appeal location designated in subsection 73B-21.002(1), F.A.C.; by facsimile transmission of the appeal document to any appeal location designated in paragraphs 73B-21.002(1)(a), (b), and (c); F.A.C.; or by hand delivery of the appeal document to any appeal location designated in paragraphs 73B-21.002(1)(a), (b), and (d), F.A.C.~~

~~(2)(3) Appeals filed by mail are shall be considered to have been filed when postmarked by the United States Postal Service. Appeals filed by hand delivery, courier service, or facsimile are shall be considered to have been filed when date~~

stamped received at the authorized location. Appeals filed through the Department web site as provided in Rule 73B-21.002, F.A.C., shall be considered to have been filed on the date the confirmation number is issued.

~~(3)(4) Upon receipt of An appeal delivered in person or by facsimile transmission will be date stamped by a the Commission or Department of Economic Opportunity, or Office of Appeals employee on the date hand delivered or the date placed on the document by the Department or Commission fax system shall record the date of receipt on the appeal document. The Internet filing system shall post on the appeal the date the confirmation number is issued and the appeal was successfully received by the system.~~

Rulemaking Specific Authority 443.012(11), 443.151(4)(b), (d) FS. Law Implemented 443.151(4)(b), (d) FS. History—New 5-22-80, Formerly 38E-2.03, Amended 8-20-86, 1-5-93, 8-7-01, Formerly 38E-2.003, 60BB-6.003, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dorothy Johnson, Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Reemployment Assistance Appeals Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 31, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-2.0010 Educational Facilities

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. 38, No. 15, April 13, 2012 issue of the Florida Administrative Weekly.

Legal Citations for Rule 6A-2.0010, FAC., are amended as follows:

Rulemaking Authority Section 1(a) Article IX, State Constitution; 1001.02(1), 1013.02(2), 1013.12(1), 1013.37 FS. Law Implemented 1(a) Article IX, State Constitution; 1001.02, ~~1001.42(9)~~, 1001.453, 1011.09, 1011.74, 1013.01, 1013.03, 1013.12(1), 1013.31, 1013.35, 1013.37, 1013.371, 1013.60, 1013.61, 1013.64, 1013.735, 1013.736, 1013.737 FS. History—New 10-30-94, Amended 4-28-97, Formerly 6A-2.0111, Amended 1-5-00, Formerly 6-2.001, Amended 8-22-05, 7-2-06, 2-12-08, 12-15-09, _____.

The State Requirements for Educational Facilities 2012 is amended as follows:

Appendix, Sample Forms

APPENDIX II	187	SAMPLE FORMS
		OEF 110A – Project Implementation Information OEF 110B – Certificate of Occupancy OEF 208 – Letter of Transmittal OEF 208A – Facility Space Chart/Net and Gross Square Footage OEF 209 – Certificate of Final Inspection OEF 216CC – Capital Outlay Bond Issue (COBI) Amendment (Florida Colleges) Instructions for OEF 216CC for Florida Colleges OEF 216PS – Capital Outlay Bond Issue (COBI) Amendment (Districts) Instructions for OEF 216PS for School Districts OEF 217CC – Request to State Board of Education for Approval of Order of Priority for Expenditure of State Capital Outlay Funds (Florida Colleges) OEF 217PS –Request to State Board of Education for Approval of Order of Priorities for Expenditure of State Capital Outlay Funds (Public Schools) OEF 220 – Building Permit Application OEF 226 – Annual Maintenance Permit OEF 352 – Capital Outlay Request Encumbrance Authorization OEF 400 – Qualified Public Educational Facility Bond Application OEF 410 – Qualified Zone Academy Bond Program Application OEF 442 – DOE Project Disbursement Report OEF 564CC – Report of Cost of Construction - Florida Colleges OEF 564PS v Report of Cost of Construction - Public Schools OEF FISH CERT – Certification of Facilities Data OEF LCCA – Life Cycle Cost Analysis OEF SCOA-ICC – Sample Resolution Requesting Issuance of Capital Outlay Bonds (COBI) for Florida Colleges OEF SCOA-IPS – Sample Resolution Requesting Issuance of Capital Outlay Bonds (COBI) for Public Schools Charter School Capital Outlay Plan

Section 1.1, Paragraph (4)

(4) Rules. Public educational facilities shall comply with the following rules, as applicable:

(a) FDOT-AASHTO. For on-site transportation improvements, including roads, sidewalks, bridges, and drainage structures, districts shall comply with the Florida Department of Transportation (FDOT) *Manual of Uniform*

Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook), and the American Association of State Highway and Transportation Officials, *AASHTO LRFD Bridge Design Specifications 4th Edition (2007)*, as modified by the FDOT *Bridge Load Rating*, and FDOT *2010 Drainage Manual*, as required by the structure type, and as incorporated by reference in Rule 14-15.002(2), F.A.C., in effect July 1, 2012, which is incorporated by reference herein. The manuals referenced in this paragraph can be viewed on the webpages listed below:

1. Florida Greenbook: <http://www.dot.state.fl.us/rddesign/FloridaGreenbook/FGB.shtm>.
 2. Bridge Load Rating Manual: <http://www.dot.state.fl.us/statemaintenanceoffice/Bridge%20Load%20Rating%20Manual%20-%20January%202011.pdf>.
 3. 2010 Drainage Manual: <http://www.dot.state.fl.us/rddesign/dr/files/2010DrainageManual.pdf>.
- (b) OSHA. Occupational Safety and Health Administration, U.S. Department of Labor, 29 CFR Parts 1910 and 1926, in effect July 1, 2012, which is incorporated by reference herein as revised July 1, 2005, for district employees.

Section 5, Subparagraph (2)(j)3.

3. An on-site sewage disposal system, where provided, shall be in proper working order. Pursuant to Sections 381.0062 and 403.087, Florida Statutes, sewage shall be required to be disposed of in accordance with rules in either Chapter 62-600, F.A.C., Domestic Wastewater Facilities, or Chapter 64E-6, F.A.C., Standards for On-site Sewage Treatment and Disposal, whichever is applicable. The system shall be tested monthly, proved to be functioning properly, and the certificate on file and available for inspection.

Section 5, Subparagraph (2)(k)8.

8. Playgrounds, equipment, athletic fields, and related facilities, where provided, shall provide for accessibility in accordance with 2012 Florida Accessibility Code for Building Construction, Rule 61G20-4.002 9N-4.002, F.A.C.

Section 5, Paragraph (13)(p)

- (p) Kitchen and Food Service Facilities. Pursuant to Section 381.0072, Florida Statutes, food service facilities and instructional kitchens are required to shall be in compliance with DOH Rules in Chapter 64E-11, F.A.C. In addition, they shall comply with the general requirements found elsewhere in this section; and the following:

Section 5, Paragraph (13)(u)

- (u) Pools. Swimming pools, wading pools, and therapeutic pools, where provided, shall conform to the requirements in the Florida Building Code ~~and DOH~~ requirements for swimming pools.

1. Equipment rooms, dressing rooms, sanitary facilities, pool deck, and spectator areas, where provided, shall be in compliance with this section.
2. Pools shall be accessible to persons with disabilities.
3. Pools, if heated, shall be heated by either a solar energy system or a waste heat recovery system.

Pursuant to Section 514.021, Florida Statutes, public pools located in school facilities are required to conform to the Department of Health rules, which are found in Chapter 64E-9, F.A.C.

Section 5, Subparagraph (15)(d)3.

- (d) Vehicle Lifts. Vehicle lifts, where provided, shall comply with the following:
1. Vehicle lifts shall be provided with mechanical safety locks to hold the lift in position in the event of a power or hydraulic failure.
 2. The maximum lifting height for vehicle lifts shall be 68 inches.
 - ~~3. Underground reservoirs for hydraulic lifts that are not accessible for inspection shall comply with DEP and EPA regulations.~~

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO.: 15A-1.005
 RULE TITLE: Current Licenses; Relinquishment
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 18, May 4, 2012 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO.: 15A-10.009
 RULE TITLE: Program Jurisdiction
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.210
 RULE TITLE: Use of Force
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 23, June 8, 2012 issue of the Florida Administrative Weekly has been withdrawn.

COMMISSION ON ETHICS

RULE NOS.: RULE TITLES:
 34-5.006 Probable Cause Determination
 34-5.0291 Award of Attorney's Fees

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 26, June 29, 2012 issue of the Florida Administrative Weekly.

STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Commission's staff have determined that these proposed rules 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 rules are 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 Commission has determined that the proposed rules will not require legislative ratification pursuant to Section 120.541(3), F.S., or other applicable statutes, for the following reasons: 1) no requirement for SERC was triggered under Section 120.541(1), F.S., and 2) clarification of the probable cause hearing procedures and the procedures to be awarded attorney's fees and costs pursuant to Section 112.317(7), F.S., would not be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-13.086 Developmental Disabilities Waiver
 Disposable Incontinence Medical
 Supplies Fee Schedule and
 Minimum Quality Standards

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly.

The correction involves a coding error in the notice of change in Vol. 38, No. 27, July 6, 2012 issue of the Florida Administrative Weekly regarding the effective date of incorporated reference materials as follows:

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.086 Developmental Disabilities Waiver
 Disposable Incontinence Medical Supplies Fee Schedule and
 Minimum Quality Standards.

(2) All Developmental Disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver

Disposable Incontinence Medical Supplies Fee Schedule, July 1, 2013 ~~December 2011~~, and Minimum Quality Standards, July 1, 2013 ~~December 2011~~, which are incorporated by reference. The Developmental Disabilities Waiver Disposable Incontinence Medical Supplies Fee Schedule and Minimum Quality Standards are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
 64B1-3.004 Acupuncture Examination

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. 38, No. 11, March 16, 2012 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedure Committee.

The rule shall be reworded to read as follows:

The Board currently approves as the Florida Examination for licensure the NCCAOM examination, consisting of the Foundations of Oriental Medicine Module and the Acupuncture with Point Location Module. Effective October 1, 2014, the Board approves as the Florida examination for licensure the NCCAOM examination consisting of the Foundations of Oriental Medicine Module, the Acupuncture with Point Location Module, the Biomedicine Module and the Chinese Herbology Module.

Rulemaking Specific Authority 456.017, 457.104 FS. Law Implemented 456.017, ~~457.105, 457.104~~ FS. History—New 8-13-84, Amended 10-2-84, Formerly 21AA-3.04, Amended 1-25-88, 9-3-89, 2-27-92, 5-6-92, Formerly 21AA-3.004, Amended 1-27-94, Formerly 61F1-3.004, Amended 11-21-95, Formerly 59M-3.004, Amended 10-15-97, 5-11-98, 4-20-99, 1-1-04, 7-19-04, 5-8-08,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
 64B8-9.007 Standards of Practice

NOTICE OF PUBLIC HEARING

The Board of Medicine announces a hearing regarding the above rule, as noticed in Vol. 38, No. 24, June 15, 2012 Florida Administrative Weekly.

DATE AND TIME: Friday, August 3, 2012, 2:00 p.m.

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Rule hearing on Rule 64B8-9.007, F.A.C.

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: Joy A. Tootle, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-42.001	Fees
64B8-42.002	Duplicate License 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. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

These changes are in response to the comments made in the Joint Administrative Procedures Committee letter dated November 15, 2011. The changes are as follows:

The below language has been added to the first page of the application in the section titled "ENDORSEMENT OF LICENSURE IN ANOTHER STATE DISTRICT, OR TERRITORY OF THE UNITED STATES."

The citation to Title 42 USCS § 666(a)(13), has been changed to 42 USC§ 666(a)(13).

The Licensure Verification Form asked: Is there any derogatory information? This question has been amended, and now reads:

Is there any derogatory information? (prior, pending, or potential disciplinary action, or other professional concerns)

THE PERSON TO BE CONTACTED REGARDING THIS CHANGE IS: Allen Hall, Executive Director, Dietetics and Nutrition Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-26.103	Continuing Education Credits; Renewal

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. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1)(h) shall read as follows:

(h) Continuing education may consist of post-graduate studies, institutes, seminars, lectures, conferences, workshops, correspondence courses, or other educational opportunities which advance the practice of the profession of pharmacy if approved by the Board. A course shall be approved prior to completion and will be evaluated by the Tripartite Committee using the standards found in Rule 64B16-26.601, F.A.C. Individuals must submit requests for course approval at least 45 days in advance of the program or course by completing the approved application form DOH/MQA/PH 112, (Rev. 6/12), entitled Individual Requests for Continuing Education Credit, which is incorporated by reference, and which can be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or from the website located at <http://www.doh.state.fl.us/mqa/pharmacy>. Individuals seeking course approval must attach to the application a detailed program outline, overview or syllabus which describes the educational content, objectives and faculty qualifications.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-11.010	Limited Licensure

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. 38, No. 11, March 16, 2012 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). Changes are being made to the limited licensure form to address comments from JAPC, including the title of the form and notification of change of current mailing address and place of practice. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-28.001	Scope of Chapter Rules
64E-28.002	Definitions
64E-28.003	Licensure Requirements for a Tattoo Artist
64E-28.004	Registration Requirements for a Guest Tattoo Artist
64E-28.005	Licensure Requirements for a Tattoo Establishment
64E-28.007	Operational Requirements for a Tattoo Establishment
64E-28.008	Operational Requirements for a Temporary Tattoo Establishment
64E-28.009	Standards of Practice for a Tattoo Artist or Guest Tattoo Artist

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. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

64E-28.003 Licensure Requirements for a Tattoo Artist.

(1) An applicant seeking initial licensure as a tattoo artist shall:

~~(a)~~ § Submit a completed application for licensure to the department on form DH 4147, 8/12 ~~7/12~~, Application for Tattoo Artist License, which is incorporated herein by reference and which can be obtained from the environmental health section of the county health department, which has jurisdiction for the tattooing program in the county where the tattoo artist lives, or from the internet at _____ or <http://www.myfloridaeh.com/community/Tattoo/index.html>.

An application shall be considered complete if all of the information requested on the form is provided, along with the fee specified in Rule 64E-28.010, and the following documentation is attached:

~~(a)~~ 1. A copy of a government issued photo identification confirming the applicant is at least 18 years of age.

~~(b)~~ 2. A copy of the certificate of training proving completion of a department approved course on blood-borne pathogens and communicable diseases with having achieved a minimum score of seventy percent (70%) on the course examination.

(2) through (4) No change.

64E-28.005 Licensure Requirements for a Tattoo Establishment.

(1) No change.

(a) Prior to performing tattooing, a completed application shall be submitted to the county health department on form DH 4151, 8/12 ~~7/12~~, Application for Tattoo Establishment Licensure, which is incorporated herein by reference and

which can be obtained from the environmental health section of the county health department, which has jurisdiction for the tattooing program in the county where the establishment is physically located, or from the internet at _____ or <http://www.myfloridaeh.com/community/Tattoo/index.html>.

An application shall be considered complete if all of the information requested on the form is provided, along with the fee specified in section 64E-28.010.

(b) through (c) No change.

(2) through (4) No change.

Forms incorporated by reference have been revised. Revisions made to forms DH 4147 and DH 4151 remove the reference to reactivation fees only being applicable after October 1 and insert new language making reactivation fees applicable when renewing a license after the date of expiration. The revisions to the forms also include a new effective date.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.:	RULE TITLE:
65A-1.712	SSI-Related Medicaid Resource Eligibility Criteria

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. 38, No. 21, May 25, 2012 issue of the Florida Administrative Weekly.

(3)(g) For transfers prior to November 1, 2007 (and within the look back period), periods of ineligibility are calculated beginning with the month in which the transfer occurred and shall be equal to the actual computed period of ineligibility, rounded down to the nearest whole number. For transfers made on or after November 1, 2007 (and within the look back period), periods of ineligibility begin with the later of the following dates: (1) the day the individual is eligible (pursuant to Rules 65A-1.711 through 65A-1.713, F.A.C.) for Medicaid and would be receiving institutional level care services in a nursing home facility, an institution with a level of care equivalent to that of a nursing facility, or home or community based services furnished under a waiver based on an approved application for such care but for the application of the penalty period; or (2) the first day of the month in which the individual transfers the asset; or (3) the first day following the end of an existing penalty period. The Department shall not round down, or otherwise disregard, any fractional period of ineligibility of the penalty period but will calculate the period down to the day. There is no limit on the period of ineligibility. Once the penalty period is imposed, it will continue although the individual may no longer meet all factors of eligibility and may no longer qualify for Medicaid long-term care benefits, unless all assets or income are returned to the individual or fair market value compensation is paid for the transferred assets or income. If all

transferred assets or income are returned to the individual, the penalty period is eliminated. Eligibility must be evaluated with returned assets included as though the individual had never transferred the assets or income. Returned assets or income must be counted as available when determining eligibility for retroactive months. ~~Penalty periods will not be shortened when only a partial return is made.~~

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-53 RULE TITLE: POWERBALL®

SUMMARY: This emergency rule sets forth the provisions for the conduct of POWERBALL® and replaces Rule 53ER12-6, F.A.C.

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:

53ER12-53 POWERBALL®.

(1) Definitions.

The following words and terms, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

(a) Annuity prize – A Grand Prize paid in thirty annual installments.

(b) MUSL – The Multi-State Lottery Association.

(c) MUSL Board – The governing body of MUSL which is comprised of the chief executive officer of each party lottery.

(d) MUSL Powerball Product Group – The group of lotteries that have joined together to offer the Powerball lottery game under the terms of the MUSL agreement and MUSL Powerball Product Group rules.

(e) Party Lottery – A State lottery or lottery of a political subdivision or entity which has joined MUSL and, in the context of the Powerball Product Group Rules, which is authorized to sell the Powerball game.

(f) Licensee Lottery – A state lottery or lottery of a governmental unit, political subdivision or entity thereof which is not a Party Lottery but has agreed to comply with all applicable MUSL and Product Group requirements and has been authorized by the MUSL and by the Powerball Product Group to sell the Powerball game.

(g) Selling Lottery – A lottery authorized by the Product Group to sell Powerball tickets, including Party Lotteries and Licensee Lotteries.

(h) Set prize – All prizes except the Grand Prize that are advertised to be paid by a single lump-sum payment and except as set forth in paragraph (6)(g), will be equal to the prize amount established by the MUSL Board for the prize level.

(2) How to Play POWERBALL.

(a) POWERBALL is a multi-state lottery on-line game. In POWERBALL, players select five (5) numbers from a field of one (1) through fifty-nine (59) and one (1) Powerball number from a separate field of one (1) through thirty-five (35).

(b) Players may make their POWERBALL ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$2.00 per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers (five (5) in the upper play area and one (1) in the lower play area) from each panel played. Players may also mark the “QP” (Quick Pick) box located at the bottom of each play area for the terminal to randomly select any or all of the six numbers from either or both play areas. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first five of the six numbers appearing in a single horizontal row on a POWERBALL ticket shall be the numbers selected from the upper play area of the play slip, and the last number shall be the Powerball number selected from the lower play area of the play slip.

(c) Players may mark the 5, 10 or 20 “Quick Picks” box to receive a ticket(s) with the selected number of sets of six (6) randomly selected numbers for the next POWERBALL drawing.

(d) Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(e) Players may play up to fifty-two (52) consecutive POWERBALL drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played.

(3) POWERBALL Drawings.

(a) POWERBALL drawings shall be conducted by MUSL two (2) times per week, on Wednesday and Saturday at approximately 10:59 p.m., ET.

(b) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket must match the official winning POWERBALL numbers in any order for the draw date for which the ticket was purchased, in one of the following combinations:

(a) Grand Prize: Five (5) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(b) Second Prize: Five (5) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(c) Third Prize: Four (4) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(d) Fourth Prize: Four (4) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(e) Fifth Prize: Three (3) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(f) Sixth Prize: Three (3) numbers selected from the first set of balls and not the Powerball number from the second set of balls.

(g) Seventh Prize: Two (2) numbers selected from the first set of balls plus the Powerball number selected from the second set of balls.

(h) Eighth Prize: One (1) number selected from the first set of balls plus the Powerball number selected from the second set of balls.

(i) Ninth Prize: No numbers selected from the first set of balls and the Powerball number selected from the second set of balls.

(5) POWERBALL Odds of Winning.

(a) The odds of winning the prizes described in subsection (4) are as follows:

1. Grand Prize – 1:175,223,510.0000
2. Second Prize – 1:5,153,632.6471
3. Third Prize – 1:648,975.9630
4. Fourth Prize – 1:19,087.5283
5. Fifth Prize – 1:12,244.8295
6. Sixth Prize – 1:360.1420
7. Seventh Prize – 1:706.4325
8. Eighth Prize – 1:110.8129
9. Ninth Prize – 1:55.4065

(b) The overall odds of winning a prize in a POWERBALL drawing are 1:31,8464.

(6) POWERBALL Prize Pool.

(a) Prize Pool. The prize pool for all prize categories shall consist of 50% of each drawing period’s sales after the prize reserve accounts are funded to the amounts set by the MUSL Powerball Product Group.

(b) Prize Reserve Accounts. An amount equal to up to 2% of a party lottery’s sales shall be deducted from a party lottery’s grand prize pool and placed in trust in one or more prize reserve accounts until the party lottery’s share of the prize reserve accounts reaches the amounts designated by the MUSL Powerball Product Group. Once the party lottery’s share of the prize reserve accounts exceeds the designated amounts, the excess shall become part of the grand prize pool. The MUSL Powerball Product Group, with the approval of the MUSL Finance and Audit Committee, may establish a maximum balance for the prize reserve accounts. The shares of a party lottery may be adjusted with refunds to the party lottery from the prize reserve accounts as may be needed to maintain the approved maximum balance and shares of the party lotteries.

(c) Expected prize payout percentages.

The Grand Prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages:

<u>Tickets Containing The Following In One Single Lettered Game Section</u>	<u>Prize</u>	<u>Prize</u>	<u>Approximate Percentage of Winnings Pool Allocated to Prize Category</u>
<u>Five first set numbers and the Powerball number</u>	<u>Grand Prize</u>	<u>Grand Prize</u>	<u>63.9511%</u>
<u>Five first set numbers</u>	<u>Second Prize</u>	<u>\$1,000,000</u>	<u>19.4038%</u>
<u>Four first set numbers and the Powerball number</u>	<u>Third Prize</u>	<u>\$10,000</u>	<u>1.5409%</u>
<u>Four first set numbers</u>	<u>Fourth Prize</u>	<u>\$100</u>	<u>0.5239%</u>
<u>Three first set numbers and the Powerball number</u>	<u>Fifth Prize</u>	<u>\$100</u>	<u>0.8167%</u>
<u>Three first set numbers</u>	<u>Sixth Prize</u>	<u>\$7</u>	<u>1.9437%</u>
<u>Two first set numbers and the Powerball number</u>	<u>Seventh Prize</u>	<u>\$7</u>	<u>0.9909%</u>
<u>One first set number and the Powerball number</u>	<u>Eighth Prize</u>	<u>\$4</u>	<u>3.6097%</u>
<u>The Powerball number</u>	<u>Ninth Prize</u>	<u>\$4</u>	<u>7.2194%</u>

(d) Prize money allocated to the Grand Prize category will be paid on a pari-mutuel basis, divided equally by the number of plays determined to be winners of the Grand Prize.

(e) The number of plays determined to be winners of the second through ninth prize categories will be paid as set cash prizes, except as provided in paragraph (6)(g) below. If all or any portion of the set prize pool is not awarded in the current POWERBALL drawing, that portion of the set prize pool shall be carried forward to subsequent POWERBALL drawings.

(f) If the total of the set prizes awarded in a POWERBALL drawing exceeds the percentage of the prize pool allocated to the set prizes, the amount needed to fund the set prizes shall be drawn from the following sources in the following order:

1. The amount allocated to the set prizes and carried forward from previous draws, if any.

2. An amount from the MUSL set prize reserve account, if available, not to exceed \$40,000,000 per Powerball drawing.

(g) If the sources set forth in paragraph (6)(f) are depleted and there still are not sufficient funds to pay the set prizes for a particular POWERBALL drawing, the highest set prize shall become a pari-mutuel prize. If the amount of the highest set prize, when paid as a pari-mutuel prize, is less than or equal to the next highest set prize and there are still not sufficient funds to pay the remaining set prizes, the next highest set prize shall become a pari-mutuel prize. If necessary, and under the same test conditions set forth in the preceding sentence, each succeeding set prize level shall be converted to a pari-mutuel prize, in order, until all set prizes become pari-mutuel. In that instance, the Party Lotteries and the Licensed Lotteries shall independently determine their pari-mutuel prize amounts and the MUSL Powerball Product Group shall determine the amount to be paid as the prize for each low tier prize level.

(h) Any interest or earnings accrued on a POWERBALL set prize prior to prize payment shall accrue to the State of Florida and not to the winner.

(7) POWERBALL Grand Prize.

(a) Players can choose one of two payment options for receiving their portion of the POWERBALL Grand Prize. Payment options are "Cash Option" and "Annual Payment."

(b) Grand Prize winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once the Grand Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed except as provided in paragraph (7)(i) below.

(c) In order to select the Cash Option, the Grand Prize winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Grand Prize winner does not elect the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (7)(f) below.

(d) Shares of the Grand Prize shall be determined by dividing the cash available in the Grand Prize pool equally among all winners of the Grand Prize. A Grand Prize winner who chooses the Cash Option will receive his or her share of the cash available in the Grand Prize pool in a single cash payment, less applicable withholding taxes.

(e) If a Grand Prize winner elects the Annual Payment option, his or her share of the Grand Prize will be paid in thirty (30) equal annual installments, each less applicable

withholding taxes. The amount of the prize shall be determined by multiplying the winner's share of the Grand Prize pool by the MUSL annuity factor. The MUSL annuity factor is determined by the best total securities price obtained through a competitive bid of qualified, pre-approved brokers made after the prize is claimed. MUSL shall purchase and hold the investments that shall fund the Grand Prize winner's prize payments. Neither MUSL nor the selling lotteries shall be responsible or liable for changes in the advertised or estimated annuity prize amount and the actual amount purchased after the prize payment method is actually known to MUSL.

(f) If individual shares of the cash held to fund Annual Payments are less than \$250,000, the Product Group, in its sole discretion, may elect to pay the winners their share of the cash held in the Grand Prize pool.

(g) Annuitized payment of the grand prize or a share of the grand prize will be rounded to the nearest one thousand dollars (\$1,000) to facilitate the purchase of an appropriate funding mechanism. Rounding differences on an annuitized grand prize win shall be added to the first cash payment to the winner or winners. Prizes other than the grand prize, which under this rule may become single-payment, pari-mutuel prizes, will be rounded down so that prizes can be paid in multiples of whole dollars. Rounding differences resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(h) The Florida Lottery will make the initial and any subsequent payments of a prize upon receipt of funds for such prize from MUSL.

(i) In the event of the death during the annuity payment period of a POWERBALL winner who elected the Annual Payment option, the estate of the deceased winner (the "Estate") may file a petition with the Florida Lottery to accelerate payment of all the remaining prize proceeds to the Estate. Such petition will be forwarded by the Florida Lottery to MUSL for processing.

(j) If the Grand Prize is not won in a drawing, the prize money allocated for the Grand Prize shall roll over and be added to the Grand Prize pool for the following drawing.

(k) Guaranteed Grand Prize.

On occasion, guaranteed minimum Grand Prize amounts or minimum increases in the Grand Prize amount between drawings will be offered for promotional purposes. If a minimum Grand Prize amount or a minimum increase in the Grand Prize amount between drawings is offered, the Grand Prize shares shall be determined as follows:

1. If there are multiple Grand Prize winners during a single drawing, each selecting the Annual Payment option, then a winner's share of the guaranteed Grand Prize shall be determined by dividing the guaranteed Grand Prize by the number of winners.

2. If there are multiple Grand Prize winners during a single drawing and at least one of the Grand Prize winners has elected the Annual Payment option, then the best bid submitted by MUSL's pre-approved qualified brokers shall determine the cash pool needed to fund the guaranteed Grand Prize.

3. If no winner of the Grand Prize during a single drawing has elected the Annual Payment option, then the amount of cash in the Grand Prize pool shall be an amount equal to the guaranteed amount divided by the average annuity factor of the most recent three best quotes provided by MUSL's pre-approved qualified brokers submitting quotes.

4. In no case shall quotes be used which are more than two weeks old and if fewer than three quotes are submitted, then MUSL shall use the average of all quotes submitted.

(l) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(m) Any interest or earnings accrued on a POWERBALL Grand Prize prior to prize payment shall accrue to MUSL and not to the winner.

(8) Power Play® Option.

(a) The Power Play option shall be available in association with the POWERBALL game. The Power Play option will be conducted in accordance with the POWERBALL rules. The POWERBALL Grand Prize will not be eligible for increase under the Power Play option.

(b) At the time of purchasing a POWERBALL ticket, a player may choose the Power Play option for an additional \$1.00 per play for each play on the POWERBALL ticket.

(c) POWERBALL tickets that contain the Power Play option and one or more plays eligible for POWERBALL set prizes shall be entitled to a prize as follows:

<u>Match</u>	<u>Prize Amount</u>
<u>Match 5+0</u>	<u>\$2,000,000</u>
<u>Match 4+1</u>	<u>\$40,000</u>
<u>Match 4+0</u>	<u>\$200</u>
<u>Match 3+1</u>	<u>\$200</u>
<u>Match 3+0</u>	<u>\$14</u>
<u>Match 2+1</u>	<u>\$14</u>
<u>Match 1+1</u>	<u>\$12</u>
<u>Match 0+1</u>	<u>\$12</u>

(d) The prize pool for Power Play set prizes shall consist of up to 49.96% of Power Play sales after POWERBALL prize reserve accounts are funded to the amounts set by MUSL. The prize pool percentage allocated to Power Play set prizes shall be carried forward to subsequent drawings if all or a portion of the percentage is not required to pay the set prizes for the current drawing.

(e) An additional .04% of Power Play sales will be collected and placed in prize reserve accounts until the prize reserve accounts meet the amounts designated by MUSL.

(f) If, with respect to a single POWERBALL drawing, the total of the POWERBALL set prizes and the Power Play prizes awarded in a drawing exceeds the percentage in the prize pools allocated to the set prizes, the amount needed to fund those set prizes shall be drawn from the following sources in the following order:

1. The amount allocated to the set prizes and carried forward from previous drawings, if any.

2. An amount from the POWERBALL set prize reserve account, if available, not to exceed \$40,000,000 per drawing.

(g) If the sources set forth in paragraph (8)(f) are depleted and there still are not sufficient funds to pay the set prizes for a particular POWERBALL drawing and the associated Power Play prizes, the highest set prize, including the Power Play prize amounts, shall become a pari-mutuel prize. If the amount of the highest set prize, when paid as a pari-mutuel prize, is less than or equal to the next highest set prize and there are still not sufficient funds to pay the remaining prizes, the next highest set prize, including the Power Play prize amounts, shall become a pari-mutuel prize. If necessary under the same test set forth in the preceding sentence, each succeeding set prize level shall be converted to a pari-mutuel prize, in order, until all set prizes become pari-mutuel. If all set prizes are converted to pari-mutuel prizes, the money available from the funding sources listed in paragraph (8)(f) shall be divided among the winning plays in proportion to their respective prize percentages. Powerball and Power Play prizes will be reduced by the same percentage.

(h) Power Play set prizes which become pari-mutuel will be rounded down so that they can be paid in multiples of whole dollars. Funds remaining after rounding shall be carried forward to the prize pool for the next drawing.

(i) Except as otherwise provided, all Power Play prizes shall be paid in single, lump-sum payment.

(j) When the POWERBALL set prizes become pari-mutuel, the POWERBALL set prize amounts will be less than the amount shown in paragraph (6)(c) above and the Power Play prizes shall be changed to an amount announced after the drawing.

(9) POWERBALL Rules and Prohibitions.

(a) By purchasing a POWERBALL ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) Florida POWERBALL prizes shall be claimed only through a Florida Lottery retailer or Lottery office beginning on the day following the drawing. The Lottery is not authorized to accept claims or pay prizes for POWERBALL tickets purchased in other jurisdictions. POWERBALL prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, POWERBALL lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET). Ticket sales for a specific POWERBALL drawing will close at 10:00 p.m., ET, on the night of the drawing. Any ticket sold after the close of game will be printed with the next POWERBALL draw date.

(d) POWERBALL tickets cannot be cancelled.

Rulemaking Authority 24.105(9)(a), (b), (c), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c), (e), (f), (h), 24.115(1), 24.116(1), 24.117(2), 24.124(1) FS. History—New 7-6-12, Replaces 53ER12-6.

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: July 6, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that on June 29, 2012, the Florida's Office of Early Learning, received a petition for Temporary Emergency Waiver of paragraph 6M-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Orange County, P. O. Box 540387, Orlando, FL 32854. Notice was posted on July 1, 2012.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Todd Twilley, Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, email: Todd.Twilley@oel.myflorida.com.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on June 25, 2012, the Florida Public Service Commission, received a petition for the Florida Division of Chesapeake Utilities Corporation in Docket No.: 120178-GU, seeking waiver from paragraph 25-7.045(8)(a), Florida Administrative Code. The rule requires companies to file a depreciation study at five year intervals. Comments on the petition should be filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, within 14 days of publication of this notice. For additional information, please contact Caroline Klancke, Office of the General Counsel, at the above address or telephone (850)413-6220.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, (850)413-6220.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 5, 2012, South Florida Water Management District (District) received a request for withdrawal of a Petition for Waiver from Centurylink regarding Application No. 12-0541-1M for utilization of Works or Lands of the District known as the CR 951 Canal; Section 14/15, Township 50 South, Range 26 East, Collier County. The District originally received the petition for waiver from Centurylink on May 18, 2012, and Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 22, on June 1, 2012. No public comment was received.

A copy of the withdrawal request may be obtained from: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406-4680, (561)682-6268 or e-mail: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on June 28, 2012, the South Florida Water Management District ("District"), received a petition for waiver from Florida Department of Transportation, Application No.: 12-0628-4, for utilization of Works or Lands of the District known as C-1W Canal, for the proposed placement of a guardrail directly adjacent to the bridge; Section 12, Township 55 South, Range 38 East, Miami-Dade County. This petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank and within the District's 100 foot long designated equipment staging areas within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition received by end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC #1414, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN that on June 28, 2012, the South Florida Water Management District (District), received a petition for waiver from Toras Chaim Development Corporation for a Right of Way Occupancy Permit, Application No. 12-0628-3, for utilization of Works or land of the District known as the C-9 Canal to allow an existing concrete Walkway, sprinkler pump, portion of a basketball court and a portion of a concrete pad with dumpster and a fence enclosure at the top of bank to remain within the north canal right of way lying in Section 5, Township 52 South, Range 42 East, Miami-Dade County. The petition seeks relief from

paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of the canal bank within Works or Land of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 10, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Internal Operations Center I, filed June 15, 2012, and advertised in Vol. 38, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until March 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-195).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 10, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from UF 357 Clinical and Translational research, filed June 15, 2012, and advertised in Vol. 38, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, and 2.24.2.1 ASME A17.1b, 2009 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators from the use of a 9.5mm steel rope and requirement of a metallic sheave because the Petitioner has demonstrated that the purpose of the statute

underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-194).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 10, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Century Plaza, LTD, filed June 8, 2012, and advertised in Vol. 38, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until June 8, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-189).

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

NOTICE IS HEREBY GIVEN that on June 29, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Isles Club I Condominium Association, Inc. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators unspecified rule which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-208).

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

NOTICE IS HEREBY GIVEN that on June 29, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for FW Medical Office. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18. as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5

mm 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 (VW 2012-207).

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.

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lakewood Park. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 5.2.1.12), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with hoistway door locking devices and electric contacts and hoistway access switches which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-210).

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

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 933 Office Building. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-209).

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

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Nemours Children's Hospital. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires

steel ropes of a minimum diameter of 9.5 mm 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 (VW 2012-211).

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.

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Hyatt Place. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW 2012-212).

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.

NOTICE IS HEREBY GIVEN that on July 9, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Longwood Office Park. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.11.3.1, 3.4., 2.2 and Florida Building Code section 3002.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with emergency signs, periodic inspection requirements, pits, and equipment projecting above the car top, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-218).

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

NOTICE IS HEREBY GIVEN that on July 6, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for PLACE. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 8.7.2.1.5, as

adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators control of smoke and hot gases operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-215).

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

NOTICE IS HEREBY GIVEN that on July 6, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Regency West Apartments, A Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-216).

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

NOTICE IS HEREBY GIVEN that on July 6, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Home Association. Petitioner seeks a variance of the requirements of ASME A17.3, Section 1.2, 2.2.4, 2.3.1, 2.7.3, 3.4.1, 3.4.2, 3.4.4, 3.9.1, 3.9.2, 3.10.3 and ASME A17.1b, Section 8.6.1.6.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators application of code, ventilation, access to pits, access to hoistway, car enclosures, car doors and gates, emergency exit, normal terminal stopping devices, final terminal stopping devices, top of car operating device, and controllers, wiring, and wiring diagrams 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 (VW 2012-217).

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

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code, from Better Lunch located in Celebration, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011, Lydia.Gonzalez@dbpr.state.fl.us.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on July 3, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Channelside Apartments, filed May 24, 2012, and advertised in Vol. 38, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, and 2.20.1, ASME A17.1, 2009b edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators to allow the installation of Schindler 3300 elevator system with 6mm governor ropes and non-circular elastomeric coated steel suspension members because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-164).

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

The Department of Business and Professional Regulation, Drugs, Devices and Cosmetics Program, hereby gives notice that the department has disposed of the petition for variance and waiver filed by LifeSouth Community Blood Centers, Inc., on March 28, 2012.

The Department of Business and Professional Regulations, Drugs, Devices and Cosmetics Program received a notice of withdrawal of the petition for variance and waiver from LifeSouth Blood Centers, Inc., June 19, 2012.

The original Notice of Petition was published in Vol. 38, No. 15 of the April 13, 2012, issue of the Florida Administrative Weekly.

A copy of the Order or additional information may be obtained by contacting: The Drugs, Devices and Cosmetics Program, 1940 N. Monroe Street, Suite 26A, Tallahassee, Florida 32399-1047, by phone: (850)717-1800 or by the web-site: http://interredesignalpha/dbpr/ddc/ddc_division_notices.html.

NOTICE IS HEREBY GIVEN that on July 5, 2012, the Board of Accountancy received an emergency petition for Mariah Johnson, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Bureau of Beaches and Coastal Systems, hereby gives notice that it issued an order on June 14, 2012 granting a variance request by Amgad and Nermeen Girgis. The variance petition was received March 16, 2012. Notice of receipt of this petition was published in the Florida Administrative Weekly on March 30, 2012. The petition requested a variance from the conditions under subsection 62B-33.005(8), F.A.C., which requires major structures to be sited a sufficient distance landward of the beach and frontal dune. The variance petition is associated with a permit application for construction of a single-family dwelling, swimming pool, and accompanying structures on property located at 4121 South Ocean Boulevard, Highland Beach, FL. No public comment was received. The Order, file number PB-1041 V, granted the Petition for a variance from subsection 62B-33.005(8), F.A.C., because the Petitioners, Amgad and Nermeen Girgis, demonstrated that a strict application of the rule would result in substantial hardship to Petitioners or would affect Petitioners differently than other similarly situated applicants. Further, the Petitioners demonstrated that it fulfilled the requirements of the underlying statute by other means.

A copy of the Order or additional information may be obtained by contacting: Kamie Carney, Department of Environmental Protection, MS #300, 3900 Commonwealth Blvd., Tallahassee, Florida 32399, (850)488-7708, kamie.carney@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Board of Dentistry, received a petition for a waiver or variance filed by Javier Lopez, Esquire, on behalf of Stephanie Gonzalez, seeking a waiver or variance of the restrictions imposed by subsection 64B5-2.021(1) F.A.C., with regards to the composition of remedial training required to take the dental licensing examination after the third failure of the examination. Comments on this petition should be filed with the: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN that on June 29, 2012, the Board of Dentistry, received a petition for a waiver or variance filed by Chasity H. O'Steen, Esquire, on behalf of Victoria Gutierrez, seeking a waiver or variance of the restrictions imposed by subsection 64B5-2.0135(1) F.A.C., that would prohibit the Board from accepting her clinical examination grades from June 2000.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN that on July 5, 2012, the Board of Medicine, received a petition for waiver or variance filed by Mohammad H. Gharavi M.D., from Rule 64B8-9.0131, F.A.C., with regard to the requirements for practice in a pain management clinic. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Board of Medicine, received a petition for waiver or variance filed on behalf of Joseph J. Karimpil, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of

documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Board of Physical Therapy Practice, received a petition for variance or waiver of Rule 64B17-3.001, F.A.C., filed by Preeti Jha, which requires for foreign graduates to have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Physical Therapy Practice at the above address within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Department of Health, Bureau of Radiation Control, received a petition for the Pinellas County Sheriff's Office. The petitioner is seeking a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., which prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Philip Thoma, Environmental Health Program Consultant, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Orange Park, Florida 32073, (904)278-5730. Comments on this petition should be filed with the Bureau of Radiation Control within 14 days of this notice.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2012, 9:00 a.m.

PLACE: Senate Office Building, 404 South Monroe Street, Room S401, Tallahassee, FL 32399-6526

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

A copy of the agenda may be obtained by contacting: Agency Clerk, (850)922-4539, ext. 102, by e-mail: FEC@myfloridalegal.com, by mail: 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050, and or by viewing the Commission's website: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Agency Clerk, Donna Malphurs, (850)922-4539, ext. 102 or FEC@myfloridalegal.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). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the Agency Clerk, Donna Malphurs, phone: (850)922-4539, ext. 102, email: FEC@myfloridalegal.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Board of Professional Surveyors and Mappers** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 7, 2012, 1:00 p.m., Probable Cause Panel (Although this meeting is open to the public, portions may be closed consistent with law); August 8, 2012, 8:30 a.m., Committee Meetings and General Session, if time allows; August 9, 2012, 8:30 a.m., General Session

PLACE: Mission San Luis, Mission Room, 1st Floor, 2100 W. Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings and General Business Meeting.

A copy of the agenda may be obtained by contacting: John Roberts, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3833.

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: John Roberts, (850)410-3833. 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: John Roberts, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3833.

The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2012, 9:00 a.m.

PLACE: Embassy Suites Deerfield Beach Resort & Spa, 950 South Ocean Drive, Deerfield Beach, Florida 33441, (954)426-0478

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 3927, Tallahassee, Florida 32315-3927 or by calling: Debbie Barber, (850)245-5500.

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: Debbie Barber, (850)245-5500. 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: Debbie Barber, (850)245-5500.

The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 13, 2012, 9:00 a.m.

PLACE: Embassy Suites Jacksonville Baymeadows, 9300 Baymeadows Road, Jacksonville, Florida 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 3927, Tallahassee, Florida 32315-3927 or by calling: Debbie Barber, (850)245-5500.

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: Debbie Barber, (850)245-5500. 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: Debbie Barber, (850)245-5500.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: Monday, July 23, 2012, 1:00 p.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Blvd., Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida. The agenda includes follow-up actions from previous Council meetings on subjects of committee structure, updates, assignments and responsibilities. The meeting will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by contacting: Juanita Warren, (850)245-0454 or e-mail: Juanita.Warren@fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Juanita Warren, (850)245-0454 or e-mail: Juanita.Warren@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Ken Olsen, Program Director of Apprenticeship, (850) 245-9039 or e-mail: Ken.Olsen@fldoe.org.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATES AND TIMES: A New Commissioner Training Session, August 2, 2012, 10:00 a.m. or as soon thereafter as can be heard; A Teacher Hearing Panel, August 3, 2012, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building, Room 401, 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Kathleen M. Richards, (850)245-0455.

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: Kathleen M. Richards, (850)245-0455. 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: Lisa Forbess or Kathleen M. Richards, (850)245-0455.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: August 9, 2012, 8:30 a.m.

PLACE: Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights or to violations of safety regulations. A copy of the agenda may be obtained by contacting: Sharon Day, Executive Assistant, Commercial Vehicle Review Board, Rhyne Building, Traffic Engineering and Operations Office, 2740 Centerview Drive, Tallahassee, Florida 32301.

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

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: August 13, 2012, 9:00 a.m. (EST) until 12:00 Noon

PLACE: Hermitage Conference Room, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Audit Committee.

A copy of the agenda may be obtained by contacting: Daniel Weber, (850)413-1249, email: Daniel.Weber@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 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or 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).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-15, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-20, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-21, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-22, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-23, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-24, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

The **Florida Parole Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2012, 10:00 a.m.

PLACE: Florida Parole Commission, Hearing Room, 4070 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review rules concerning Chapter 23-25, F.A.C.

A copy of the agenda may be obtained by contacting: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460. 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: Sarah Rumph, Florida Parole Commission, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces four public customer service hearings to which all persons are invited.

DATE AND TIME: Tuesday, August 7, 2012, 9:00 a.m.

PLACE: Miami-Dade County Auditorium, 2901 W. Flagler Street, Miami, FL 33135

DATE AND TIME: Tuesday, August 7, 2012, 4:00 p.m.

PLACE: Florida Memorial University, Lou Rawls Auditorium, 15800 N.W. 42nd Avenue, Miami Gardens, FL 33054

DATE AND TIME: Wednesday, August 8, 2012, 9:00 a.m.

PLACE: Plantation City Council Chambers, 400 N.W. 73rd Avenue, Plantation, FL 33317

DATE AND TIME: Wednesday, August 8, 2012, 4:00 p.m.

PLACE: South Regional/Broward College Library, 7300 Pines Blvd., Pembroke Pines, FL 33024

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 120015-EI – Petition for increase in rates by Florida Power & Light Company. The purpose of these customer service hearings is to take testimony from the public on the quality and adequacy of Florida Power & Light Company's service and other matters related to Florida Power & Light Company's petition for a rate increase. The procedure at the service hearings shall be as follows: The Company will present a brief summary of its case and then members of the public may present testimony. Members of the public who wish to present testimony are urged to appear promptly at each scheduled hearing time since the hearing may be adjourned early if no witnesses are present to testify. All witnesses shall be subject to cross-examination at the conclusion of their testimony. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the service hearings.

EMERGENCY CANCELLATION OF CUSTOMER SERVICE HEARINGS: If a named storm or other disaster requires cancellation of these service hearings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of these service hearings will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of General Counsel, (850)413-6199.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at these proceedings should contact the Office of Commission Clerk no later than five days prior to the service hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 2, 2012, Planning & Growth Management Committee, 9:00 a.m.; Personnel, Budget & Finance Committee, 9:00 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Committee, immediately following the Board meeting

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sheron Forde, (904)279-0880 or sforde@nefrfc.org.

The **Northeast Florida District IV Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 8, 2012, 10:00 a.m.

PLACE: Clay County Emergency Operations Center, 2519 State Road 16 West, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the Northeast Florida District IV Local Emergency Planning Committee. Notice is also given that one or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and/or speak at this meeting.

A copy of the agenda may be obtained by contacting: Eric Anderson (eanderson@nefrfc.org) or Bonnie Magee (bmagee@nefrfc.org), (904)279-0880.

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 days before the workshop/meeting by contacting: Bonnie Magee, (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Eric Anderson (eanderson@nefrfc.org) or Bonnie Magee (bmagee@nefrfc.org), (904)279-0880.

The **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: CEDS Strategy Committee, Thursday, July 26, 2012, 3:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the annual business of updating of the Region's Comprehensive Economic Development Strategy (CEDS). The Council maintains a CEDS through coordination with the US Commerce Department's Economic Development Administration.

Pursuant to 13 CFR Chapter III Sections 303.6 and 303.7 [75 FR 4259 published January 27, 2010], copies of the proposed annual CEDS plan update shall be available for public review and comment at least 30 days. By July 31, 2012, an electronic copy of proposed modifications to the region's EDA-accepted CEDS may be downloaded from WRPC's website through the link labeled: "Proposed 2012 CEDS Update" on the main page. Also upon request, a hard copy of the CEDS is available from the Withlacoochee Regional Planning Council offices, located at 1241 SW 10th Street, Ocala, FL. For more information or to submit comments, please contact Bruce Day, Planning Director by email at bday@wrpc.cc or by phone at 352/732-1315 ext. 230.

A copy of the agenda may be obtained by contacting: The Executive Director, Withlacoochee Regional Planning Council at 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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

DATE AND TIME: Monday, August 6, 2012, 9:00 a.m.

PLACE: 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, FL 32701 (Visit www.ecfrpc.org for map and directions)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Executive Committee to discuss the upcoming August 15, 2012 Council Meeting.

A copy of the agenda may be obtained by contacting: Tuesdai Brunsonbyrd-Bowden at (407)262-7772 or tbyrd@ecfrpc.org or visit www.ecfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tuesdai Brunsonbyrd-Bowden at (407)262-7772 or tbyrd@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tuesdai Brunsonbyrd-Bowden at (407)262-7772 or tbyrd@ecfrpc.org.

The **Tampa Bay Regional Planning Council**, Regional Planning Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 3, 2012, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Advisory Committee.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: avera@tbrpc.org.

The **Institute for Community Collaboration, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 6, 2012, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Meeting of the Board of Directors for the Institute for Community Collaboration.

A copy of the agenda may be obtained by contacting: Mr. Bob Cambric, South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416.

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: (954)985-4416. 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: Bob Cambric, (954)985-4416 or bcambric@sfrpc.com.

The **South Florida Regional Planning Council, Executive Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 6, 2012, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Generally Consistent Comprehensive Plan Amendment reviews for Islamorada, Village of Islands (Proposed), Pompano Beach (Proposed) and Broward County (Adopted); Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call: The Council Offices, (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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: (954)985-4416.

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIMES: July 26, 2012, 12:00 Noon – 3:00 p.m.; 3:30 p.m. – 6:00 p.m.

PLACE: Orlando Airport Marriott Hotel, 7499 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

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

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

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

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

The **Metropolitan Transportation Planning Organization** for the Gainesville Urbanized Area announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2012, 10:00 a.m.

PLACE: Jack Durrance Auditorium, County Administration Building, 12 Southeast 1st Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Alachua County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 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.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 13, 2012, Projects and Land Committee business meeting, 5:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the committee is not available for the business meeting at the date, time and place set forth above, the committee shall meet on Tuesday, August 14, 2012, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347 or by visiting the District's website: floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4500. 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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, August 14, 2012, 8:15 a.m., Chair's Meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory Committee followed by Governing Board Meeting

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, (386)329-4101 or by visiting the District's website: floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk, (386)329-4500. 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.

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

DATE AND TIME: Tuesday, July 31, 2012, 9:00 a.m.

PLACE: SWFWMD, Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business including adoption of proposed District millage rate for fiscal year 2012-13. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources, Bureau Chief, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Luanne.Stout@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0220).

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

DATE AND TIME: Thursday, August 2, 2012, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFWMD Governing Board Surplus Lands Assessment Subcommittee Meeting: Consider committee business including review of staff recommendations for potential surplus of SWFWMD lands in Evaluation Area 3 (Pasco and Lake Counties, and the Green Swamp area in Polk and Sumter

Counties). Board members and Advisory Committee members may attend. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources, Bureau Chief, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cheryl.Hill@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4452 (Ad Order EXE0221).

NOTICE OF CANCELLATION – The **Water Resources Advisory Commission** (WRAC) announces a workshop to which all persons are invited.

WRAC Special Issues Workshop: Interim Solutions for Improving Performance of the Central & Southern Florida System

DATE AND TIME: NOTICE OF CANCELLATION – July 31, 2012, 9:00 a.m.

PLACE: SFWMD, Clewiston Field Station, State Road 832, 2425 Hookers Point Road, Clewiston, FL 33440

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Special Issues Workshop of the Water Resources Advisory Commission (WRAC) regarding Refinement of Operational Criteria for Water Supply Augmentation – Supplemental Environmental Flows has been cancelled.

For more information, you may contact: Paul Millar, (561)682-6335 or our website: <http://my.sfwmd.gov/wrac>.

The **Water Resource Advisory Committee** (WRAC) announces a workshop to which all persons are invited.

DATE AND TIME: August 2, 2012, 9:00 a.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resource Advisory Committee (WRAC) – Monthly Meeting. A Public Meeting of the WRAC regarding water resources protection, water supply and flood protection issues.

The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Paul Millar, (561)682-6335, pmillar@sfwmd.gov or at our website: <http://my.sfwmd.gov/wrac.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 7 days before the workshop/meeting by contacting: District Clerk's Office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 1, 2012, 9:30 a.m.

PLACE: Manatee County Administrative Center, Commission Chambers, 1112 Manatee Avenue, West, Bradenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority and Public Hearing for the Authority's FY 13 Budget.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 9415 Town Center Parkway, Lakewood Ranch, FL 34202, (941)316-1776, www.regionalwater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. 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: (941)316-1776.

SPACE FLORIDA

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 14, 2012, 8:00 a.m. – 1:00 p.m. (Eastern Daylight Time)

PLACE: Space Life Science Lab – Exploration Park, Kennedy Parkway and 5th Street, Bldg. M6-1025, Kennedy Space Center, FL 32899

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors are to be briefed on Space Florida updates and tour the Canaveral Spaceport and other facilities.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll, jkirkendoll@spaceflorida.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 3 days before the workshop/meeting by contacting: Juanell Kirkendoll, jkirkendoll@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Juanell Kirkendoll, jkirkendoll@spaceflorida.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 27, 2012, 8:00 a.m.

PLACE: Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309. Any person interested in participating by telephone may dial: 1(888)670-3525, Pass Code: 625 643 6859. If you have any difficulty accessing the teleconference, please call the Agency's main number: (850)412-4304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Assisted Living Workgroup members for examination of the regulation and oversight of assisted living in Florida and develop recommendations to improve the state's ability to monitor quality and safety in assisted living and ensure the well-being of their residents.

A copy of the agenda may be obtained by contacting: Christopher Stroman, by phone: (850)412-4404, email: Christopher.Stroman@ahca.myflorida.com. The agenda will also be posted at: <http://ahca.myflorida.com/SCHS/ALWG2011/alwg2011.shtml> seven (7) days prior to the meeting.

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: Isabelle Ashe, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida,

(850)412-4339. 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 **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2012, 9:00 a.m. – 12:00 Noon
PLACE: Agency for Health Care Administration, Building 3, Conference Room A, B, and C, Tallahassee, FL 32301; Conference Call: 1(888)670-3525, Participant Passcode: 8074710718#

GENERAL SUBJECT MATTER TO BE CONSIDERED: DRG Reimbursement.

A copy of the agenda may be obtained by contacting: Tom Wallace, (850)412-4118 or email: thomas.wallace@ahca.myflorida.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: Tom Wallace, (850)412-4118 or email: thomas.wallace@ahca.myflorida.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).

For more information, you may contact: Tom Wallace, (850)412-4118, email: thomas.wallace@ahca.myflorida.com.

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, August 14, 2012, 10:00 a.m. – 12:00 Noon

PLACE: 8333 N.W. 53rd Street, Suite 200, Doral, Florida 33166

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a workshop in Miami for the purpose of receiving public input on creating the standard process and guidelines for Rule 59G-1.035, F.A.C. Rule language will specify the Medicaid program's process for determining the circumstances under which a drug, device, medical or therapeutic treatment, or procedure, including services such as applied behavior analysis, is consistent with generally accepted professional medical practice and standards.

A copy of the agenda may be obtained by contacting: Ronique Hall, Medicaid Services, 2727 Mahan Drive, Mail Stop #20, Tallahassee, Florida 32308-5407, (850)412-4281, e-mail: ronique.hall@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ronique Hall, Bureau of Medicaid Services,

(850)412-4281. 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 **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 22, 2012, 10:00 a.m. – 12:00 Noon

PLACE: 6800 North Dale Mabry Highway, Suite 220, Tampa, Florida 33614

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a workshop in Tampa for the purpose of receiving public input on creating the standard process and guidelines for Rule 59G-1.035, F.A.C. Rule language will specify the Medicaid program's process for determining the circumstances under which a drug, device, medical or therapeutic treatment, or procedure, including services such as applied behavior analysis, is consistent with generally accepted professional medical practice and standards.

A copy of the agenda may be obtained by contacting: Ronique Hall, Medicaid Services, 2727 Mahan Drive, Mail Stop #20, Tallahassee, Florida 32308-5407, (850)412-4281, e-mail: ronique.hall@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ronique Hall, Bureau of Medicaid Services, (850)412-4281. 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 MANAGEMENT SERVICES

NOTICE OF CHANGE – The **DMS, Division of Telecommunications, E911 Board** announces the following updated meeting schedule information to which all interested persons are invited.

DATE AND TIME: August 7, 2012, 9:00 a.m. – 2:00 p.m., Conclusion of business

PLACE: Conference Call: 1(888)670-3525, Conference Code: 2323004133

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Task Force Committee scheduled to meet to discuss legislative issues regarding prepaid wireless E911 fee collection and other remittances where 2 or more Board members will participate.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Cosmetology** announces a public meeting to which all persons are invited.

DATES AND TIME: October 8-9, 2012, 9:00 a.m.
 PLACE: Residence Inn Marriott, 2301 Sadler Road, Fernandina Beach, Florida 32034, (904)227-2440
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

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

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

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

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

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, August 28, 2012, 1:00 p.m.; Wednesday, August 29, 2012, 9:00 a.m.

PLACE: Embassy Suites Jacksonville-Baymeadows, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 19, 2012, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To Connect, dial 1(888)670-3525, Conference Pass Code: 7489217568 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Florida Engineers Management Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 27, 2012, 11:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)392-4560, Passcode: 1188973; Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.org. If you

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 8, 2012, 1:00 p.m. (EST) or soon thereafter; August 9, 2012, 8:30 a.m. (EST) or soon thereafter

PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers**, Application & Educational Advisory Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2012, Conclusion of the FBPE Board Meeting

PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Boulevard, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The **Florida Engineers Management Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 28, 2012, 10:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)392-4560, Passcode: 1188973; Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The **Florida Building Commission**, "The Commission", Hurricane Research Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 30, 2012, 2:00 p.m. – until completion

PLACE: Meeting to be conducted using media technology: specifically, Webinar and Conference Call. YOU MUST ACCESS BOTH THE WEBINAR for VISUAL AIDS ONLY and the TELECONFERENCE for AUDIO ONLY. Conference Call: 1(888)808-6959, Code: 2059360213

To access the Webinar go to:

1. Go to <https://suncom.webex.com/suncom/j.php?ED=199626992&UID=1457800397&RT=MiMxMQ%3D%3D>.
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To accept a report from the University of Florida on the status of their research performed under the auspices of the Florida Building Commission and the Department.

A copy of the agenda may be obtained by contacting: Refer to web site: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm or contact: Mr. Jim Richmond or Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (850)487-1824.

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, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (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: Refer to http://www.floridabuilding.org/fbc/meetings/1_meetings.htm or contact: Mr. Jim Richmond or Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission**, "The Commission", Screen Enclosure Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, 10:00 a.m. – until completion

PLACE: Meeting to be conducted using media technology: specifically, Webinar and Conference Call. YOU MUST ACCESS BOTH THE WEBINAR for VISUAL AIDS ONLY and the TELECONFERENCE for AUDIO ONLY. Conference Call: 1(888)808-6959, Code: 2059360213

To access the Webinar go to:

1. Go to: <https://suncom.webex.com/suncom/j.php?ED=199627172&UID=1457801697&RT=MiMxMQ%3D%3D>.
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review final work product and any comments by the Structural TAC in anticipation of the Florida Building Commission's rule development workshop to be held on August 7, 2012.

A copy of the agenda may be obtained by contacting: Refer to web site: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm or contact: Mr. Jim Richmond or Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (850)487-1824.

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, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (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: Refer to http://www.floridabuilding.org/fbc/meetings/1_meetings.htm or contact: Mr. Jim Richmond or Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 7, 2012, 8:30 a.m.

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Possible amendments to Rule 61G20-1.001, F.A.C., regarding certain inconsistencies in the 2010 Florida Building Code including the applications of the 30% of assessed value language pertaining to renovations and the affirmative obligation for energy efficiency requirements for change outs, whether they be windows, AC units, swimming pool pumps or other particular items, and updated standards for visually graded Southern Pine and Mixed Southern Pine.

A copy of the agenda may be obtained by contacting: Mo Madani, Planning Manager, Department of Business and Professional Regulation, (850)487-1824 or going to: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824.

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

DATE AND TIME: Monday, August 20, 2012, 9:00 a.m. – until completion of business

PLACE: Conference Call: 1(888) 670-3525, Conference Code: 9202742832

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Minority Scholarship Committee will meet to consider applications for minority scholarships.

A copy of the agenda may be obtained by contacting: Trecia Jenkins, Regulatory Specialist II, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607.

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: Trecia Jenkins. 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: Trecia Jenkins.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: July 27, 2012, 9:00 a.m.

PLACE: Eastmonte Park/Civic Center Building, 830 Magnolia Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a general public meeting of interested stakeholders to discuss issues related to the Wekiva Basin Management Action Plan (BMAP). This meeting will provide an opportunity for stakeholders to provide their comments and recommendations to the Department of Environmental Protection regarding development of the Wekiva BMAP. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary topic of discussion during this meeting will be the ongoing process of BMAP development.

A copy of the agenda may be obtained by contacting: Samantha Fillmore, Department of Environmental Protection, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400 or by calling (850)245-8418.

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: Samantha Fillmore, (850)245-8418. 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).

NOTICE OF CHANGE – The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2012, 1:00 p.m.

PLACE: Marion County McPherson Complex, Auditorium, 601 S.E. 25th Avenue, Ocala, FL 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop was previously noticed on July 13, 2012. The location of the workshop has been changed. To receive public comments on draft total maximum daily loads (TMDLs) for the impaired waters of the Silver Springs and Silver River, in the Ocklawaha Basin, to be adopted in Rule 62-304.500, F.A.C. The TMDLs to be presented at the public workshop are for Silver Springs WBID 2772A [Nutrients (Algal Mats), Silver Springs Group WBID 2772C [Nutrients (Algal Mats)], and Upper Silver River WBID 2772E [Nutrients (Algal Mats)].

The draft TMDL documents for these impaired waters will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl/>) by Friday July 13, 2012, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft TMDLs through August 13, 2012. Written comments should be directed to: Richard Hicks, Environmental Administrator, Ground Water Management Section, Florida Department of Environmental Protection, Mail Station #3575, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.w.hicks@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Linda Quinn-Godwin, Ground Water Management Section, MS #3575, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling: (850)245-8228.

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. Linda Quinn-Godwin, (850)245-8228. 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2012, 9:30 a.m.

PLACE: Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida 32926

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting to discuss water quality improvement projects and allocation of nutrient load reductions that are part of the North Indian River Lagoon Basin Management Action Plan. The revised draft of the Basin Management Action Plan will be presented at this meeting. The Total Maximum Daily Load for the North Indian River Lagoon was adopted in March 2009, and requires reductions in the loadings of total nitrogen and total phosphorus sufficient to meet seagrass depth limit targets.

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).

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

DATE AND TIME: August 2, 2012, 1:30 p.m.

PLACE: Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida 32926

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting to discuss water quality improvement projects related to the Banana River Lagoon Basin Management Action Plan. The revised draft of the Basin Management Action Plan will be presented at this meeting. The Total Maximum Daily Load for the Banana River Lagoon was adopted in March 2009, and requires reductions in the loadings of total nitrogen and total phosphorus sufficient to meet seagrass depth limit targets.

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).

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

DATE AND TIME: August 3, 2012, 9:30 a.m.

PLACE: Indian River County Building B, Room B1-501, 1800 27th Street, Vero Beach, Florida 32960

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting to discuss water quality improvement projects related to the Central Indian River Lagoon Basin Management Action Plan. Revisions to the draft of the Basin Management Action Plan will be presented at this meeting. The Total Maximum Daily Load for the Central Indian River Lagoon was adopted in March 2009, and requires reductions in the loadings of total nitrogen and total phosphorus sufficient to meet seagrass depth limit targets.

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).

The Department of Environmental Protection, Division of Water Resource Management announces a workshop to which all persons are invited.

DATE AND TIME: August 7, 2012, 10:00 a.m. (EDT)

PLACE: This workshop location is in addition to the locations published in the July 6, 2012, Florida Administrative Weekly for the second of three workshops that will be broadcast via webinars. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via: <https://www2.gotomeeting.com/register/678645322>. Alternatively, persons may view the webinar at the following locations where staff also will be available to accept comments.

Orange County Extension Education Center, 6021 South Conway Rd., Orlando, FL 32812

DATE AND TIME: August 16, 2012, 10:00 a.m. (EDT)

PLACE: This workshop location is in addition to the locations published in the July 6, 2012, Florida Administrative Weekly for the third of three workshops that will be broadcast via webinars. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via: <https://www2.gotomeeting.com/register/952961026>. Alternatively, persons may view the webinar at the following locations where staff also will be available to accept comments.

Orlando Central, 988 Woodcock Rd., Tedder Bldg., Suite 100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 373.4131, Florida Statutes (F.S.), as created by Chapter 2012-94, Laws of Florida (House Bill 7003), effective July 1, 2012, the Department of Environmental Protection (DEP), in coordination with the five Water Management Districts (WMDs), is required to develop statewide environmental resource permitting (ERP) rules governing the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works or works, or combinations thereof, to implement Part IV of Chapter 373, F.S. This rulemaking will rely primarily upon existing rules of DEP and WMDs, revised as necessary to achieve a more consistent, effective, and streamlined approach to implement the ERP program. Comments will be solicited to amend Chapter 62-330, Florida Administrative Code, an existing rule of DEP that currently incorporates by reference

the rules of the WMDs used by DEP to implement its responsibilities under the ERP program. The chapter will be substantially revised to become the statewide environmental resource permitting rules.

A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, 2600 Blair Stone Rd., MS #2500, Tallahassee, Florida 32399-2400, (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. The agenda and workshop information also are on the DEP Public Notice Calendar at: http://www.dep.state.fl.us/public_notices/default.htm. (OGC #12-1058)

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: Mary VanTassel, (850)245-8486. 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 questions about the webinars: Jennifer Butler, (850)245-8485. DEP has established an Internet site: (<http://www.dep.state.fl.us/water/wetlands/swerp/index.htm>) to provide information about the rulemaking, including a link to a forum page to accept comments from the public. A link to that site also exists on the draft rules site: http://www.dep.state.fl.us/water/rules_dr.htm#erp.

DEPARTMENT OF HEALTH

The Florida Coordinating Council for the Deaf and Hard of Hearing announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, August 9, 2012, 9:00 a.m. – 6:00 p.m.; Friday, August 10, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Easter Seals of Volusia and Flagler, 1219 Dunn Avenue, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Accessibility, supports and services for persons who are deaf, hard of hearing, late-deafened or deaf-blind in the State of Florida, and committee reports.

We are pleased to announce that Ms. Julie Shaw, Executive Director, disAbility Solution for Independent Living, Inc., will be our guest speaker on Thursday, August 9, 2012, 1:45 p.m.

Public Comment portion of the meeting will follow at 4:00 pm. Members of the public are cordially invited to attend all or parts of this meeting.

Computer assisted realtime translation services will be provided remotely via: <http://www.streamtext.net/text.aspx?event=FCCDHH>

The meeting may be accessed via toll-free telephone at 1(888)670-3525, Event Code: 6625033505 #.

A copy of the agenda may be obtained by contacting: info@fcdh.org, by calling: 1(866)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY).

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: info@fcdh.org, by calling: 1(866)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY). 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: info@fcdh.org, by calling: 1(866)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY).

The **Department of Health**, Electrolysis Council, under the **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 25, 2013; May 20, 2013; August 5, 2013; October 21, 2013, 9:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525, after dialing the meet me number, when prompted, Pass Code: 4389078941 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Electrolysis Council, 4052 Bald Cypress Way, 4052 Bald Cypress Way, BIN #C-05, Tallahassee, FL 32399-3255, by visiting our website: <http://www.doh.state.fl.us/mqa/electrolysis/index.html> or by calling the board office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). 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.

The **Department of Health**, Electrolysis Council under the **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 2, 2012, 2:00 p.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)670-3525, after dialing the meet me number, when prompted, insert: 4389078941 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation and Training of New Electrology Council Members.

A copy of the agenda may be obtained by contacting: Electrolysis Council, 4052 Bald Cypress Way, 4052 Bald Cypress Way, BIN #C-05, Tallahassee, FL 32399-3255, by visiting our website: <http://www.doh.state.fl.us/mqa/electrolysis/index.html> or by calling: The Board Office, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council Office, (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). 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.

The **Board of Medicine**, Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 1, 2012, immediately following the Rules/Legislative Committee

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Crystal Sanford, crystal_sanford@doh.state.fl.us, (850)245-4131.

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: Crystal Sanford, crystal_sanford@doh.state.fl.us or

call: (850)245-4131. 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.

The **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, 9:00 a.m.

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call: Board of Medicine, (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Chandra Prine, chandra_prine@doh.state.fl.us, call: (850)245-4135.

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: Chandra Prine, chandra_prine@doh.state.fl.us, call: (850)245-4135. 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.

The **Board of Medicine**, Finance & Process Accountability Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, immediately following the Communication, Education & Information Committee

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call: Board of Medicine, (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Whitney Bowen, whitney_bowen@doh.state.fl.us, call: (850)245-4131, ext. 3517.

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: Whitney Bowen, email: whitney_bowen@doh.state.fl.us, call: (850)245-4131, ext. 3517. 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.

The **Board of Medicine**, Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, immediately following the Probationers Committee

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call: Board of Medicine, (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Whitney Bowen, whitney_bowen@doh.state.fl.us, (850)245-4131, ext. 3517.

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: Whitney Bowen, whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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.

The **Board of Medicine**, Communication, Education & Information Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, immediately following the Surgical Care/Quality Assurance Committee

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200
GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call the Board of Medicine, (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Crystal Sanford, crystal_sanford@doh.state.fl.us, (850)245-4131.

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: Crystal Sanford at crystal_sanford@doh.state.fl.us or call: (850)245-4131. 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.

The **Board of Medicine**, Physician Assistants Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, 1:00 p.m.

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call: Board of Medicine, (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Chandra Prine, chandra_prine@doh.state.fl.us, call: (850)245-4135.

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: Chandra Prine, email: chandra_prine@doh.state.fl.us, call: (850)245-4135. 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.

The **Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, immediately following the Council of Physician Assistants meeting

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Boulevard, Tampa, FL 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Shaila Washington, (850)245-4268 or by email: MQA_MedicalComplianceOfficer@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Shaila Washington, (850)245-4268 or by email: MQA_MedicalComplianceOfficer@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Shaila Washington, (850)245-4268.

The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 3, 2012, 7:00 a.m.

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, Florida 33609, Hotel Phone: (813)289-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: <http://www.doh.state.fl.us/mqa/medical/index.html> for cancellations or changes to meeting dates or call: Board of Medicine, (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Whitney Bowen, whitney_bowen@doh.state.fl.us, (850)245-4131, ext. 3517.

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: Whitney Bowen, whitney_bowen@doh.state.fl.us

or call: (850)245-4131, ext. 3517. 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.

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

DATE AND TIME: July 30, 2012, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)670-3525, Code: 9638257208

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

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

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

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

The **Board of Nursing** and Council on Certified Nursing Assistants announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Friday, August 1-3, 2012

PLACE: Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. CNA Council meets to discuss general business.

Wednesday, 2:00 p.m. Credentials Committee.

Wednesday, 2:00 p.m. Education Committee.

Thursday, 8:30 a.m. CNA discipline; 1:00 p.m. RN, LPN, ARNP discipline and general business.

Friday, 8:30 a.m. General business.

To view the public agenda materials visit: <http://www.doh.state.fl.us/mqa/nursing/nur-meeting.html>.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

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

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

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

DATE AND TIME: Friday, August 3, 2012, 10:00 a.m.

PLACE: Conference Call: 1(888)670-3523, Participant Passcode: 9238150597; Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or access the web site: www.doh.state.fl.us/mqa/nurshome/index.html.

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. Causey. 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.

The **Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, August 14, 2012, 1:00 p.m.; Wednesday, August 15, 2012, 8:00 a.m.

PLACE: Holiday Inn & Suites, 2725 Graves Road, Tallahassee, FL 32303, (850)536-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy website: http://www.doh.state.fl.us/mqa/pharmacy/ph_meeting.html under "Agendas and Notices" 7 days prior to the meeting date. You may also contact: Board of Pharmacy, (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Board of Pharmacy, (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

The **Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, October 9, 2012, 1:00 p.m.; Wednesday, October 10, 2012, 8:00 a.m.

PLACE: Holiday Inn & Suites, 2725 Graves Road, Tallahassee, FL 32303, (850)536-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy website: http://www.doh.state.fl.us/mqa/pharmacy/ph_meeting.html under "Agendas and Notices" 7 days prior to the meeting date. You may also contact: Board of Pharmacy, (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Board of Pharmacy, (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

The **Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, December 11, 2012, 1:00 p.m.; Wednesday, December 12, 2012, 8:00 a.m.

PLACE: Holiday Inn & Suites, 2725 Graves Road, Tallahassee, FL 32303, (850)536-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy website: http://www.doh.state.fl.us/mqa/pharmacy/ph_meeting.html under "Agendas and Notices" 7 days prior to the meeting date. You may also contact: Board of Pharmacy, (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Board of Pharmacy, (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

The Florida **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2012, 9:00 a.m. (EST) or shortly thereafter

PLACE: Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Christy Robinson, (850)245-4161. 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.

The **Board of Athletic Training** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 31, 2012, 9:00 a.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474, at least one week prior to meeting date.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATES AND TIMES: Solicitation Conference, August 1, 2012, 10:30 a.m.; Proposal Opening and Review of Mandatory Requirements, August 20, 2012, 11:00 a.m.; Initial Meeting of the Department's Evaluators, August 20, 2012, 3:00 p.m.; Debriefing meeting of Department Evaluators, August 27, 2012, 3:00 p.m.

PLACE: Solicitation Conference: Conference Call (1(888)670-3525, ID 6953051520#);

Proposal Opening and Review of Mandatory Requirements, 1317 Winewood Blvd., Building 3, Room 439, Tallahassee, Florida 32399-0700;

Initial Meeting of the Department's Evaluators, 1317 Winewood Blvd., Building 3, Room 439, Tallahassee, Florida 32399-0700;

Debriefing meeting of Department Evaluators, 1317 Winewood Blvd., Building 3, Room 439, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public meetings concern the Request for Proposals #06F12GC1, Supplemental Nutrition Assistance Program – Outreach.

NOTE: Notice of any change will be posted on the Department of Management Services Vendor Bid System (VBS) under Invitation to Negotiate #06F12GC1 in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly.

The VBS can be accessed at website: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Each meeting will be posted on the VBS and the agenda will be posted on the Department's website which will also reflect changes regarding the above meetings.

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: Walter Sachs, Walter_Sachs@dcf.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).

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

The Prevention Partnership Grants (PPG)

PLACE: 1317 Winewood Boulevard, Building 6, Conference Room A, Tallahassee, Florida 32399

DATE AND TIME: July 30, 2012, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initial meeting of the review team. This meeting is being held to provide guidance to the Review Team regarding their role and responsibilities in the review process and to distribute the grant applications for review.

DATES AND TIME: August 21-23, 2012, To be determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: Debriefing meeting of the review team. This meeting is being held to obtain feedback from the Review Team for each of the grant applications and develop recommendations for grant award.

NOTE: Notice of any change will be posted on the Department of Management Services Vendor Bid System (VBS) and will not be re-advertised in the Florida Administrative Weekly.

The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu. The agenda for each meeting will be posted on the Department's website as well as the VBS.

A copy of the agenda may be obtained by contacting: Michele Staffieri, email: Michele_Staffieri@dcf.state.fl.us.

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

DATES AND TIME: August 1-2 and August 6-7, 2012, To be determined

PLACE: 1317 Winewood Boulevard, Building 6, Conference Room A, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Negotiations to become the Managing Entity for Substance Abuse and Mental Health Services for the Southeast Region.

A copy of the agenda may be obtained by contacting: Michele Staffieri, email: Michele_Staffieri@dcf.state.fl.us.

The **Tampa Bay Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 31, 2012, 1:30 p.m. – 3:30 p.m.

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tampa Bay Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair, (813)558-5841 or Taddese Fessehaye, (407)317-7335.

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: Janet Blair, (813)558-5841 or Taddese Fessehaye, (407)317-7335. 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: Janet Blair, (813)558-5841 or Taddese Fessehaye, (407)317-7335.

The **Collier Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 1, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Catholic Charities, 2210 Santa Barbara Blvd., Naples, FL 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Collier Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair, (813)558-5841 or Taddese Fessehaye, (407)317-7335.

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: Janet Blair, (813)558-5841 or Taddese Fessehaye, (407)317-7335. 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: Janet Blair, (813)558-5841 or Taddese Fessehaye, (407)317-7335.

FISH AND WILDLIFE CONSERVATION COMMISSION

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

DATE AND TIME: August 9, 2012, 2:00 p.m.

PLACE: WebEx (Online Meeting Contact: Kat Diersen for call-in information)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an interim workshop for members of the Steering Committee for the Florida Beaches Habitat Conservation Plan. Topics to be discussed include draft of Chapter 7 of the HCP, “Threats to Covered Species in the Plan Area from CCCL Activities.”

A copy of the agenda may be obtained by contacting: Kat Diersen, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS #2A, Tallahassee, FL 32399-1600, (850)921-1023, katherine.diersen@myfwc.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 5 days before the workshop/meeting by contacting: The ADA Coordinator, (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: Kat Diersen, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS #2A, Tallahassee, Florida 32399-1600, (850)921-1023, katherine.diersen@myfwc.com.

DEPARTMENT OF FINANCIAL SERVICES

The **Medicaid and Public Assistance Fraud Strike Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday August 8, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Senate Office Building, Room 401, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Medicaid and Public Assistance Fraud Strike Force.

A copy of the agenda may be obtained by contacting: www.flstrikeforce.com. Agenda will be posted 5 days prior to meeting.

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: Jade Stern, (850)413-1770, email: jade.stern@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).

For more information, you may contact: Jade Stern, (850)413-1770, email: jade.stern@myfloridaCFO.com.

FINANCIAL SERVICES COMMISSION

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

DATE AND TIME: August 2, 2012, 9:00 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Universal Insurance Company of North America has requested a 22.0% overall rate increase for its homeowners line of business. The proposed rate increase would be effective November 12, 2012 for new business and renewal business. The requested rate increase is not uniform. Some areas are subject to a higher rate increase.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@floiir.com; the subject line of your e-mail should read "Universal."

A copy of the agenda may be obtained by contacting: Ken Tinkham, Esquire, (850)413-4292 and Cindy Walden, (850)413-2616.

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: Cindy Walden, (850)413-2616 or e-mail: cindy.walden@floiir.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).

For more information, you may contact: Ken Tinkham, Esquire, (850)413-4292 and Cindy Walden, (850)413-2616.

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

DATE AND TIME: August 7, 2012, 9:00 a.m.

PLACE: Senator Jim King Committee Room (401 Senate Office Building), Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Castle Key Insurance Company and Castle Key Indemnity Company have requested average statewide rate increases of 32.1% and 21.9% for their homeowners programs, respectively. The proposed rate increases would be effective December 2, 2012, for new and renewal business. The requested rate increases are not uniform. Some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@floiir.com; the subject line of your e-mail should read "Castle Key."

A copy of the agenda may be obtained by contacting: Kenneth Tinkham, Esquire, (850)413-4292 or Cindy Walden, (850)413-2616.

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: Cindy Walden, (850)413-2616 or e-mail: cindy.walden@floiir.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).

For more information, you may contact: Kenneth Tinkham, Esquire, (850)413-4292 or Cindy Walden, (850)413-2616.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The **Reemployment Assistance Appeals Commission** announces a hearing to which all persons are invited.

DATE AND TIME: July 31, 2012, 10:00 a.m.

PLACE: Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public hearing on proposed amendments to Rules 73B-20.001, 73B-20.003, 73B-20.004, 73B-20.005, 73B-20.006, 73B-20.007 and 73B-20.015, F.A.C., published on June 8, 2012, Vol. 38, No. 23, of the Florida Administrative

Weekly. This hearing will be held in conjunction with the hearing for amendments to rules in Chapters 73B-21 and 73B-22, F.A.C.

A copy of the agenda may be obtained by contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

The Reemployment Assistance Appeals Commission announces a hearing to which all persons are invited.

DATE AND TIME: July 31, 2012, 10:00 a.m.

PLACE: Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public hearing on proposed amendments to Rules 73B-21.002, 73B-21.004 and 73B-21.006, F.A.C., published on June 8, 2012, in Vol. 38, No. 23, of the Florida Administrative Weekly. This hearing will be held in conjunction with the hearing for amendments to rules in Chapters 73B-20 and 73B-22, F.A.C.

A copy of the agenda may be obtained by contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by

contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

The Reemployment Assistance Appeals Commission announces a hearing to which all persons are invited.

DATE AND TIME: July 31, 2012, 10:00 a.m.

PLACE: Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public hearing on proposed amendments to Rules 73B-22.003 and 73B-22.009, F.A.C., published on June 8, 2012, in Vol. 38, No. 23, of the Florida Administrative Weekly. This hearing will be held in conjunction with the hearings for amendments to rules in Chapters 73B-20 and 73B-21, F.A.C.

A copy of the agenda may be obtained by contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Dorothy Johnson, Deputy General Counsel, Office of the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, August 2, 2012, 9:00 a.m.
PLACE: York Risk Services Group, Inc., 2170 W. State Road 434, Suite 494, Longwood, FL 32779
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Claims Provider performance in claims handling and any other matters that may come before the committee.
A copy of the agenda may be obtained by contacting: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.
DATE AND TIME: August 9, 2012, 8:00 a.m.
PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.
A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA

The **Center for Independent Living of South Florida** announces a public meeting to which all persons are invited.
DATE AND TIME: Saturday, July 28, 2012, 12:00 Noon – 2:00 p.m.
PLACE: 6660 Biscayne Boulevard, Miami, FL 33138
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Board of Directors of the Center for Independent Living of South Florida, Inc. The Finance Committee and other ad hoc committees will meet 11:00 a.m. – 12:00 Noon, prior to the Board Meeting.
If alternative format (Braille, large print, electronic or audiotape), ASL interpreter, or other accommodation is required, please request at least 14 days in advance of the meeting date. RSVP to: Mary@soflacil.org or call: (305)751-8025, TDD: (305)751-8891.

A copy of the agenda may be obtained by contacting: Mary@soflacil.org or by calling: (305)751-8025, ext. 110.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.
DATE AND TIME: July 26, 2012, 4:00 p.m.
PLACE: Miami, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Citizens Property Insurance Corporation announces a Finance and Investment Committee Meeting to begin at 4:00 p.m. (EDT); Thursday, July 26, 2012 being held at the JW Marriott, 1109 Brickell Avenue, Miami, FL. Item of discussion include, Overview of Investment Performance/Compliance.
For additional information, please call: Jill Stafford, 1(800)807-7647 or visit our website: www.citizensfla.com.
Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Jill Stafford at least five days prior to the meeting.

FLORIDA INDEPENDENT LIVING COUNCIL, INC.

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.
MEETING: Executive Committee
DATE AND TIME: Friday, July 6, 2012, 11:30 a.m.
PLACE: Conference Call: 1(888)670-3525, Code: 5073148497; FILC, Inc., Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303
GENERAL SUBJECT MATTER TO BE CONSIDERED: FLA-704 Part I for IL program for Florida – H169A110080 FY2011 and regular business of the Council.
COMMITTEE AND TASK FORCE MEETINGS: 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.

A copy of the agenda may be obtained by contacting: Molly Gosline, (850)488-5624.

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

MEETING: Network of Centers

ADA obligations of police departments

DATE AND TIME: Thursday, July 19, 2012, 10:00 a.m.

PLACE: Conference Call: (1)888-808-6959, Conference Code: 2453338

MEETING: Network of Centers

How to properly make an announcement about an event

DATE AND TIME: Thursday, August 2, 2012, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 2453338; 1416 N. Adams Street, Tallahassee, Florida 32303

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

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.

HERNANDO COUNTY PLANNING DEPARTMENT

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

DATE AND TIME: Wednesday, July 25, 2012, 10:00 a.m.

PLACE: John Law Ayers County Commission Chambers, Hernando County Government Center, 20 North Main Street, Room 160, Brooksville, FL 34601

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting. Items scheduled on the agenda include the annual review of the bylaws, and the Community Transportation Coordinator's regular quarterly report.

A copy of the agenda may be obtained by contacting: Steve Diez, Transportation Planner II, Hernando County Metropolitan Planning Organization, 20 North Main Street, Room 262, Brooksville, FL 34601, (352)754-4057 or email: mpo@hernandocounty.us. The meeting agenda may be viewed online at www.hernandocounty.us/mpo.

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: Steve Diez, Transportation Planner II, Hernando County Metropolitan Planning Organization, 20 North Main Street, Room 262, Brooksville, FL 34601, (352)754-4057. 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.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 24, 2012, 8:30 a.m.

PLACE: 412 W. Orange Street, Room 102, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ranking of Grants, award funds, and general business.

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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: Sandy Meeks, (863)773-9430.

MARION COUNTY SHERIFF'S OFFICE

The **Florida Model Jail Standards Sub-Committee** announces a workshop to which all persons are invited.

DATES AND TIME: August 1-2, 2012, 9:00 a.m. – 3:00 p.m.

PLACE: Marion County Sheriff's Office, Jail's Information and Visitor Center, Multi-purpose Conference Room, Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed changes, issues and concerns involving the minimum standards and operations of Florida's county and municipal jails.

A copy of the agenda may be obtained by contacting: Lydia E. Hightower, (352)369-6831.

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: Lydia E. Hightower, (352)369-6831. 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: Lydia E. Hightower, (352)369-6831.

STUDY COMMITTEE ON INVESTOR-OWNED WATER AND WASTEWATER UTILITY SYSTEM

NOTICE OF CANCELLATION – The **Study Committee on Investor-Owned Water and Wastewater Utility System** announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation Notice, July 26, 2012, 10:00 a.m. – 5:00 p.m. (EST)

PLACE: Knott Building, Room 116K, 404 S. Monroe Street, Tallahassee, FL 32399-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first meeting of the Study Commission on Investor-Owned Water and Wastewater Utility Systems has been cancelled, and will be rescheduled for August 16, 2012. A new Notice of Meeting will be published in the next F.A.W.

A copy of the agenda may be obtained by contacting: JoAnn Chase, (850)413-6978 or JCHASE@psc.state.fl.us.

ENTERPRISE FLORIDA, INC.

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

DATE AND TIME: Tuesday, July 24, 2012, 2:00 p.m.

PLACE: Enterprise Florida Office – Orlando, 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Jay Robinson, (407)956-5607.

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: Jay Robinson, (407)956-5607. 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: Jay Robinson, (407)956-5607.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA, Executive Compensation Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 9, 2012, 2:00 p.m. (Eastern Time)

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne, (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive compensation plan matters shall be discussed at the meeting.

A copy of the agenda may be obtained by contacting: Kathy Coyne, (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

BABCOCK RANCH, INC.

The Board of Directors of **Babcock Ranch, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 2, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: (720)399-1558 (Not Toll-Free), when prompted, enter Participant ID: 564803#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will continue discussion on matters including, but not limited to, the Management Agreement, Business Plan, Audit, re-appointments, leasing opportunities, budget and funding, website development, planning, etc. Board and agency members please send in any items for the agenda by July 18, 2012. A detailed agenda will be distributed prior to the meeting.

A copy of the agenda may be obtained by contacting: Debbie Upp, execassistant@archbold-station.org or (863)465-2571, ext. 251.

GHYABI & ASSOCIATES

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

DATE AND TIMES: Wednesday July 25, 2012, The corridor has been divided into three segments with a meeting devoted to each: Segment ONE (from CR 475 to SR 464), 10:30 a.m. – 12:30 p.m.; Segment TWO (from SR 464 to SR 200), 2:00 p.m. – 4:00 p.m.; and Segment THREE (from SR 200 to N.W. 2nd St.), 4:00 p.m. – 6:00 p.m. All meetings are open to the

public. Although you may choose to attend the meeting for the segment which affects you most, you are welcome to attend all three if you desire

PLACE: Ocala Police Department, Community Room, 402 South Pine Avenue, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 420814-1-12-01

Project Description: US 441/ SR 500 (Pine Avenue) From County Road (CR) 475 to N.W. 2nd Street, Marion County, FL. The purpose of this public information meeting is to receive public input and to gain ideas from the local community about potential multimodal transportation improvements to help transform the corridor into a walkable urban thoroughfare. Multimodal projects are essential to network efficiency, safety and livability within the context of future transportation needs. A copy of the agenda may be obtained by contacting: Judy Pizzo, GISP, Systems Planner for FDOT, 133 S. Semoran Boulevard, Orlando, Florida 32807, (407)482-7880 or email: Judy.Pizzo@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Rebecca Zawadski, E.I. at Ghyabi & Associates, 1459 N. US Highway 1, Suite 3, Ormond Beach, FL 32174, (386)677-5499, ext. 246 or via email: rzawadski@ghyabi.com. Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status. 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: Judy Pizzo, GISP, Systems Planner for the FDOT, (407)482-7880 or via e-mail: Judy.Pizzo@dot.state.fl.us OR Rebecca Zawadski, E.I. at Ghyabi & Associates, (386)677-5499, ext. 246 or via email: rzawadski@ghyabi.com.

QCAUSA

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

DATE AND TIME: Thursday, July 12, 2012, 5:30 p.m. – 7:30 p.m.

PLACE: James P. Austin Community Center, 315 Dr. Martin Luther King, Jr. Boulevard, Lake Wales, Florida 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Road 60 roadway improvement projects. This public meeting is being held to inform interested persons about the

State Road 60 projects in Polk County, Florida. Improvements as part of these projects will include removing asphalt (milling) and resurfacing the roadway with new asphalt, concrete approaches for existing bridges and CSX and Florida Midland Railroad crossings, widening, base work, shoulder treatment, drainage improvements, curb and gutters, guardrail, bridge rail retrofits, sidewalks, new signage and pavement markings, and lighting adjustments.

This meeting will be held in an open house format with no formal presentation or 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: Robin Parrish, District One Title VI Coordinator, (863)519-2675 or by e-mail: robin.parrish@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: Darren Alfonso, Public Information Officer, darren@qcausa.com or (863)242-1549.

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

DATE AND TIME: Tuesday, July 24, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Palm Beach Convention Center, Room 1C, 650 Okeechobee Blvd., West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a preconstruction Open House for the Flagler Memorial Bridge Replacement Project. During the open house attendees will have the opportunity to meet the project team, review the construction schedule and maintenance of traffic and ask questions regarding this project.

A copy of the agenda may be obtained by contacting: Tish Burgher, (954)325-8022 or via email: Tish@qcausa.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 seven days before the workshop/meeting by contacting: Tish Burgher, (954)325-8022 or by email: Tish@qcausa.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).

For more information, you may contact: Tish Burgher, (954)325-8022 or via email: Tish@qcausa.com.

QUEST CORPORATION OF AMERICA, INC.

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

DATE AND TIME: July 19, 2012, 5:00 p.m.

PLACE: Rolling Hills Moravian Church, 1525 West State Road 434, Longwood, FL 32750

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 240233-3-38-1.

Project Description: The SR 434 project widens the road from four lanes to six lanes, includes a 22-foot median, as well as upgraded pedestrian features to meet standards under the Americans with Disabilities Act (ADA). Drainage improvements and bike lanes are included, so are curb and gutters, highway signing, traffic signals, pavement markings, and other incidental work.

A flyer will be distributed at the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least seven (7) days before the meeting by contacting: Ms. Megan Olivera, Public Involvement Coordinator, (407)482-7812, via e-mail: Megan.Olivera@dot.myflorida.com.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status. Persons who require translation services (free of charge) should contact Ms. Olivera at the phone number above.

For more information, you may contact: Tammie Andrews, FDOT, Project Manager, (407)482-7841 or via e-mail: Tammie.Andrews@dot.myflorida.com.

A copy of the agenda may be obtained by contacting: Tammie Andrews, FDOT, Project Manager, (407)482-7841 or via e-mail: Tammie.Andrews@dot.myflorida.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: Tammie Andrews, (407)482-7841 or via e-mail: Tammie.Andrews@dot.myflorida.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).

HOLT COMMUNICATIONS, INC.

The **South Florida Regional Transportation Authority** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, July 30, 2012, 6:00 p.m.

PLACE: City of Fort Lauderdale, City Hall, Commission Chambers, First Floor, 100 N. Andrews Avenue, Fort Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Regional Transportation Authority (SFRTA), in partnership with Broward County, the Fort Lauderdale Downtown Development Authority, the City of Fort Lauderdale, Florida Department of Transportation and Broward Metropolitan Planning Organization, will conduct a Public Hearing for the WAVE Streetcar, formerly known as the

Downtown Transit Circulator (DTC). This Public Hearing is being conducted to give interested persons an opportunity to provide input regarding the location, conceptual design, social, economic and environmental effects of the proposed improvements. The proposed improvement involves the construction of a new streetcar system in Downtown Fort Lauderdale. The project would extend approximately 2.7 miles from S.E. 17th Street and Andrews Avenue, adjacent to Broward General Medical Center, running north to N.E. 6th Street and N.E. 3rd Avenue. The alignment of the project would primarily be along Andrews Avenue, Brickell Avenue, and E. 3rd Avenue. The Public Hearing will begin as an open house at 6:00 p.m., with a formal presentation, 6:30 p.m., followed by a public comment period.

The draft project documents and other information will be available for public review beginning Monday, July 9, 2012 through Friday, August 10, 2012, on the project website: www.wavestreetcar.com; Broward County Main Library, 100 S. Andrews Avenue, Fort Lauderdale, 5th Floor, Florida 33301 on Mondays, Thursdays and Fridays, 10:00 a.m. – 6:00 p.m.; Tuesdays and Wednesdays, 12:00 Noon – 8:00 p.m.; and also at the City of Fort Lauderdale Transportation & Mobility Building, 290 N.E. 3rd Avenue, Fort Lauderdale, Florida 33301 on weekdays between the hours of 8:00 a.m. – 4:00 p.m. Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the Public Hearing or by sending them to: Barbara Handrahan, SFRTA, 800 N.W. 33rd Street, Pompano Beach, Florida 33064, by email: handrahanb@sfirta.fl.gov. All exhibits or statements postmarked on or before Friday, August 10, 2012, will become a part of the Public Hearing record.

A copy of the agenda may be obtained by contacting: Barbara Handrahan at the address or email address listed above or by telephone at (954)788-7974.

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 seven (7) days before the workshop/meeting by contacting: Barbara Handrahan at the address, email address or telephone number listed above. 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: Barbara Handrahan of SFRTA at the address, email address or telephone number listed above.

HSA CONSULTING GROUP

NOTICE OF RESCHEDULING – The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2012, 6:00 p.m. – 7:00 p.m. (Eastern Time Zone) (Note: This meeting was previously scheduled for July 26, 2012, but has been rescheduled to August 16, 2012)

PLACE: Henry W. McMillan National Guard Armory, 1225 Easterwood Drive, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT District Three Resurfacing, Rehabilitation & Restoration Projects on State Road (S.R.) 10 (US 90/Mahan Drive) from S.R. 265 (Magnolia Drive) to S.R. 261 (US 319/Capital Circle) AND on S.R. 261 (US 319/Capital Circle) from North of Park Avenue to County Road (C.R.) 151 (Centerville Road).

A copy of the agenda may be obtained by contacting: David Freni, P.E., Project Manager, H.W. Lochner, Inc., (850)656-9027, email: dfreni@hwlochner.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: David Freni, P.E., Project Manager, H.W. Lochner, Inc., (850)656-9027, email: dfreni@hwlochner.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).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Albert Frost, Petitioner/Unit Owner, In Re: Tregate East Condominium Association, Inc. on April 30, 2012. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it may not render an opinion on statutes, rules, or orders outside of its authority; or where there is a dispute of fact; or when it has not been provided a complete, current set of governing documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Diane Sullivan, president, In Re: Windsor North Condominium Association, Inc. on April 4, 2012. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it may not issue a statement where there is a dispute of facts; or when neither governing documents nor substantial evidence has been provided; or when the interpretation of a statute, rule or order is beyond the scope of a declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Larry M. Schneider, AIA for North Broward Hospital District. The petition seeks the agency's opinion as to the applicability of Section 11-4.7, Florida Accessibility Code, (2007) as it applies to the petitioner.

The petitioner asks if section 11-4.7, Florida Accessibility Code, (2007) mandates that edge protection be provided on parallel and corner curb ramps.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2203, (850)921-0342.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399, (850)921-2247.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on July 2, 2012, the Board of Pharmacy has received the petition for declaratory statement from Angela S. Garcia, PharmD, CPh. The petition seeks the agency’s opinion as to the applicability of Section 465.189, F.S., as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement regarding Section 465.189, F.S., as to whether training in the administration of influenza virus immunization received by interns prior to licensure as pharmacists may be accepted for certification to administer said immunizations subsequent to receipt of licensure as a Florida Pharmacist or if such training is only acceptable for certification if obtained post licensure in the form of continuing education. The request is based upon the proposition that the course work is equivalent and the only distinction is the point of delivery.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Endeavor Capital South, LLC. The petition seeks the agency’s opinion as to the applicability of Sections 494.001 and 494.00115, Florida Statutes, as it applies to the petitioner.

The petition seeks the Office’s opinion as to the application of Sections 494.001 and 494.00115, Florida Statutes, to the activities of Endeavor Capital South, LLC. The petition seeks a declaratory statement from the Office on whether Petitioner is required to apply for and obtain a Florida Mortgage Lender License pursuant to Chapter 494, Part III, Florida Statutes.

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

Please refer all comments to: Scott Tavolieri, email: scott.tavolieri@flofr.com.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices 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 AGRICULTURE AND CONSUMER SERVICES

Invitation to Bid

**Construction of Greenhouses and Head Houses
at the Citrus Repository**

As a Contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, hereinafter referred to as Owner, for the Construction of Greenhouses and Head Houses at the Citrus Repository located at 22004 North State Road 121, LaCrosse, FL 32658. The Project Budget is estimated to be \$1,900,000.

The contractor shall provide all materials, labor, equipment and inspection fees necessary for the Construction of Greenhouses and Head Houses at the Citrus Repository in accordance with the terms and conditions of the Invitation to Bid.

PROJECT NAME & LOCATION: Construction of Greenhouses and Head Houses at the Citrus Repository located at 22004 North State Road 121, LaCrosse, FL 32658.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at website: <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/PI-12/13-02 or by calling: Purchasing Office, (850)617-7181.

PLANS AND DRAWINGS: Plans and Drawings can be purchased for a fee of \$79.61 per set at ARC, Gainesville, 3239 Southwest 47 Avenue, Suite 300, Gainesville, Florida 32608, (352)371-5772, (352)371-1188, gainesville.production@e-arc.com.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on August 7, 2012, 10:00 a.m., at the Citrus Repository, 22004 North State Road 121, LaCrosse, FL 32658. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION, DENIAL OR REVOCATION FOR THE RIGHT TO TRANACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: Each bid shall be accompanied by a Performance Bond in the amount of one-hundred percent (100%) of the Base Bid Price.

BID BOND: Each bid shall be accompanied by a Bid Bond Guarantee payable to the Department in the amount of five percent (5%) of the Base Bid Price.

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

DATE AND TIME: September 21, 2012, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8, Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing Services will receive sealed bids for the following: LM-4524/ITBMB-109, J. Hillis Miller Health Science Center Replace HD AHUs Penthouse, estimated budget: \$550,000, to be opened September 11, 2012, 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL.

Scope of work: The work includes the phased replacement of central air-handling units located in the Human Development building penthouse. A mandatory pre-bid meeting will be held July 31, 2012, 10:00 a.m., in the Communicore Building Classroom CG-056, Gainesville, FL. The contractor prequalification criteria will be discussed at the pre-bid meeting. Pre-Qualification forms are available on the Purchasing website. Questions should be directed to: Mercedes Bongiovanni, mbongio@ufl.edu or (352)392-1331, ext. 210. For more information visit: www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact: Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-368, Reitz Union Expansion and Renovation (Gainesville, FL)

The project consists of the expansion and renovation of the J. Wayne Reitz Union (JWRU) in the heart of campus at the University of Florida. The project will demolish the existing colonnade building, build approximately 100,000 GSF in this location and renovate roughly 50,000 GSF in the existing building. The JWRU was constructed in 1967 when there were only 19,000 students and 150 student clubs. UF currently has approximately 50,000 students and over 900 registered clubs and organizations without any significant expansion to the student space.

The scope of services shall include design phase peer review; completion and maintenance of the Owner's Project Requirements (OPR) document; development of the Commissioning Plan, Commissioning Specifications, and

Systems Manual; and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The consultant shall also support project efforts to achieve higher-than-normal energy efficiency and attain Platinum LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Consultants, and other background information.

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services.
2. A completed, project-specific Commissioning proposal form with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for the applicant and its consultants from the appropriate governing board.
5. Proof of the applicant's ability to be insured for the level of professional liability coverage demanded for this project.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form and Instructions, Project Fact Sheet, UF Design Services Guide, UF Design & Construction Standards, FP&C non-technical specifications, standard University of Florida Owner-Commissioning Consultant agreement, and other project and process information can be found on the Facilities Planning & Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 PM local time, on Tuesday August 21, 2012. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction

232 Stadium / P.O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)273-4000; Fax: (352)273-4034

Internet: www.facilities.ufl.edu

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-368, Reitz Union Expansion and Renovation (Gainesville, FL)

The project consists of the expansion and renovation of the J. Wayne Reitz Union (JWRU) in the heart of campus at the University of Florida. The project will demolish the existing colonnade building, build approximately 100,000 GSF in this location and renovate roughly 50,000 GSF in the existing building. The JWRU was constructed in 1967 when there were only 19,000 students and 150 student clubs. UF currently has approximately 50,000 students and over 900 registered clubs and organizations without any significant expansion to the student space.

The total project budget is \$69,000,000, including building demolition, site improvements, underground utilities, fees, surveys & tests, total building commissioning, furnishings & equipment, and contingencies. Construction shall be phased to begin summer 2013. Platinum LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Conceptual Design stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; development of waste management strategies; and development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction Documents. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase

one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement, may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity and liability insurance coverage.
7. Proof of the applicant's Experience Modification Rating (EMR) safety rating.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction

Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 PM local time on Thursday August 16, 2012. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction
232 Stadium / P.O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000; Fax: (352)273-4034
Internet: www.facilities.ufl.edu

CALL FOR BIDS

The University of West Florida Board of Trustees is soliciting sealed bids for the following:

Bldg. 22 Hazardous Mitigation Grant Project

A Mandatory Pre-Submittal Conference will be held on August 2, 2012, 2:00 p.m. (Central Time), Bldg. 92, Room 110, Training Room, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

All bidders are required to attend the pre-submittal conference. Failure of a representative from the principal firm to attend and sign in on the UWF official log as documented proof of attendance, shall result in immediate disqualification from this competitive solicitation process.

Potential subcontractors are invited to attend to become familiar with the project specifications and to become acquainted with contractors who may bid the project. However, attendance by subcontractors is not required.

Sealed bids will be received until August 23, 2012, 2:00 p.m. (Central Time), at the Office of Procurement and Contracts, Bldg. 20E, Room 101, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Bid number 11ITBCI-14JJ must be marked on outside of bid package. The University will not be responsible for unopened bid packages at the bid opening when the package is not properly identified. Bids must be submitted in full and in accordance with the requirements of all terms and conditions of the Invitation to Bid.

View this solicitation and related information on Procurement and Contracts' website: <http://uwf.edu/procurement>. All bidding documents and technical specifications may be downloaded from this site. Requests for drawings and all other questions should be directed to: Judy Jasmyn, email: jjasmyn@uwf.edu.

RFP #R127061GN

Benefits Consulting and Actuarial Services

Sealed proposals for benefits consulting and actuarial services will be received from eligible proposers at the School District of Lee County (hereinafter "The District"), Department of Procurement Services, 2855 Colonial Blvd., Fort Myers, FL 33966, until Tuesday, July 31, 2012, 2:00 p.m. (Local Time). The purpose of this RFP is to solicit offers from qualified insurance professionals to provide brokerage, consulting, and actuarial services to the District in support of the District's self-funded health plan and fully insured voluntary benefit programs. Such services will include, but not be limited to: (1) reviewing and advising on appropriate insurance coverage; (2) marketing and placement of insurance, including participating in RFP review and evaluation as requested by the District; (3) reviewing vendor contracts and evidence of coverage; (4) coordinating with other District service providers; (5) participation in joint labor-management benefits committee meetings; and (6) acting as a liaison and an advocate for the District with insurance companies; (7) Providing a supervising actuary for consulting services, experience analysis and valuation of a large self-insured governmental health fund.

The use of subcontractors shall not be permitted.

Interested parties must register with the Department of Procurement Services by contacting Procurement Agent Ginny Nierop, email: VirginiaDN@leeschools.net and provide the responding proposer name, primary point of contact for this RFP, phone number and e-mail address.

All proposals submitted shall be on Attachment A, Questionnaire included in the bid specifications, a copy of which may be reviewed or obtained at the Department of the Procurement Services or by downloading from Lee County School District, Procurement Services' website at: <http://procurement.leeschools.net/bids.htm>.

Questions: Questions regarding specifications or intended work shall be submitted in writing to: Department of Procurement Services, Ginny Nierop, email: VirginiaDN@leeschools.net. Questions are due no later than Monday, July 23, 2012, 2:00 p.m.

The District does not discriminate based on age, race, color, gender, religion, national origin, disability or marital status.

The School District of Lee County
Department of Procurement Services
2855 Colonial Blvd.
Fort Myers, FL 33966-1012

BY: s/ Ginny Nierop
Ginny Nierop
Procurement Agent

DCPS Structural Engineering Design Continuing Services
OFDC-RFQ-001-13

NOTICE TO PROFESSIONAL CONSULTANTS-OFFICE OF FACILITIES DESIGN AND CONSTRUCTION FOR Request for Qualifications (RFQ), OFDC RFQ-001-13, Professional Design Services Structural Engineering Continuing Services, Publish Date July 6, 2012. The Office of Facilities Design and Construction announces that Architect/Engineer services are required for Structural Engineering Continuing Services for Duval County Public Schools. The Owner reserves the right to select one or more firms to perform the work. The firm(s) selected will be responsible for consulting studies, design, engineering, bid review, inspection and construction administration of various projects. The firm(s) selected under an annual contract will be responsible for assigned projects having estimated construction costs and study fees not exceeding the threshold amounts of \$200,000 (construction) and \$2,000,000 (study fees) respectively, provided for in Section 287.055 Florida Statutes. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods. The selected firm(s) shall be required to execute the Duval County School Board standard form of agreement. Applicants are advised that all plans, drawings and specifications for these projects become property of the Owner. Applications are to be sent to: Duval County Public Schools, Office of Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182.

PROJECT MANAGER: Tony Gimenez, (904)390-2945.

RESPONSE DUE DATE: RFQ's ARE DUE ON OR BEFORE AUGUST 7, 2012, AND WILL BE ACCEPTED UNTIL 4:30 p.m.

MBE GOALS: If multiple awards are made, one should be awarded to an MBE. Information on the selection process can be found at www.duvalschools.org, then go to About DCPS, then DCPS Departments, then Facilities Design and Construction, then Selection Booklets.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO.: 2013002C Mahogany Mill Boat

Launching Facility Improvements

The Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below: PROJECT NAME: Mahogany Mill Boat Launching Facility Improvements

SCOPE OF WORK: The Contractor will provide all equipment, materials, supplies, and labor necessary to construct the boat ramps, dredging, and piers, parking and park area w/amenities, roadway and drainage facilities and all other

features specified in the plan sets in accordance with the specifications contained in this document and any related documents including the plan set; technical specifications; general and special conditions; Florida Department of Environmental Protection (DEP) and U.S. Army Corp of Engineers (COE) permits; local, State, and Federal laws, rules, and guidelines; and, generally accepted construction practices. In addition, the Contractor will provide all equipment, materials, supplies, and labor following the conclusion of construction activities needed to repair erosion due to construction activities on the project site and surrounding properties. Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable. This project includes the following work:

1. Construction of a new public boat launching facility with concrete ramps, access and termination piers, dredging, parking facilities utilizing permeable concrete pavement, portable Sanitation Unit Type restroom area, picnic areas with shelter, bulk head, landscaping w/irrigation, storm water management, signage, 4-inch diameter PVC potable water line w/backflow prevention and boat bilge pump out facility.
2. Construction of approximately 1,100 foot x 24 foot wide asphaltic concrete roadway with curb and gutter, roadway signage, storm water collection and transport, approximately 1,063 linear feet of exfiltration trench, 6-inch pvc potable water line, sanitary sewer and concrete driveway turnouts.

PROJECT BUDGET: \$1,800,000.00

PROJECT LOCATION: The Mahogany Mill Boat Launching Facility is a 2.82 acre parcel located at 1200 Mahogany Mill Road and is situated in Section 59, Township 2 South, Range 30 West, Escambia County, FL. known as the Pedro Palao Grant. The parcel fronts Bayou Chico on the East and Mahogany Mill Road, a 60 foot wide County Right-of-Way, on the West.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the

Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans for this project may obtain a copy from the following website: <http://ftp.dep.state.fl.us/pub/BP-Bids/Mahogany%20Mill/>.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Jim Reynolds, Procurement Section, (850)245-2361, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PRE-BID MEETING/SITE VISIT: A MANDATORY pre-bid meeting and site visit will be held on Tuesday, July 31, 2012, 9:00 a.m. (CT) beginning at the Escambia County Central Office Complex, 3363 West Park Place, Pensacola, Florida 32505. Directions may be obtained by calling (850)595-3440. The initial meeting at the Escambia Central Office Complex will be followed with a visit to the project site. Directions to the project site will be provided at the initial meeting.

BID SUBMITTAL DUE DATE: No later than 3:00 p.m. (ET), Tuesday, August 28, 2012 to the following address: Florida Department of Environmental Protection, Procurement Section, Room 235, 3800 Commonwealth Boulevard, MS #93, Tallahassee, Florida 32399-3000, Attention: Jim Reynolds, OMC Manager, (850)245-2361. The Department reserves the right to reject any or all bids.

BID AWARD POSTING DATE: No later than 8:30 a.m. (ET), Tuesday, September 4, 2012, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Procurement Section, Department of Environmental Protection, 3800 Commonwealth Boulevard, MS #93, Carr Building, Room 235, Tallahassee, Florida 32399-3000, during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Rule 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can

be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

DEPARTMENT OF MILITARY AFFAIRS

INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General Building Contractors for the following project located at St. Augustine, Florida

FOR COMPLETE PROJECT INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM on or After 7/20/2012 at: http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT: 211080 Mark Lance National Guard Armory Renovations

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

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

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

STATEMENT OF WORK: To provide complete construction for the renovation/alterations of the Mark Lance National Guard Armory facilities including but not limited to: exterior repairs, upgrades for ADA compliance; upgrades to mechanical, electrical and plumbing systems; provisions for an emergency generator transfer switch; interior renovations/alterations including ceiling, wall and floor finishes; fencing, parking and site improvements. Project must be built to meet LEED Silver Certification.

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

POINT OF CONTACT: DMA CFMO, Contracting Branch (904)823-0255, email: cfmocontracting@ng.army.mil.

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

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives.

Request for any additional information, clarifications, or technical questions must be requested in writing.

Tentative Schedule:

Pre-Bid Meeting	7/26/2012
Final Questions Submitted	8/10/2012
Final Addenda Published	8/15/2012
Bid Opening RFE	8/22/2012

JACKSONVILLE PORT AUTHORITY

**REQUEST FOR QUALIFICATIONS
STRATEGIC MASTER PLAN FOR THE
JACKSONVILLE PORT AUTHORITY**

CONTRACT NO.: 12-16

The JPA is requesting Statements of Qualifications (SOQ's) from Professional Consultant/Firms interested in preparing a comprehensive Port Strategic Master Plan for the JPA. The Master Plan will serve as the primary document to guide the JPA to its desired pattern of growth and development. The Master Plan will identify and incorporate the changing business trends and adjustments of the maritime port industry over the next five (5) years and will include ten (10) and twenty (20) year plans that are integrated into the Master Plan. The Master Plan should also include recommendations and implementation strategies to provide useful guidance and direction for the JPA's future growth.

Therefore, the JPA is specifically seeking a Planning consulting firm or team with experience in preparing a Strategic Master Plan for the maritime industry or Ports of similar size.

Submission of SOQ's does not guarantee your company will receive a contract from the JPA, nor does it imply that your company has any type of procurement/contractual relationship with the JPA now or in the future. Information provided by your company will be treated in a reasonable manner and will be subject to disclosure pursuant to the laws of the State of Florida.

Concurrent with this policy, the JPA conducts its procurement activities and formal bid processes in a competitive environment that fosters equal opportunity for qualified companies to provide services that meet our requirements.

A Non-Mandatory Pre-Submission Meeting will be held on Tuesday, July 24, 2012, 10:00 a.m. (EST), in the Public Meeting Room, First Floor, Port Central Office Building Located at address stated below. Attendance is highly recommended for any firm that may be considering submitting a Statement of Qualifications.

ALL STATEMENTS OF QUALIFICATIONS WILL BE RECEIVED BY THE JPA PROCUREMENT DEPARTMENT, UNTIL 2:00 p.m. (EST), THURSDAY, AUGUST 9, 2012

The Request for Qualifications document can be downloaded from: <http://www.jaxport.com/about-jaxport/corporate-information/projects-for-bid>.

If you should have any questions regarding this application package, please submit them by e-mail only to: LeNedda Edwards, Contract Specialist at: LeNedda.Edwards@Jaxport.com

Jacksonville Port Authority
 PCOB Building
 First Floor
 2831 Talleyrand Avenue
 Jacksonville, Florida 32206

Section XII Miscellaneous

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Citrus Research Development Foundation

On July 2, 2012, the Citrus Research Development Foundation recommended to the Department of Agriculture and Consumer Services an assessment rate of three cents (3¢) per each standard packed box of citrus fruit for the season August 1, 2012 through July 31, 2013.

In accordance with the Citrus Research Order and Section 573.118, Florida Statutes, the Department of Agriculture and Consumer Services has set the assessment rate at three cents (3¢) per each standard packed box of citrus fruit for the season August 1, 2012 through July 31, 2013.

DEPARTMENT OF EDUCATION

University of Florida's Small Business Mentoring Initiative
 The University of Florida Small Business Mentoring Initiative Steering Committee announces a call for applications from potential mentors and potential protégés for participation in the University of Florida's Small Business Mentoring Initiative. The Steering committee will review submitted applications meeting the criteria for submission in order to make a decision regarding firms that will be selected to participate in this year's (FY 2012-2013) initiative. The mentoring initiative has been expanded to include the selection of non-construction related mentor/protégé pairings (e.g. commodities to commodities or commodities to services pairing) and selection of one or more pairs of Consultant Firms (e.g. Architectural and/or Engineering firms) for participation in this initiative. Firms wishing to be considered for participation in the University of Florida's Small Business Mentoring Initiative should complete an application and submit it by mail, e-mail or fax, no later than August 27, 2012, to the following:

University of Florida
 Small Business & Vendor Diversity Relations
 109 Elmore Hall, P. O. Box 115250
 Gainesville, FL 32611-5250
 e-mail: dmannin@ufl.edu
 Fax: (352)846-2637

This initiative is designed to promote small business development, enhance business knowledge and experience, foster increased business capacity, and provide small businesses access to opportunities at the University of Florida. An event to kick off this phase of the 2012-2013, Mentoring Initiative will take place at 3:00 p.m., Thursday, August 2, 2012, at the Hilton University of Florida Conference Center, 1714 S.W. 34th Street, Gainesville, Florida 32607. Firms planning to attend this event should RSVP to: Ms. Darlean Manning, Small Business & Vendor Diversity Relations Division, phone: (352)392-0380 or e-mail, dmannin@ufl.edu. Additional information regarding the Mentoring Initiative, including application and criteria for submission, may be obtained by accessing: Small Business & Vendor Diversity Division's website: www.sbvdr.admin.ufl.edu or by contacting: Small Business & Vendor Diversity Relations Division, (352)392-0380, SBVDR@admin.ufl.edu.

UF is a 100% tobacco-free campus!

The University of Florida is proud to be a 100% tobacco-free campus. The use of cigarettes or other tobacco products on the UF campuses, including parking lots and vehicles, is prohibited and in violation of UF policy Rule 6C1-2.022, F.A.C.

The policy applies to every person who visits University of Florida campuses, including fans, faculty, staff, volunteers, students, contractors, and service representatives.

Thank you for supporting the University of Florida's tobacco-free campus initiative and practicing healthy behavior.

Director, Facilities Planning – Req #1622
 Advertised Salary Range: \$80,000 to \$90,000
 Job Close Date: 7-26-2012

Minimum Qualifications: Bachelor's degree from an accredited institution in Architecture and eight (8) years of experience in the design and construction of major buildings over \$2 million; or Master's degree from an accredited institution in Architecture and six (6) years of experience in the design and construction of major buildings over \$2 million. Must have a current State of Florida Architect license.

Preferred Qualifications: Bachelor's degree from an accredited institution in Architecture and eight (8) years of experience in the design and construction of major buildings over \$2 million, 4 years of which has been working on projects for higher education; or Master's degree from an accredited institution in

Architecture and six (6) years of experience in the design and construction of major buildings over \$2 million, 4 years of which has been working on projects for higher education.

General Summary Statement: This position's initial duties will include planning, programming, designing, and supervising matters pertaining to the University's architectural and engineering projects, master planning, space planning and utilization, project management, and capital planning functions; as well as other duties as outlined in your official Position Description.

Special Instructions to Applicants: Please upload and attach current State of Florida Architecture license under Additional Materials 1.

To Apply: jobs.fgcu.edu/applicants/Central?quickFind=53286 Applications are only accepted online.

FGCU is an EEO, which has a commitment to cultural, racial, & ethnic communities & encourages women & minorities to apply.

It is expected that successful candidates share this commitment.

DEPARTMENT OF COMMUNITY AFFAIRS

In re: EMERGENCY
AUTHORIZATION FOR
SUSPENSION OF
PROCUREMENT STATUTES,
RULES AND ORDERS,
MADE NECESSARY BY
TROPICAL STORM DEBBY DEM NO.: 12-0002
EMERGENCY ORDER

I hereby find that the Division of Emergency Management's timely performance of disaster response functions related to Tropical Storm Debby are hindered by the application of procurement procedures imposed by statute, rule, or order.

Therefore, pursuant to the authority granted by Section 4 of Executive Order No.: 12-140, I hereby suspend, to the extent necessary to ensure said emergency response functions, the effect of any statute, rule, or order, to the extent needed to procure and all necessary supplies, commodities, services, temporary premises, and other resources, to include, without limiting the generality of the foregoing, any and all statutes, rules, and orders which affect budgeting, leasing, printing, purchasing, travel, the conditions of employment and the compensation of employees.

The effective dates of this Order shall correspond to the effective dates of Executive Order 12-140, unless extended (in increments of no more than thirty days) by the Division.

Executed this 29th day of June, 2012, in Tallahassee, Leon County, Florida.

FLORIDA DIVISION OF
EMERGENCY MANAGEMENT

Bryan W. Koon, Director
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399

Filed on this date,
pursuant to Section 120.52,
Florida Statutes, with
the designated Division Clerk,
receipt of which is hereby
acknowledged.

Division Clerk
Date: _____

A copy of the Emergency Order may be obtained by contacting: Agency Clerk, Florida Division of Emergency Management, Capital Circle Office Complex, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

In re: EMERGENCY DEM NO. 12-0002
AUTHORIZATION FOR
SUSPENSION OF PROCUREMENT
STATUTES, RULES AND ORDERS,
MADE NECESSARY BY TROPICAL
STORM DEBBY.
AMENDED EMERGENCY ORDER

I hereby find that the Division of Emergency Management's timely performance of disaster response functions related to Tropical Storm Debby are hindered by the application of procurement procedures imposed by statute, rule, or order.

Therefore, pursuant to the authority granted by Section 4 of Executive Order No 12-140, I hereby suspend, to the extent necessary to ensure said emergency response functions, the effect of any statute, rule, or order, to the extent needed to procure and all necessary supplies, commodities, services, temporary premises, and other resources, to include, without limiting the generality of the foregoing, any and all statutes, rules, and orders which affect budgeting, leasing, printing, purchasing, travel, the conditions of employment and the compensation of employees.

The effective dates of this Order shall correspond to the effective dates of Executive Order 12-140.

Executed this 6th day of July, 2012, in Tallahassee, Leon County, Florida.

FLORIDA DIVISION OF
EMERGENCY MANAGEMENT

Bryan W. Koon, Director
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399

Filed on this date,
pursuant to Section 120.52,
Florida Statutes, with the
designated Division Clerk,
receipt of which is hereby
acknowledged.

Division Clerk
Date: 7/9/2012

A copy of the Emergency Order may be obtained by contacting the Agency Clerk, Florida Division of Emergency Management, Capital Circle Office Complex, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Sunny Powersports, Inc., intends to allow the establishment of Bruening Brothers, LLC, d/b/a Scooters of Bonita as a dealership for the sale of motorcycles manufactured by Ningbo Dongfang Lingyun Vehicle Made Co. Ltd. (line-make DONF) at 26880 Old 41 Road, Unit #6, Bonita Springs (Lee County), Florida 34135, on or after August 20, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Bruening Brothers, LLC, d/b/a Scooters of Bonita are dealer operator(s): Tim Bruening, 11619 Forest Mere Drive, Bonita Springs, Florida 34135; principal investor(s): Tim Bruening, 11619 Forest Mere Drive, Bonita Springs, Florida 34135.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lei Lu, Sunny Powersports, Inc., 12851 Reservoir Street, Chino, California 91710.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kandi USA, Inc., intends to allow the establishment of Grossman Acquisition, LLC, d/b/a Luxury Cars of Boca as a dealership for the sale of motorcycles manufactured by Zhejiang Kangdi Vehicles Co. Ltd. (line-make KANG) at 127 Northwest 13th Street, Boca Raton (Palm Beach County), Florida 33432, on or after August 20, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Grossman Acquisition, LLC, d/b/a Luxury Cars of Boca are dealer operator(s): Art Grossman, 127 Northwest 13th Street, Suite 4, Boca Raton, Florida 33432; principal investor(s): Art Grossman, 127 Northwest 13th Street, Suite 4, Boca Raton, Florida 33432.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tim Pei, Kandi USA, Inc., 10955 Arrow Route, Suite 101, Rancho Cucamonga, California 91730.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

EXPRESSWAY AUTHORITIES

**SECOND NOTICE TO PROFESSIONAL APPRAISERS
(AS TO RESPONSE DATE ONLY)**

Winderweedle, Haines, Ward & Woodman, P.A. (WHWW) requires the services of professional appraisers to provide appraisal and review appraisal services in connection with the acquisition of right-of-way for the Orlando-Orange County Expressway Authority's Wekiva Parkway project and other systemwide miscellaneous appraisal services. Consideration for selection will be given to only those firms or individuals who are qualified pursuant to law and who have experience in preparing appraisals conforming to the Uniform Standards of Professional Appraisal Practice, as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Interested professionals are required to submit two (2) copies of a letter of interest indicating their desire to be considered. The letter must be brief (no more than 10 pages, including any attachments) and should indicate the key resources available. Interviews may be required as part of the evaluation process.

Following the evaluations, a minimum of six (6) firms and/or individuals will be selected and asked to submit fee proposals and will agree to a "not to exceed" lump sum contract on specific parcels. Assignments will be issued following evaluation of the proposals.

Significant factors to be considered in the evaluation and selection include but are not necessarily limited to: State certification, staff support, discipline expertise and experience, Orange County court qualifications, court testimony and deposition experience, including results.

The only information that will be considered responsive will be in relation to eminent domain actions. Other superfluous submittal information is discouraged.

WHWW encourages participation by Minority/Women/Disadvantaged Business Enterprises certified by the City of Orlando, Orange County, or other governmental agencies.

The deadline for submittal of the Letter of Interest is July 27, 2012, 12:00 Noon (Orlando local time).

All questions shall be directed to: Malinda Creager, email: mcreager@whww.com or (407)246-8691.

Letters of Interest shall be delivered to:

Winderweedle, Haines, Ward & Woodman, P.A.
329 Park Avenue North, 2nd Floor
Winter Park, Florida 32789
Attention: Malinda Creager

RE: Appraisal Services

AGENCY FOR HEALTH CARE ADMINISTRATION

**NOTICE OF HOSPITAL FIXED NEED POOLS FOR
COMPREHENSIVE MEDICAL REHABILITATION BEDS**

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2018 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1136 MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 6, 2012.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net Adjusted Bed Need
District 1	0
District 2	0
District 3	0
District 4	0
District 5	0

District 6	0
District 7	0
District 8	0
District 9	0
District 10	0
District 11	0
Total Statewide	0

District 3	0	5
District 4	0	0
District 5	20	0
District 6	0	0
District 7	10	0
District 8	1	0
District 9	0	0
District 10	0	11
District 11	0	0
Statewide Total	31	16

NOTICE OF FIXED NEED POOL FOR NEONATAL INTENSIVE CARE SERVICES FOR LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for January 2015 pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1136, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 6, 2012.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections

Neonatal Intensive Care Level II & Level III Services

	Level II Net Need	Level III Net Need
District 1	0	0
District 2	0	0

NOTICE OF HOSPITAL FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2018, pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 3, Room 1136, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 6, 2012.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for

Health Care Administration and must be filed with the Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

	Psychiatric and Substance Abuse Net Bed Need		
	Adult Psychiatric Beds Net Adjusted Bed Need	Adolescent Psychiatric Beds Net Adjusted Bed Need	Children & Adult Substance Abuse Beds Net Adjusted Bed Need
District 1	0	0	0
District 2	0	0	0
District 3	6	0	0
District 4	0	0	6
District 5	0	0	0
District 6	0	18	0
District 7	28	0	14
District 8	0	0	6
District 9	0	0	0
District 10	0	3	0
District 11	0	0	0
Total Statewide	34	21	26

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

County: Duval District: 4
 ID # E120008 Decision: A Issue Date: 6/29/2012
 Facility/Project: Brooks Rehabilitation Hospital
 Applicant: Genesis Rehabilitation Hospital, Inc.
 Project Description: Add 15 comprehensive medical rehabilitation beds.
 Proposed Project Cost: \$375,000.00

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PROPOSED MODIFICATION OF POWER PLANT CERTIFICATION
 The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Conditions of Certification (COCs) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (F.S.), for the Riviera Beach Energy Center (RBEC) owned and operated by Florida Power & Light (FPL), Power Plant Siting Application No. PA09-54, OGC Case No. 12-0857. On February 28, 2012, the Department received a petition from FPL to modify the Conditions of Certification for the RBEC pursuant to Section 403.516(1)(c), F.S., for the

construction, operation and maintenance of a natural gas pipeline corridor, extending approximately 32 miles, beginning at milepost 0 near the FPL Martin Clean Energy Center, traversing Martin and Palm Beach Counties and ending at the western end of Riviera Beach lateral. The Department proposes to modify the COCs to include provisions for the new gas pipeline and administrative updates. A copy of the proposed modification may be obtained by contacting: Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

NOTICE OF INTENT TO ISSUE PROPOSED MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Conditions of Certification (Conditions) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes ("F.S."), for the Tampa Electric Company (TECO) Polk Power Station (PPS), Power Plant Siting Application No.: PA92-32, OGC Case No.: 11-1376. On September 27, 2011, the Department received a petition from TECO to modify the Conditions for the PPS pursuant to Section 403.516(1)(c), F.S., to treat a slipstream of untreated syngas from Polk Unit 1 to remove sulfur, reduce trace contaminants, and convert removed sulfur compounds to elemental sulfur. Carbon in the form of carbon dioxide in the cleaned syngas will be temporarily captured. The petition also requests the use of reclaimed water provided from the Lakeland wastewater wetland treatment system (WTS) pumped through a 15-mile pipeline to the PPS site where it will be treated prior to being discharged to the cooling reservoir. Concentrated wastewater from the proposed reverse osmosis

treatment process will be disposed of by deep well injection. A copy of the proposed modification may be obtained by contacting: Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this notice to object in writing. The written objection must be filed (received) in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

The Department of Environmental Protection has determined that the proposed City of Keystone Heights wastewater collection and treatment facilities expansion project will not have a significant adverse impact on the environment. The total estimated project cost is \$8,000,000. The project is expected to qualify for a state revolving fund loan and small community grant composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bob Ballard, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling: (850)245-8358.

Notice of Receipt of Applications for Permit Coverage under the State's Generic Permit for MS4's

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from the City of Niceville. The application is being processed and is available for public inspection during

normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida.

Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Heather Ritchie, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road (MS #2500), Tallahassee, FL 32399-2400.

The Department of Environmental Protection gives notice of its intent to grant a Variance (0222332-002-EV) to the U.S. Army Corps of Engineers under Section 403.201, Florida Statutes (F.S.), from the provisions of subsection 62-312.080(7), sub-subparagraph 62-4.242(2)(a)2.b., subsections 62-302.700(1) and 62-312.080(3), F.A.C., to allow fill within Class II waters (designated for Shellfish Harvesting) at the open-water disposal areas and to allow a turbidity level of 29 nephelometric turbidity units (NTUs) above background at the edge of the mixing zone for disposal areas (D/A) within Outstanding Florida Waters (except D/A 39.5, which is limited to 2 NTUs above background, and D/A 45, which is limited to 5 NTUs above background) and to allow a turbidity level of 22 NTUs above background at the edge of the mixing zone for dredge areas within Outstanding Florida Waters (except NM 254 to 259, which is allowed 29 NTUs above background). The variance is associated with Gulf Intracoastal Waterway Maintenance Dredging project (File No. 0222332-001-DF).

A person whose substantial interests are affected by the Department's proposed action may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, Florida Statutes, is not available.

Because the administrative hearing process is designed to re-determine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding judge upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and paragraph 62-110.106(3)(a), (1), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

In accordance with Rule 28-106.301, F.A.C., a petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A

statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On July 3, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Susan Jean Brandt, M.D., License #ME 87372. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 3, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jennifer Robin Chait, R.N., License #RN 2565982. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 10, 2012, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Jennifer Lee Sala, R.N., License #RN 9228620. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 3, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Elmer N. Mattioli, RPH, License #PS 33921. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Request for Public Comments on Florida's WIC Program

The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients’ needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to Cheryl Miller, Department of Health, WIC Program Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726 or by Fax: (850)922-3936. Your feedback is essential and is appreciated before July 31, 2012. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call: 1(866)632-9992 (Voice) or (202)260-1026 (Local). TTY users can contact USDA through local relay or the Federal Relay at 1(800)877-8339 (TTY) or 1(866)377-8642 (relay voice users). USDA is an equal opportunity provider and employer.

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY THE CITY OF LAYTON, FLORIDA,
 ORDINANCE NO.: 2012-04-02

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving a land development regulation adopted by the City of Layton, Ordinance No.: 2012-04-02 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The City of Layton is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City on May 3, 2012, and rendered to the Department on June 29, 2012.
3. The Ordinance amends the definitions of “accessory use or structure” and “market value of the structure” in the City’s Land Development Code to implement the Reasonable and Prudent Alternatives referenced in the U.S. Fish and Wildlife Service’s Biological Opinion on the administration of the National Flood Insurance Program

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of July, 2012.

— /s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC #110
Tallahassee, FL 32399-4128

By U.S. Mail:
Norman S. Anderson, Mayor
City of Layton
P. O. Box 778
Long Key, FL 33001

Mimi Young, City Clerk
City of Layton
P. O. Box 778
Long Key, FL 33001

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL

Sherry A. Spiers, Assistant General Counsel, DEO, Tallahassee, FL

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF LAYTON, FLORIDA,
ORDINANCE NO.: 2012-04-03

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving a land development regulation adopted by the City of Layton, Ordinance No.” 2012-04-03 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The City of Layton is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City on May 3, 2012, and rendered to the Department on June 29, 2012.
3. The Ordinance amends Article III, Chapter 6, of the City’s Land Development Code regarding floodplain management standards to implement the Reasonable and Prudent Alternatives referenced in the U.S. Fish and Wildlife Service’s Biological Opinion on the administration of the National Flood Insurance Program dated April 30, 2010, as modified on December 14, 2010. The Ordinance is intended to ensure the City’s continued participation in the National Flood Insurance program.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), (11) and 380.0552(9), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

- 7. The Ordinance is consistent with the Principles for Guiding Development as a whole and specifically furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- 8. The Ordinance is consistent with Policy 3.a of the City of Layton Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Layton Ordinance No.: 2012-04-03 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____

J. Thomas Beck, AICP
 Director, Division of Community Development
 Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC #110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of July, 2012.

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

By U.S. Mail:
Norman S. Anderson, Mayor
City of Layton
P. O. Box 778
Long Key, FL 33001

Mimi Young, City Clerk
City of Layton
P. O. Box 778
Long Key, FL 33001

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO,
Tallahassee, FL

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY THE CITY OF LAYTON, FLORIDA,
ORDINANCE NO.: 2011-09-01

FINAL ORDER

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving a land development regulation adopted by the City of Layton, Ordinance No.: 2011-09-01 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The City of Layton is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City on January 5, 2012, and rendered to the Department on June 29, 2012.
3. The Ordinance amends Code Sections 114-1 through 114-12, 114-43 through 114-48, and 114-70 through 114-72 to provide definitions, establish a floodplain management procedure, identify areas of special flood hazard, identify species focus area maps, identify real estate numbers

affected, establish the duties of the flood plain administrator, and provide for coordination with the Federal Emergency Management Agency to utilize species focus area maps.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), (11) and 380.0552(9), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
8. The Ordinance is consistent with Policy 3.a of the City of Layton Comprehensive Plan.

WHEREFORE, IT IS ORDERED that City of Layton Ordinance No.: 2011-09-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____
J. Thomas Beck, AICP
Director, Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE.

A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC #110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of July, 2012.

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

By U.S. Mail:
Norman S. Anderson, Mayor
City of Layton
P. O. Box 778
Long Key, FL 33001
Mimi Young, City Clerk
City of Layton
P. O. Box 778
Long Key, FL 33001

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO, Tallahassee, FL

AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

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

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
P. O. Box 1409
Key West, FL 33041

Ms. Cheryl Smith
Clerk to the City Commission
P. O. Box 1409
Key West, FL 33041

Donald L. Craig, AICP
Planning Director
City of Key West
P. O. Box 1409
Key West, FL 33041

Larry Erskine
Assistant City Attorney
P. O. Box 1409
Key West, FL 33041

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO,
Tallahassee, FL

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO.: 015-2012

FINAL ORDER

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving land development regulations adopted by Monroe County, Florida, Ordinance No.: 015-2012 (the "Ordinance").

FINDINGS OF FACT

- 1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Monroe County on June 20, 2012, and rendered to the Department on June 25, 2012.
3. The Ordinance amends floodplain regulations in Sections 122-2 and 122-3 of the Monroe County Code and creates a new Code Section 122-8 providing for including the U.S. Federal Emergency Management Agency and the U.S. Fish and Wildlife Service requirements in the permit referral process implementation and determinations. The regulations are intended to ensure Monroe County’s participation in the federal flood insurance program.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), (11) and 380.0552(9), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
8. The Ordinance is consistent with Policies 101.8, 103.2.13, 104.3.1, 202.3.1, 217.1.4, and 217.1.5 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No.: 015-2012 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____
 J. Thomas Beck, AICP

Director, Division of Community Development
 Department of Economic Opportunity

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

By U.S. Mail:
The Honorable David Rice
Mayor, Monroe County
500 Whitehead Street
Key West, FL 33040

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, FL 33040

Christine Hurley, Director
Monroe County Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, FL 33050

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO, Tallahassee, FL
Sherry A. Spiers, Assistant General Counsel, DEO,
Tallahassee, FL

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 2, 2012
 and July 6, 2012

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Cultural Affairs

1T-1.038	7/3/12	7/23/12	38/18	
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PUBLIC SERVICE COMMISSION

25-6.097	7/6/12	7/26/12	38/22	
25-7.083	7/6/12	7/26/12	38/22	
25-30.311	7/6/12	7/26/12	38/22	

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

64B15-12.006	7/5/12	7/25/12	38/18	
64B15-12.007	7/5/12	7/25/12	38/18	
64B15-12.008	7/5/12	7/25/12	38/18	

Board of Podiatric Medicine

64B18-11.001	7/3/12	7/23/12	37/35	38/5
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-13.004	7/6/12	7/26/12	38/21	
68A-15.065	7/6/12	7/26/12	38/21	
68A-17.005	7/6/12	7/26/12	38/21	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Marine Fisheries

68B-14.0038	7/6/12	7/6/12	38/23	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery and Consumer Service

69K-1.001	7/2/12	7/22/12	38/19	
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.300	3/2/11	*****	38/3	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/3
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