

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-42.300
RULE TITLE: Minimum Flows and Levels and Recovery and Prevention Strategies

PURPOSE AND EFFECT: This rule is being established pursuant to s. 373.042 and 373.0421, F.S. The rulemaking will establish minimum flows and levels for the upper and middle reaches of the Suwannee River and their associated priority springs, including four Outstanding Florida Springs. This will have the potential to impact consumptive use applicants and permittees within the Suwannee River and St. Johns River Water Management Districts.

SUBJECT AREA TO BE ADDRESSED: The rulemaking will address the minimum flows and levels for the upper and middle reaches of the Suwannee River, and their associated priority springs, including four Outstanding Florida Springs. The rule will also establish prevention or recovery strategies, if applicable, as required by s. 373.0421, F.S.

RULEMAKING AUTHORITY: 373.026(7), 373.036(1)(d), 373.042, 373.0421, 373.043, 373.171, FS.

LAW IMPLEMENTED: 373.023, 373.026, 373.036(1)(d), 373.042, 373.0421, 373.086, 373.103, 373.171, 373.175, 373.223, 373.246, 373.250, 373.418, 373.451, 373.453, 373.703, 403.064, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kristine Morris, Kristine.P.Morris@dep.state.fl.us or (850)245-3139
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II

Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NOS.: 5C-4.0015
RULE TITLES: Definitions
 5C-4.0016 Applications, Cards, Forms, Other Official Documents Required and Fees
 5C-4.0017 General Requirements, Exemptions and Limitations
 5C-4.002 Cattle
 5C-4.003 Swine
 5C-4.004 Poultry, Domestic Fowl and Ratites
 5C-4.005 Goats or Sheep
 5C-4.008 Horses

PURPOSE AND EFFECT: To clarify definitions, requirements, exemptions and limitations for admission of animals for exhibition. The revisions will simplify and strengthen the State’s animal health protection strategy.

SUMMARY: The proposed rule will clarify definitions to match statutory language. Update and incorporate forms by rule. Update and clarify the requirements, exemptions and limitations for admission of animals for exhibition purposes.

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 SERC is not required, based on the fact that the division is not raising any fees, only updating the rule to clarify definitions and updating the requirements, exemptions and limitations for admission of animals for exhibition.

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: 585.002(4), 585.08(2), 585.145(2) FS.

LAW IMPLEMENTED: 585.08(2)(a), 585.145(1), (2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Michael Short, State Veterinarian, (850)410-0900; Fax: 410-0929; Michael.Short@FreshFromFlorida.com; 407 South Calhoun Street M7, Tallahassee, Florida 32399-0800.

THE FULL TEXT OF THE PROPOSED RULE IS:

5C-4.0015 Definitions.

For the purposes of this chapter the definitions in Sections 585.001, and 585.01, F.S., and the following definitions shall apply:

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and accredited by the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to perform certain functions of the federal and cooperative-state-federal programs in accordance with the provisions of Title 9 Code of Federal Regulations (9 CFR) § 161 (Jan. 2018 ~~2005~~), which is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(2) Animal(s). This term shall ~~include~~ be as defined in section 585.01 F.S., which provides that the term “animal” shall include wild or game animals whenever necessary to effectively control or eradicate dangerous transmissible diseases or pets which threaten the agricultural interests of the state.

~~(a) Livestock including grazing animals, such as cattle, horses, sheep, swine, goats, and other hoofed animals;~~

~~(b) Ratites, limited to ostriches, emus, and rheas;~~

~~(c) Poultry or Domestic fowl which are propagated or maintained for commercial or breeding purposes; and~~

~~(d) Wild or game animals which may threaten the agricultural interests of Florida.~~

(3) Authorized Representative. An employee of the state or federal government, or a licensed veterinarian accredited by the USDA, who is authorized to conduct animal disease control and eradication activities.

(4) Commercial Production Swine. Swine that have been subjected to and found negative on their most recent an annual brucellosis and pseudorabies tests and have been continuously managed with adequate facilities and practices to prevent exposure to ~~either any~~ transitional or feral swine and so recognized by state animal health officials.

(5) “Domestic animal” shall include any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, emu, rhea, or other domesticated beast or bird.

(6) Exhibition. Any premises displaying or presenting livestock to the general public for an animal exhibit or animal show at an event sponsored by the state or county.

(7)(5) Group. One or more Aanimals maintained on the same premises or in contact with one another.

~~(8)(6)~~ Horse. Any horse, mule, ass, zebra or other equidae.

(9)(7) Isolation. Separation of individual Aanimals by a physical barrier in a manner that assures one Aanimal does not have access to the body, excrement, or discharges of another Aanimal; does not share a building with a common ventilation system; and is not within ten feet of another Aanimal.

(10) “Livestock” means grazing animals, such as cattle, horses, sheep, swine, goats, other hoofed animals, ostriches, emus, and rheas which are raised for private use or commercial purposes.

(11)(8) Market Class. An exhibition class consisting of finished fed Aanimals that are Isolated and housed seperately from all Animals not designated all go directly to for slaughter immediately following the exhibition.

(12)(9) Official Certificate of Veterinary Inspection (OCVI). A legible record or certificate made on an official form from the state of origin or from the USDA, or a Department-approved electronic format, issued and signed by veterinarians licensed and accredited in the state of origin for the purpose of certifying the Qofficial Individual Identification, test requirements, and health status of specific Aanimals for movement, exhibition, and other designated purposes.

(13)(10) Official Individual Identification. An individual Aanimal identification that uniquely identifies the Aanimal, the owner, the premises where the Aanimal was identified, the state in which the Qofficial Individual Identification was applied, and:

(a) For Cattle:

1. Is approved by the United States Department of Agriculture in accordance with 9 C.F.R. § 86.4(a)(1) (2013), as incorporated in Rule 5C-31.006, F.A.C.; or

2. Is submitted to and verified by the Department as meeting the requirements for Qofficial Individual Identification such that state officials can determine the herd in which the Aanimal was officially identified.

(b) For Livestock Other than Cattle:

1. Tattoos and registered brands such as ear, tail-web or flank tattoos, breed registration tattoos when accompanied by breed registration papers; or an official breed registration brand when accompanied by a brand registration certificate;

2. Official leg or wing bands for poultry;

3. Color digital images or notarized color photographs of the Aanimal, signed by an state licensed, USDA Aaccredited Vveterinarian; or

4. Implanted electronic chips with a unique number that is recorded in a single, central database.

(14)(11) Official test. A test conducted by a method approved by Department rules for the specific disease and Aanimal species.

(15)(12) Poultry, Domestic Fowl or Ratites. Chickens, turkeys, quail, pheasants, chukars, peafowl, guineas, ratites

(limited to ostriches, emus and rheas) and waterfowl that are propagated or maintained for commercial or breeding purposes.

~~(16)(13)~~ Segregated. To maintain a Group of Animals separate from another Group of Animals in such a manner as to prevent physical contact between Animals of the two Groups.

Rulemaking Authority 585.002(4), 585.08(2), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—New 1-19-95, Amended 6-4-95, 6-21-06, 2-19-14, _____.

5C-4.0016 Applications, Cards, Forms, Other Official Documents Required and Fees.

(1) USDA. VS Form 10-11 (MARCH 2014). An official USDA, APHIS, VS form required for submitting samples and reporting results of Equine Infectious Anemia (EIA) tests. VS Form 10-11 (MARCH 2014) is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(2) Division.

(a) Official Certificates of Veterinary Inspection (OCVI). These certificates are provided only to Florida-licensed ~~and~~ USDA Accredited Veterinarians and may be obtained as provided in subsection 5C-4.0016(3), F.A.C. Depending on species and purpose (sale or movement), the following are Florida-recognized OCIVs:

1. Official Certificate of Veterinary Inspection, FDACS-09000 Rev. 06/17; for use with all species, in association with movement or sale. Cost is \$65 per book of 25 certificates. Official Certificate of Veterinary Inspection, FDACS-09000 Rev. 06/17 is incorporated by reference in rule 5C-24.003, F.A.C.

2. Official Equine Certificate of Veterinary Inspection, FDACS-09002 Rev. 04/17; for use with equine, in association with movement or sale. Cost is \$65 per book of 25 certificates. Official Equine Certificate of Veterinary Inspection, FDACS-09002 Rev. 04/17 is incorporated by reference in rule 5C-24.003, F.A.C.

(b) Equine Interstate Passport Card, FDACS-09207 Rev. 07/05, is an official card provided by the Department to the Horse owner, which certifies the existence of an official negative EIA test within the previous 12 months and a valid Florida Official Equine Certificate of Veterinary Inspection for interstate movement for exhibition purposes in states which accept the card. The document is valid for six (6) months provided the conditions in ~~paragraphs~~subsections—5C-3.003(5)(a)-(f), F.A.C., are met. The Equine Interstate Passport Card is not acceptable for change of ownership purposes. It may be applied for by submitting an Application for Equine Interstate Passport Card, FDACS-09219 Rev. 12/09, to the Division with the associated fee of \$15.00 for the first equine and \$5.00 for each additional equine on the same application.

Application for Equine Interstate Passport Card, FDACS-09219 Rev. 12/09 is incorporated by reference in rule 5C-3.003, F.A.C. Copies may be obtained as provided in subsection 5C-4.0016(3), F.A.C.

(c) Negative EIA Test Verification Card, FDACS-09160 Rev. 07/05, is an official document provided by the Department to the Horse owner to show proof of a negative EIA test within the previous 12 months, for purposes other than change of ownership. The document is valid for 12 months from the date the blood was drawn and is renewable annually with an associated fee of \$5.00 per application (Card). The Negative EIA Test Verification Card may be applied for by submitting the Application for Negative EIA Test Verification Card, FDACS-09206 Rev. 10/05. ~~Copies may be obtained as provided in subsection 5C-18.0011(4), F.A.C.~~ Application for Negative EIA Test Verification Card, FDACS-09206 Rev. 10/05 is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(d) Equine Event Extension (~~A Permit~~), FDACS-09051 Rev. 03/06, an official document provided by the Department to the Horse owner, which certifies the existence of an official negative EIA test within the previous 12 months and a valid Florida Official Certificate of Veterinary Inspection. Equine Event Extension, FDACS-09051 Rev. 03/06 is incorporated by reference in rule 5C-3.003(5), F.A.C. The document is valid for six (6) months provided the conditions in subsections 5C-3.003(5)(a)-(f), F.A.C., are met. It may be applied for by submitting the Application for Equine Event Extension, FDACS-09078 Rev. 09/17, to the Division as referred to in subsection 5C-3.003(5), F.A.C., with the associated fee of \$10.00 for the first equine and \$5.00 for each additional equine on the application; ~~copies of which may be obtained as provided in subsection 5C-3.0011(4), F.A.C.~~ Application for Equine Event Extension, FDACS-09078 Rev. 09/17, is hereby incorporated by reference and can be found online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

~~(3) Forms. VS Form 10-11 (APR 90), is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328. Official Certificate of Veterinary Inspection, FDACS-09000 Rev. 07/03; Official Equine Certificate of Veterinary Inspection, FDACS-09002 Rev. 10/05; Equine Event Extension (A Permit), FDACS-09051 Rev. 03/06, Application for Equine Event Extension, FDACS-09078 Rev. 10/05, Equine Interstate Passport Card, FDACS-09207 Rev. 07/05, Application for Equine Interstate Passport Card, FDACS-09219 Rev. 10/05, Negative EIA Test Verification Card, FDACS-09160 Rev. 07/05, and Application for Negative EIA Test Verification Card, FDACS-09206 Rev. 10/05, are hereby incorporated by~~

~~reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800; (850)410-0900.~~

Rulemaking Authority 585.002(4), (5), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—New 6-21-06,_____.

5C-4.0017 General Requirements, Exemptions and Limitations.

(1) Official Certificate of Veterinary Inspection (OCVI) Required. Animals presented for exhibition purposes in Florida, unless specifically exempted, must be accompanied by an OCVI issued by a veterinarian accredited in the state of origin.

(a) The OCVI must be complete including the breed, sex, and registration number, and the Official Individual Identification of each Animal.

(b) Results of a specific test requirement or herd accreditation, certification or validation number for each Animal must be recorded on the OCVI with the date of the test or herd accreditation, certification or validation.

(2) Expiration of Required OCVI.

(a) For Florida-origin Animals an OCVI is valid for 90 days from the date of issue; or until the expiration date of any required tests, whichever is the earliest date.

(b) For Animals imported into Florida for exhibition purposes only, the OCVI is valid for 30 days, except that, for an equine imported into Florida using a current Equine Interstate Passport Card, FDACS-09207 Rev. 07/05, or equivalent from ~~of~~ the state of origin signed by the State Veterinarian or chief animal health official, the OCVI will be extended to the date of expiration of the Equine Interstate Passport Card or its equivalent of the state of origin.

(3) Exemption to Required OCVI. An OCVI is not required for Animals originating in Florida and entered in Market Classes provided that Animals are Segregated from other Animals and the pens are occupied only by the Animals in a Market Class. Pens used for Market Classes must not be reused until after cleaning and disinfecting.

(4) Inspection Required. Prior to immediate acceptance at an exhibition, all animals presented for exhibition must be visually inspected by an Authorized Representative for:

(a) The required Official Individual Identification of the Animal; and

(b) Clinical signs of disease including, but not limited to: caseous lymphadenitis, blisters/ulcers around the mouth, nostrils, coronary band, pinkeye, pox, scabies, lice, ringworm, atrophic rhinitis, or multiple warts that are clearly visible; and

(c) Evidence of compliance with Animal tests and OCVI requirements, where required.

(5) Animals Rejected for Exhibition.

(a) Any Animal in noncompliance with Animal tests and OCVI requirements, or

(b) Any Animal not meeting the Official Individual Identification requirements, or

(c) Any Animal which is suspected of having or showing clinical signs of dangerous transmissible, contagious or infectious disease on visual inspection, or any Animal which is known to be exposed to such diseases must be:

1. Immediately withdrawn from exhibition and returned to the place of origin, or

2. Examined by a Florida-licensed ~~and~~ USDA Accredited Veterinarian at the owner's expense within 24 hours, who certifies by a signed, written statement, that the Animal is free of dangerous transmissible, contagious or infectious disease and pests.

~~(6) Forms. Equine Interstate Passport Card, FDACS-09207 Rev. 07/05, is hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800.~~

Rulemaking Authority 585.002(4), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—New 6-21-06, .

5C-4.002 Cattle or Bison.

(1) OCVI Required.

(a) Florida-origin cattle or bison moved for exhibition must be accompanied by an OCVI dated not more than 90 days prior to exhibition.

(b) Cattle or bison imported from other states for exhibition must be accompanied by an OCVI dated not more than 30 days prior to exhibition.

(2) Test or Certification Required.

(a) Tuberculosis.

1. Florida-origin cattle or bison may be entered for exhibition without a tuberculin test.

2. Imported dairy cattle may be entered for exhibition provided they have a negative caudal fold tuberculin skin test within ~~60~~ 30 days prior to the date of the exhibition; except that, dairy cattle from Accredited Tuberculosis-Free Herds as defined in 9 CFR § 77.5 (JAN 2018) or originating in Tuberculosis-Free States, are exempt from this test requirement. 9 CFR § 77 (JAN 2018) is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

3. Imported beef cattle or bison may be entered for exhibition without a negative caudal fold tuberculin skin test provided they originate from Accredited Tuberculosis-Free States or Herds. Otherwise, they must meet the requirements in subparagraph 5C-4.002(2)(a)2., F.A.C.

(b) Brucellosis.

1. Test Required. Cattle or bison, six (6) months of age or older, must have evidence of a negative brucellosis test within 30 days prior to the date of exhibition.

2. Exemption from Required Brucellosis Test.

a. Steers and spayed heifers; and

b. Cattle or bison originating from a Certified Brucellosis-Free Herd as defined in 9 CFR § 78.1 (JAN 2018), which is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>, or a Brucellosis Class Free State or Area which when certified, the OCVI must show the certified herd number and the date of the last herd certification test; and

c. Cattle or bison from non-quarantined herds originating from Class A State or Area provided that the cattle are under 18 months of age.

Rulemaking Authority 585.002(4), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—Amended 7-25-66, 11-15-67, 1-1-70, 7-1-71, 9-1-72, 8-7-77, 8-8-79, 9-30-80, 6-26-83, Formerly 5C-4.02, Amended 4-17-89, 1-19-95, 6-21-06,_____.

5C-4.003 Swine.

(1) OCVI Required.

(a) Swine for exhibition must be accompanied by an OCVI dated not more than 90 days prior to presentation for exhibition.

(b) Swine imported for exhibition must comply with the importation requirements set forth in Rule 5C-3.007, F.A.C. be accompanied by an OCVI dated not more than 30 days prior to presentation for exhibition.

(2) Tests or Certification Required for Breeding Swine.

(a) Brucellosis.

1. Swine imported for exhibition must comply with the importation requirements set forth in Rule 5C-3.007, F.A.C. six (6) months of age or older must be negative to an Official Test for brucellosis within 30 days prior to exhibition, Florida origin swine six (6) months of age or older must be negative to an official test for brucellosis within 90 days prior to exhibition, or

2. Originate from a Validated Brucellosis-Free Swine herd as defined in 9 CFR § 78.1 (JAN 2018), which is incorporated by reference in rule 5C-4.002, F.A.C. or

3. Originate from a Commercial Production Swine Herd as defined in subsection 5C-4.0015(4), F.A.C.

(b) Pseudorabies. Swine imported for exhibition must comply with the importation requirements set forth in Rule 5C-3.007, F.A.C. six (6) months of age or older must be negative to an official test for pseudorabies within 30 days prior to exhibition, Florida origin swine six (6) months of age or older must be negative to an Official Test for pseudorabies within 90 days prior to exhibition, or

1. Originate from a Qualified Pseudorabies-Free Herd as defined in 9 CFR § 85 (JAN 2018), which is incorporated by reference and available online at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.
or

2. Originate from an Approved Commercial Production Swine Herd.

(3) Exemptions. Swine for exhibition as Market Class ~~"market class"~~ swine are exempt from the OCVI and test requirements provided that all swine in the class go directly to slaughter following the exhibition.

(4) Isolation. Breeding swine returning to the farm from exhibitions must be ~~is~~isolated from other swine for at least 30 days before being returned to the herd. Breeding swine for exhibition must be maintained in Isolation between exhibitions or move directly between exhibitions.

~~(5) Materials. 9 CFR § 78 (2005), and § 85 (2005) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.~~

Rulemaking Authority 585.002(4), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—Amended 3-21-64, 6-20-68, 1-1-71, 3-1-72, Formerly 5C-4.03, Amended 4-17-89, 1-19-95, 6-21-06,_____.

5C-4.004 Poultry, Domestic Fowl or Ratites.

(1) OCVI Required. An OCVI is required for ~~P~~poultry, ~~D~~domestic fowl or ~~R~~ratites for movement into Florida, but not specifically for exhibition. However, ~~P~~poultry, ~~D~~domestic fowl or ~~R~~ratites presented for exhibition without an OCVI, must be inspected as provided in subsection 5C-4.0017(4), F.A.C.

(2) Test or Certification Required. All poultry or domestic fowl entered for exhibition must originate from Pullorum-Typhoid Clean flocks or hatcheries, as provided in 9 CFR § 145 (Jan. 2018 2005) and § 147 (Jan. 2018 2005), or have a negative pullorum-typhoid test within 90 days prior to exhibition. 9 CFR § 145 (Jan. 2018) and § 147 (JAN 2018) are hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

~~(3) Materials. 9 CFR § 145 (2005) and § 147 (2005) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.~~

Rulemaking Authority 585.002(4), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—Amended 4-20-67, 4-18-84, 4-4-85, Formerly 5C-4.04, Amended 6-21-87, 4-17-89, 1-19-95, 6-4-95, 6-21-06,_____.

5C-4.005 Goats or Sheep.

(1) OCVI Required.

(a) Florida-origin goats or sheep presented for exhibition must be accompanied by an OCVI dated not more than 90 days

prior to presentation, ~~except lamb or kids unless under less than three months of age and accompanied by their dam mothers.~~

(b) Goats or sheep imported into Florida for exhibition must be accompanied by an OCVI completed within 30 days prior to exhibition.

(2) Identification. All goats or sheep entered for exhibition purposes must have an ~~Official Individual Identification~~ in accordance with the ~~National Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-066 91-55-079, June 1, 2005, except lambs or kids under three months of age with other official identification as defined in 5C-4.0015(13)(b) or accompanied by their dam—mother, Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005,~~ is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>.

(3) Test or Certification Required.

(a) Tuberculosis Test. All dairy goats six (6) months of age or older imported for exhibition purposes must originate from an Accredited Tuberculosis-Free Herd ~~as defined in 9 CFR § 77.5 (Jan. 2018),~~ or have had a negative caudal fold tuberculosis test within 90 days prior to exhibition. When originating from ~~Accredited Tuberculosis-Free Herds,~~ the OCVI must show, the accredited herd number and the date of the last herd accreditation test.

(b) Brucellosis Test. All dairy goats six (6) months of age or older imported for exhibition purposes must originate from a Certified Brucellosis-Free Herd ~~as defined in 9 CFR § 78.1 (Jan. 2018),~~ or have had a negative brucellosis test within 90 days prior to exhibition. When originating from a ~~Certified Brucellosis-free herd,~~ the OCVI must show the certified herd number and the date of the last herd certification test.

(c) Exemption From Test Requirements. There are no tuberculosis or brucellosis test requirements for meat type goats or Florida-origin dairy goats.

~~(4) Materials. Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-066, June 1, 2005, is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.~~

~~Rulemaking Authority 585.002(4), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(2)(a), 585.145(1), (2) FS. History—New 11-4-76, Formerly 5C-4.05, Amended 4-17-89, 1-19-95, 6-4-95, 6-21-06,~~

5C-4.008 Horses.

(1) OCVI Required. An OCVI or an Equine Interstate Passport Card, ~~FDACS-09207 Rev. 07/05,~~ or equivalent of the state of origin, signed by the State Veterinarian or chief animal health official, is required for ~~H~~horses for movement into Florida, but not specifically for exhibition.

(2) Test or Certification Required. All ~~H~~horses presented for exhibition must be accompanied by evidence of a negative

~~Official Test for Equine Infectious Anemia (EIA), conducted within 12 months prior to exhibition. The negative EIA test must be reported on:~~

~~(a) An original owner’s copy of a VS Form 10-11 (March 2014);~~

~~(b) A laboratory certified copy of a VS Form 10-11 (March 2014);~~

~~(c) A legible photocopy of a VS Form 10-11 (March 2014);~~

~~(d) An Equine Interstate Passport Card, FDACS-09207 Rev. 07/05, or equivalent of the state of origin signed by the State Veterinarian or chief animal health official; which may be applied for by submitting the Application for Equine Interstate Passport Card, FDACS-09219 Rev. 12/09 as provided in subsection 5C 4.008(4), F.A.C.;~~

~~(e) A Negative EIA Test Verification Card, FDACS-09160 Rev. 07/05, or equivalent of the state of origin signed by the State Veterinarian or chief animal health official; which may be applied for by submitting the Application for Negative EIA Test Verification Card, FDACS-09206 Rev. 10/05 as provided in subsection 5C 4.008(4), F.A.C., or~~

~~(f) A Department-approved electronic EIA form containing clear, color digital images.~~

(3) Exemption to Test Requirement. A foal under six (6) months of age accompanied by its dam which has met the EIA test requirement is not required to have an EIA test.

~~(4) Forms. VS Form 10-11 (APR 90), Equine Infectious Anemia Laboratory Test, is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328. Application for Equine Interstate Passport Card, FDACS 09219 Rev. 10/05, Equine Interstate Passport Card, FDACS 09207 Rev. 07/05, Application for Negative EIA Test Verification Card, FDACS-09206 Rev. 10/05, and Negative EIA Test Verification Card, FDACS 09160 Rev. 07/05, are hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 S. Calhoun St., Tallahassee, FL 32399-0800.~~

~~Rulemaking Authority 585.002(4), 585.08(2)(a), 585.145(2) FS. Law Implemented 585.08(3), 585.145 FS. History—New 1-19-95, Amended 6-4-95, 6-21-06,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Michael Short, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 07, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 6/21/18

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: 5C-24.003
 RULE TITLE: Official Certificate of Veterinary Inspection (OCVI)

PURPOSE AND EFFECT: The proposed rule will incorporate updated versions of department forms. The revisions will simplify and strengthen the State’s animal health protection strategy.

SUMMARY: To update and incorporate forms.

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 SERC is not required, based on the fact that the proposed rule does not impose fees or other 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: 585.002(4), (5), 585.08(2)(a), 585.145(2), 585.15 FS.

LAW IMPLEMENTED: 585.002(5), 585.08(1), (2), 585.145(1), (2), (3), 585.155, 828.29 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Michael Short, State Veterinarian, (850)410-0900; Fax: 410-0929; Michael.Short@FreshFromFlorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

5C-24.003 Official Certificate of Veterinary Inspection (OCVI)

(1) Horses.

(a) OCVI. The OCVI for horses is the Official Equine Certificate of Veterinary Inspection, FDACS-09002 Rev. 04/17 07/08.

(b) The fee for the OCVI, FDACS-09002 Rev. 04/17 07/08 is \$65 per book of 25.

(2) Livestock.

(a) The OCVI for cattle, goats, sheep, swine, cervidae, ratites, and other hoofed animals, excluding horses, is the Official Certificate of Veterinary Inspection, FDACS-09000 Rev. 06/17 07/08.

(b) The fee for the OCVI, FDACS-09000 Rev. 06/17 07/08 is \$65 per book of 25.

(3) Domesticated Fowl.

(a) OCVI. The OCVI for domesticated fowl originating from other than NPIP participating flocks, hatcheries or dealers is the Official Certificate of Veterinary Inspection, FDACS-09000 Rev. 06/17 07/08.

1. The OCVI, FDACS-09000 Rev. 06/17 07/08 will be provided to licensed and accredited veterinarians.

2. The fee for the OCVI, FDACS-09000 Rev. 06/17 07/08 is \$65 per book of 25.

(b) NPIP Participating Flocks, Hatcheries, and Dealers. The certification of health status for interstate shipment of flocks, hatcheries, and dealers participating in the NPIP is the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (Feb. 2016 Aug. 2005).

1. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (Feb. 2016 Aug. 2005) will be certified by a Division representative and provided to an NPIP participating flock, hatchery, or dealer.

2. The certification and processing fee for the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (Feb. 2016 Aug. 2005) is \$50 for 25 certified forms.

(c) Official Health Certificate Avian, FDACS-09023 Rev. 07/08. The Official Health Certificate Avian, FDACS-09023 Rev. 07/08 is the OCVI for NPIP participating flocks, hatcheries, and dealers which are required by the country or state of destination to provide an OCVI in addition to the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (Feb. 2016 Aug. 2005).

1. The Official Health Certificate Avian, FDACS-09023 Rev. 07/08 is certified by a Division veterinarian and is provided to the NPIP participating flock, hatchery or dealer.

2. The fee for the Official Health Certificate Avian, FDACS-09023 Rev. 07/08 is \$100 per 100 certificates.

3. Special Certifications. The fee for individual OCVI including, but not limited to, certificates requiring individual identification numbers of domesticated fowl, vaccination status, or the Florida Department of Agriculture seal, is \$30 for each certificate.

(4) Dogs, Cats and Other Non-Livestock Species.

(a) OCVI for Interstate Movement. The OCVI for dogs, cats and other non-livestock species, including but not limited to zoo animals and domesticated non-native wildlife, is the Official Certificate of Veterinary Inspection for Interstate

Movement of Dogs, Cats, and Other Non-livestock Species, FDACS-09086 Rev. 07/08.

(b) OCVI for Sale of Dog or Cat. The OCVI required to transfer the ownership of a dog or cat by sale within Florida is the Official Certificate of Veterinary Inspection for Intrastate Sale of Dog or Cat, FDACS-09085 Rev. 01/18 07/08.

(c) The fee for the OCVI, FDACS-09086 Rev. 07/08 or FDACS 09085 Rev. 01/18 07/08 is \$65 per package of 25.

(5) Forms. The following forms are hereby incorporated by reference and available online as indicated. Copies may also be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Room 323, Mayo Building, Tallahassee, Florida 32399-0800.

(a) The Official Equine Certificate of Veterinary Inspection, FDACS-09002 Rev. 04/17, a sample of which is available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) The Official Certificate of Veterinary Inspection, FDACS-09000 Rev. 06/17, a sample of which is available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(c) The Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-Livestock Species, FDACS 09086 Rev. 07/08, a sample of which is available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(d) The Official Certificate of Veterinary Inspection for Intrastate Sale of a Dog or Cat, FDACS-09085 Rev. 01/18, as incorporated in Rule 5C-27.001, F.A.C.

(e) The Official Health Certificate Avian, FDACS-09023 Rev. 07/08, a sample of which is available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(f) The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (Feb. 2016) is hereby incorporated by reference, a sample of which is available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

~~The Official Equine Certificate of Veterinary Inspection, DACS 09002 Rev. 07/08; the Official Certificate of Veterinary Inspection, DACS 09000 Rev. 07/08; the Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non Livestock Species, DACS 09086 Rev. 07/08; the Official Certificate of Veterinary Inspection for Intrastate Sale of a Dog or Cat, DACS 09085 Rev. 07/08; and the Official~~

~~Health Certificate Avian, DACS 09023 Rev. 07/08 are hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Room 323, Mayo Building, Tallahassee, Florida 32399-0800. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.~~

~~Rulemaking Authority 585.002(4), (5), 585.08(2)(a), 585.145(2), 585.15 FS. Law Implemented 585.002(5), 585.08(1), (2), 585.145(1), (2), (3), 585.155, 828.29 FS. History—New 7-13-99, Amended 4-14-02, 8-31-08.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Michael Short, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 6/19/2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 6/22/2018

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099811
 RULE TITLE: Differentiated Accountability State System of School Improvement

PURPOSE AND EFFECT: To revise rule language and incorporated forms to reflect changes made to state statute during the 2017 legislative session and in order to comply with requirements for federal funding under the Every Student Succeeds Act (ESSA). In addition, the purpose of the proposed amendments is to more clearly outline the school turnaround process and the criteria for approval of turnaround plans and extension of those plans. The proposed changes describe the criteria for the state’s low performing schools, including Targeted Support and Improvement (TS&I) and Comprehensive Support and Improvement (CS&I) schools, identify improvement strategies and options for low performing schools, establish the standards for approval of turnaround plans and update forms needed throughout the school turnaround process. The effect of these changes will be a rule that is better aligned with the requirements set forth in state statute, provides greater clarity around the turnaround statutes and exit criteria, and produces a turnaround timeline that allows districts to more authentically engage in the school improvement process.

SUMMARY: The proposed rule: Identifies low performing public schools as any school that receives at least a grade of

“D”; Requires turnaround option plans for any school that receives two consecutive grades of “D,” a single grade of “F,” or has a graduation rate of 67 percent or less; Sets forth the district planning process and outlines strategies for improvement; Reduces the number of turnaround options from five to four, as follows: (a) District-managed: The district develops and manages the implementation of the turnaround plan at the school; (b) Reassign/Closure: Closes the existing school, reassign students to another school or schools and monitor progress of each reassigned student; (c) Charter: Close and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness; and (d) External Operator/Outside Entity: Contract with an outside entity that has a demonstrated record of effectiveness to operate the school; Sets forth the criteria for the State Board of Education to consider when reviewing and approving turnaround option plans; Establishes criteria and timelines for submittal of a Turnaround Option Plan; Establishes criteria for a district to request an extension of a turnaround plan and the criteria for the State Board of Education to consider for approval of the request; and Revises incorporated forms used by school districts.

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.

It is anticipated that school districts will be able to implement the requirements of this rule with minimal costs. While the rule requires school districts to dedicate a district person to school improvement, most school districts already meet this requirements. As a result, it is not anticipated that this requirement will result in additional costs. Further, while school districts are required to staff low performing schools with effective personnel, these requirements have largely been required of low performing schools for several years and since school districts are funded through state and federal sources, it is not anticipated that the requirements of this rule will increase regulatory costs. Moreover, to assist school districts with costs associated with the school improvement process outlined in this rule, districts have funds available from School Improvement Grants, entitled UnSIG. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the information provided in the statement of estimated 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: 1001.02(2)(n), 1008.33, FS.

LAW IMPLEMENTED: 1008.33, 1008.345, 1012.2315 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 18, 2018, 9:00 a.m.

PLACE: Omni Orlando Resort at ChampionsGate, Congressional Room, 1500 Masters Blvd., ChampionsGate, FL 33896.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Ramsey, Executive Director, Bureau of School Improvement, 325 West Gaines Street, Suite 1502, Tallahassee, FL 32399, (850)245-0841 or Melissa.Ramsey@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 6A-1.099811 follows. See Florida Administrative Code for present text.

6A-1.099811 Differentiated Accountability State System of School Improvement.

(1) Purpose. The purpose of this rule is to set forth the Differentiated Accountability (DA) State System of School Improvement pursuant to section 1008.33, F.S., by establishing differentiated intervention and support strategies for traditional public schools, delineating the responsibilities of the school, district and Department of Education (Department), setting timelines for intervention and support strategies, prescribing reporting requirements to review and monitor progress of schools, and setting forth submission and approval criteria for turnaround implementation plans.

(2) Definitions. The following definitions, listed alphabetically, shall be used in this rule and incorporated documents:

(a) “Classroom walkthrough” means an observation of classroom activities by DA Regional Team members, district staff and school staff to gather data and provide feedback to instructional personnel and administrators to inform instructional practices for improved student achievement.

(b) “Coaching” means serving as an instructional resource in a school to generate improvement in student achievement by improving the quality of instruction through professional development support to instructional personnel in their respective content areas, as needed, based on an analysis of student performance and observational data.

(c) “Common planning time” means the time provided to grade-level instructional personnel at the elementary level and subject-area instructional personnel at the secondary level to meet together, within and across grades and subjects, for data-

based decision making, problem-solving and professional development on Florida's Standards.

(d) "Community Assessment Team" or "CAT" means the team that reviews the school performance, identifies causes of low performance and makes recommendations for school improvement. The CAT shall include, but not be limited to, a department representative, parents, business representatives, educators, the Regional Executive Director or designee, representatives of local government, and community activists, and shall represent the demographics of the community from which they are appointed.

(e) "Comprehensive Support and Improvement school" or "CS&I" means any school that receives two (2) consecutive grades of "D," a single grade of "F," or has a graduation rate of sixty-seven (67) percent or less in the most recently released school grades pursuant to Rule 6A-1.09981, F.A.C., School and District Accountability.

(f) "Differentiated Accountability" or "DA" means the system set forth pursuant to section 1008.33, F.S., in which the state provides support and interventions of escalating intensity to low-performing schools in order to improve and sustain performance of all student subgroups, and holds districts accountable for improving the academic achievement of all students and turning around low-performing schools.

(g) "Differentiated Accountability schools" or "DA schools" means public schools identified for support and intervention by the Department because the schools earned a single grade of D, two (2) consecutive grades of D, a single grade of F or produced a graduation rate of sixty-seven (67) percent or less.

(h) "Differentiated Accountability Regional Team" means the staff assigned by the Department to provide assistance to schools and districts located in one (1) of four (4) geographic regions.

(i) "Direct instructional support" means support provided by a district curriculum or content area specialist who visits the school frequently to provide onsite, job-embedded professional development and support to classroom instructional personnel.

(j) "District leadership team" means the team that includes the superintendent and district leadership. This may include those in charge of curriculum; general and special education; student services; human resources; professional development; and other areas relevant to school improvement. The district-based leadership team shall develop and implement the district-managed turnaround option plan.

(k) "District Strategic Plan" means a district-level plan, which includes strategies for improving school performance and increasing student achievement and demonstrates how resources are aligned to ensure schools demonstrating the greatest need receive the highest percentage of resources.

(l) "Early warning system" or "EWS" is a system used in any school that serves students in kindergarten through grade eight used to identify students who need additional support to improve academic performance and stay engaged in school pursuant to section 1001.42(18), F.S.

(m) "Educational emergency" exists in a school district if one or more of the schools in the district have a school grade of "D" or "F" pursuant to section 1001.42(21), F.S. A district with DA schools shall negotiate special provisions of its contract with the appropriate bargaining unit to free schools from contract restrictions that limit the schools ability to implement programs and strategies needed to improve student performance.

(n) "Graduation rate" means the percentage of students who earned a standard diploma within four (4) years of their first full year of enrollment in ninth grade in the state as determined by Rule 6A-1.09981(4), F.A.C., School and District Accountability.

(o) "Increased learning time" means lengthening the school day, week, or year; providing before school, after school, Saturday or summer school programs to allow additional time for instruction in core academic subjects; providing enrichment activities that contribute to a well-rounded education; and allowing time for teacher collaboration, planning and professional development.

(p) "Instructional coach" means a staff member with a proven record of effectiveness in a specific subject area who has knowledge of adult learning to build capacity through coaching cycles in the development and modeling of effective lessons, analysis of data, and providing professional development and ongoing feedback.

(q) "Instructional Review" or "IR" means the continuous process used by the DA Regional Team, in collaboration with school and district leadership teams, to review a school's performance data trends, conduct classroom walkthroughs, assist with development of coaching plans and review school improvement plan(s) to address opportunities for improvement.

(r) "Memorandum of Understanding" or "MOU" means an agreement with the school district and bargaining unit pursuant to section 1001.42(21), F.S. to be negotiated that addresses the selection, placement and expectations of instructional personnel. The MOU must be provided to the Department by September 1, after the issuance of the DA school's grade, pursuant to section 1008.33(4)(a), F.S.

(s) "Multi-Tiered System of Supports" or "MTSS" means the system utilizing the problem-solving process to identify and support student needs based upon the available data. The data used in the process may include, but is not limited to, attendance, behavior/discipline, statewide assessment and progress monitoring assessment data.

(t) “Needs Assessment” means a systematic process that includes a thorough analysis of available state, district and school level trend data to determine priorities, address needs or gaps and allocate resources between current conditions and desired state.

(u) “Planning and Problem Solving” refers to a cycle of continuous improvement that allows stakeholder groups to engage in the formation of a strategic goal(s) and then develop implementation and monitoring plans.

(v) “Progress monitoring” means the continuous review of assessments that inform educators about ongoing student progress for mastery of Florida’s grade level standards in mathematics, English Language Arts (ELA), science and social studies.

(w) “Progress Monitoring Data Review” or “PMDR” is a quarterly survey used to gather instructional personnel and student data to inform state, district and school leaders about professional capacity and school climate as related to student achievement.

(x) “Regional Executive Director” or “RED” means the person who leads the DA Regional Team to support and monitor district and school improvement efforts.

(y) “School Advisory Council” or “SAC” means an advisory council for each school established by the district school board pursuant to section 1001.452, F.S.

(z) “School Improvement Plan” or “SIP” means a fluid plan developed by school leadership and approved by the SAC and district to guide school improvement planning, problem solving and implementation processes by coordinating strategies and resources that will lead to increased student achievement.

(aa) “Targeted Support and Improvement school” or “TS&I” is any school that receives a single grade of “D” in the most recently released school grades and that did not earn a grade lower than a “C” in the previous year.

(bb) “Turnaround Option Plan” or “TOP” means a district-level plan to implement one of four turnaround options in a school: District-managed turnaround, Reassignment/ Closure, Charter School and Outside Entity/ External Operator as described in section 1008.33, F.S.

(cc) “Value-added model” or “VAM” means a statistical model used for the purpose of determining an individual teacher’s contribution to student learning, as established by Rule 6A-5.0411, F.A.C. The three-year aggregated state VAM files includes instructional personnel with one to three years of state VAM data.

(3) Differentiated Accountability (DA) Categories. A DA school shall be categorized by the Department for Targeted Support and Improvement or Comprehensive Support and Improvement based upon the most recently released school

grade or graduation rate established under Rule 6A-1.09981, F.A.C.

(a) Targeted Support and Improvement schools (TS&I) are schools that earn a single grade of “D” and that did not earn a grade lower than a C in the previous year. These schools are low performing and require support and intervention from the district and the Department.

(b) Comprehensive Support and Improvement schools (CS&I) are schools that earn two consecutive grades of “D,” a single grade of “F” or produce a graduation rate of sixty-seven (67) percent or less. These schools are the lowest performing in the state and require increased support and intervention from the district and the Department.

(4) DA Notification. In order to assist school districts with support and interventions for DA schools, the Department shall:

(a) Prior to the start of each school year, publish a list when school grades are released to notify school districts of any DA schools in the district;

(b) Provide districts with state Value-added Model (VAM) data on instructional personnel in August of each year, which includes the three-year aggregated state VAM file; and

(c) Provide districts with student assessment and school grade data annually.

(5) Support Strategies for DA schools.

(a) Districts with a DA school must coordinate with the Department, the Regional Executive Director or designee and the DA school to identify and implement tailored support and improvement strategies designed to address low performance at the DA school.

(b) The support and improvement strategies that must be considered by a district that has any DA school to improve student performance are to:

1. Provide an ELA coach who has a record of effectiveness as an ELA teacher and coach;

2. Provide a mathematics coach who has a record of effectiveness as a mathematics teacher and coach;

3. Staff the DA school so that the percentage of instructional personnel with a state VAM rating of Effective or Highly Effective, based upon the most recent three-year aggregated state VAM data, is the same or greater than:

a. The district average for all schools in the district, where the district has at least five (5) schools; or

b. The state’s VAM average, where the district has fewer than five (5) schools;

4. Staff the school with a principal and school leadership who have a successful record of leading a turnaround school and who have the qualifications to support the student population at the assigned DA school; and

5. Implement other school improvement strategies recommended by the RED that are designed to lead to school improvement in DA schools.

(c) The support and improvement strategies that must be implemented by a district that has any DA school to improve student performance are to:

1. Dedicate at least one position at the district level to lead school improvement in the district;

2. Utilize formative and summative assessments that are aligned to Florida's Standards;

3. Ensure that common planning time occurs at the DA school; and

4. Collaborate with the Department and the DA school to develop a school improvement plan that implements strategies and utilizes resources designed to lead to increased student achievement.

(d) The district shall utilize form DA-1 to document support and intervention strategies.

(e) The DA school shall utilize form DA-2 and the School Improvement Plan (Form SIP-1) to document and guide school improvement planning, problem solving and implementation processes.

(6) Turnaround Plan Types.

(a) Turnaround plans are two-year district improvement plans that are required for a school that earns two (2) consecutive grades of "D" or a single grade of "F". All turnaround plans must be designed to improve a DA school's grade to a "C" or better within two (2) school years.

(b) The four (4) turnaround plan types are:

1. District-managed turnaround plan (DMT). DMT is the option through which the school district manages the two-year turnaround plan at the DA school;

2. Reassignment and Closure turnaround plan (RC). RC is the option through which the district closes the DA school, reassigns students to a "C" or higher graded school(s) and monitors the progress of those students;

3. Charter School turnaround plan (CH). CH is the option through which the district contracts with a charter school with a record of effectiveness to operate the DA school; and

4. External Operator/Outside Entity turnaround plan (EO). EO is the option through which the district contracts with an outside entity that has a record of effectiveness to operate the DA school.

(7) Turnaround Plan Steps. All turnaround plans must be completed by the district in collaboration with the Department. There are two (2) steps in the development of a turnaround plan.

(a) Step one requires the district to engage stakeholders in planning for the development of the turnaround plan by:

1. Identifying the causes for low performance with stakeholders and making recommendations for improvement at the DA school;

2. Describing the methodology and results of a needs assessment utilizing quantitative and qualitative data;

3. Providing a rationale for the selected turnaround option; and

4. Agreeing to meet assurances based upon the turnaround option selected.

(b) Step two requires the district to develop a turnaround plan for implementation. All step two plans must be submitted by the district to the RED for review and feedback prior to submission to the Department and the State Board of Education for approval.

(8) District-managed Turnaround (DMT).

(a) DMT-Step One. The district must meet and document the requirements set forth in paragraph (7)(a) of this rule and the following requirements on the form entitled, District-Managed Turnaround Plan—Step 1, TOP-1.

1. Agree to meet the following assurances:

a. Ensure the district-leadership team develops and implements the DMT and dedicates a district position to lead the turnaround efforts;

b. Ensure the instructional programs align to Florida's Standards across grade levels and are proven to be effective with high-poverty, at-risk students;

c. Ensure progress monitoring assessments are aligned to Florida's Standards and provide valid data to support intervention for students;

d. Ensure the development of an annual professional development plan that provides ongoing tiered support to increase leadership and educator quality;

e. Ensure the principal will be replaced upon entry into DMT unless in collaboration with the Department, it is determined that the principal will have the skillset for turnaround success at the school;

f. Ensure the principal and assistant principal have a successful record in leading a turnaround school and the qualifications to support the student population being served;

g. Ensure the review of practices in hiring, recruitment, retention and reassignment of instructional personnel have been reviewed with priority on student performance data;

h. Ensure that the percentage of instructional personnel with a rating of Unsatisfactory or Needs Improvement, based on the most recent three-year aggregated state VAM is less than the district VAM average if the district has more than five (5) schools. If the district has five (5) or fewer schools, ensure that the percentage of instructional personnel assigned to the school with either a rating of Unsatisfactory or Needs Improvement, based upon the most recent three-year aggregated state VAM average, is less than the state VAM average;

i. Ensure that the instructional personnel who do not have a state VAM rating and who do not show evidence of increasing student achievement are not rehired at the school; and

j. Ensure that the percentage of temporarily certified instructional personnel, instructional personnel in need of

improvement or out-of-field instructional personnel assigned to the school is not higher than the district average.

2. Submit to the Department a MOU required by section 1001.42(21), F.S., that relieves the school from any contract restrictions that limit the ability to implement strategies to improve the school's low performance;

3. Submit to the Department rosters of instructional staff at the school; and

4. Provide information on the state VAM rating of instructional staff that compares the school's instructional personnel to the district VAM average and to the state VAM average.

(b) DMT- Step Two. The district must meet and document the following requirements on the form entitled District-Managed Turnaround Plan—Step 2, TOP-2.

1. Describe the methodology and results of a needs assessment utilizing quantitative and qualitative data;

2. Describe how the results of the needs assessment are addressed by the plan;

3. Provide a summary of the DMT plan that includes information on leadership, standards- based instruction and the culture and environment;

4. Describe how the two-year DMT plan and the annual SIP work together to improve student performance;

5. Describe the district-leadership team and its role in implementing the DMT plan;

6. Describe how the instructional programs align to Florida's Standards across grade levels and are proven to be effective with high-poverty, at-risk students;

7. Describe how progress monitoring assessments are aligned to Florida's Standards and provide valid data to support intervention for students;

8. Describe the district's allocation of resources and how they align to the specific needs of the school;

9. Describe how the district recruited the principal and assistant principal and provide evidence that demonstrates they have a successful record in leading a turnaround school and the qualifications to support the student population being served;

10. Describe the district's systems that ensure the school has effective educators capable of improving student achievement, including priority in hiring, recruitment and retention incentives and professional development and coaching support;

11. Describe how the district fills vacancies in core content areas ensuring incentives are offered and priority in hiring is given to the school;

12. Describe how the district recruits instructional personnel with Highly Effective or Effective three-year aggregated state VAM ratings;

13. Describe how the district reassigned or non-renewed instructional personnel with a rating of Unsatisfactory or Needs

Improvement, based on the most recent three-year aggregated state VAM; and

14. Provide information demonstrating that the school meets the instructional staffing requirements set forth above in sub-subparagraph (8)(a)1.h. of this rule.

(9) Reassignment/Closure (RC).

(a) RC-Step One. The district must meet and document the requirements set forth in paragraph (7)(a) of this rule and the following requirements on the form entitled, Turnaround Option Plan—Step 1, TOP-1, 3-Options:

1. Ensure that the students from the closed school are assigned to school(s) with a grade of "C" or higher;

2. Ensure that students from the closed school are not assigned to instructional personnel who are rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM ratings, if applicable, and the district evaluation system;

3. Ensure that the district will monitor for three (3) school years on a quarterly basis student attendance, grade and progress monitoring data, as well as all instructional personnel assigned to the students and their state VAM rating;

4. Ensure that instructional personnel from the closed school who are rated as Unsatisfactory or Needs Improvement based upon the three-year aggregated state VAM ratings are not reassigned to other DA schools within the district for the upcoming school year; and

5. Ensure that administrators from the closed school are not reassigned to other DA schools within the district for the upcoming school year.

(b) RC-Step Two. The district must meet and document the following requirements on the form entitled, Turnaround Option Plan—Step 2, TOP-2, Reassignment/Closure.

1. Describe how the district will ensure that the students from the closed school are assigned to a school with a grade of "C" or higher;

2. Describe how the district will ensure that students from the closed school are not assigned to instructional personnel who are rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system;

3. Describe how the district will ensure that student attendance, grade, and progress monitoring data, as well as all instructional personnel assigned to the student and their state VAM rating, will be monitored for the students from the closed school for three (3) school years on a quarterly basis;

4. Describe how the district will ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon the three-year aggregated state VAM rating are not reassigned to other DA schools for the upcoming school year; and

5. Describe how the district will ensure that administrators are not reassigned to other DA schools within the district for the upcoming school year.

(10) Charter School (CH).

(a) CH-Step One. The district must meet and document the requirements set forth in paragraph (7)(a) of this rule and the following requirements on the form entitled, Turnaround Option Plan—Step 1, TOP-1, 3-Options.

1. Ensure the district closes the school and reopens it as a charter or multiple charter schools;

2. Ensure the district enters into a contract with a charter or multiple charters that have a record of turning around a high-poverty school serving low-performing students with similar demographics; and

3. Ensure that instructional personnel who are rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM ratings, if applicable, and the district's evaluation system, do not serve as instructional personnel at the school.

(b) CH-Step Two. The district must meet and document the following requirements on the form entitled, Turnaround Option Plan—Step 2, TOP-2, Charter.

1. Describe how the district will ensure that the school will close and reopen it as a charter or multiple charters;

2. Describe how the district will ensure it enters into a contract with a charter organization following established district policy and procedures;

3. Describe how the district will ensure selection of a charter organization that has a record of turning around a high-poverty school serving low-performing students who have similar demographics; and

4. Describe how the district will ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system are not staffed at the school for the upcoming school year.

(c) The district shall submit to the Department for Cycle Two, Cycle Three and Cycle Four schools as described in subsection (12) of this rule, an executed contract with the charter operator no later than May 1, prior to the implementation of the turnaround plan.

(11) Eternal Operator/Outside Entity (EO).

(a) EO-Step One. The district must meet and document the requirements set forth in paragraph (7)(a) of this rule and the following requirements on the form entitled, Turnaround Option Plan—Step 1, TOP-1, 3-Options.

1. Ensure its selection of an external operator which has a record of school improvement in turning around schools that are high-poverty and low-performing with students of similar demographics;

2. Ensure that the incoming principal and school leadership team have a successful record in leading turnaround schools and the qualifications to support the population being served;

3. Ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system are not staffed at the school;

4. Ensure that if a district-managed charter school is established all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter; and

5. Ensure that the district will enter into a contract with the EO to operate the school following established district policies and procedures and that the contract with an EO will include:

a. Services and responsibilities for leadership and instructional staffing, curriculum and instruction, assessments, progress monitoring and professional development;

b. EO's record of school improvement and its role in recruitment, selection and placement of instructional personnel and the school leadership team;

c. Where the district has an existing contract with the EO, a detailed provision outlining the new or modified services to be provided by the EO; and

d. A detailed budget.

(b) EO-Step Two. The district must meet and document the following requirements on the form entitled, Turnaround Option Plan—Step 2, TOP-2.

1. Describe how the district selected an EO that has a record of school improvement in turning around schools that are high-poverty and low-performing with students of similar demographics;

2. Describe how the incoming principal and school leadership team who have a successful record in leading turnaround schools and the qualifications to support the population being served were selected;

3. Describe how the district will ensure that instructional personnel rated as Unsatisfactory or Needs Improvement based upon both the three-year aggregated state VAM rating, if applicable, and the district evaluation system are not staffed at the school;

4. Describe how the district will ensure that if a district-managed charter school is established all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review and approval of the charter; and

5. Describe how the district will enter into a contract with the EO to operate the school following established district policies and procedures and describe the state of contract negotiations with an EO that addresses:

a. Services and responsibilities in leadership and instructional staffing, curriculum and instruction, assessments, progress monitoring and professional development;

b. The EO's role in recruitment, selection and placement of instructional personnel and the school leadership team;

c. Where the district has an existing contract with the EO, a detailed provision outlining the new or modified services to be provided by the EO; and

d. A detailed budget.

(c) The district shall submit to the Department for Cycle Two, Cycle Three and Cycle Four schools, an executed contract with the EO no later than May 1, prior to the implementation of the turnaround plan.

(12) DA Timeline. The timeline for submission of the DA forms and contracts to the Department are based upon a school's cycle, which refers to the number of times a district has consecutively implemented a turnaround plan at the DA school. The deadlines the district must meet are set forth below.

(a) Turnaround schools in Cycle One:

1. TOP-1 due September 1 after the school grade requiring turnaround is issued; and

2. TOP-2 due October 1 of the same school year.

(b) Turnaround schools in Cycle Two, Cycle Three and Cycle Four:

1. TOP-1 due November 1 of the school year prior to implementation;

2. TOP-2 due January 31 of the school year prior to implementation; and

3. Executed contract with an EO or CH due May 1, prior to the school year of implementation of the turnaround plan.

(13) State Board Approval of District Turnaround Plans. The State Board of Education is authorized to approve, approve with conditions or deny a district turnaround plan for a DA school.

(a) The State Board shall consider, at a minimum, the following factors:

1. The strength of the turnaround plan;

2. Whether the plan is sufficiently tailored to address the causes of low performance;

3. The prior record of the proposed school leadership team in improving low performing schools;

4. The school district's history of success with this school and other low performing schools in the district; and

5. The extent to which the recommendations of the RED and the Department have been incorporated into the district's turnaround plan.

(b) Approval. The State Board shall approve a turnaround plan when a school district:

1. Meets the requirements for turnaround plans set forth in this rule and incorporated forms; and

2. Demonstrates that it is more likely than not that the school will improve to a grade of at least a "C" during implementation of the two year turnaround plan.

(14) Exiting DA. In order to exit DA, a school must meet one of the following requirements:

(a) When the school is categorized as a DA school based upon its grade, the school must earn a grade of "C" or higher; or

(b) When the school is categorized as a DA school solely based upon its graduation rate, the school must achieve a graduation rate that exceeds sixty-seven (67) percent.

(15) Extension of a turnaround plan.

(a) A district may request additional time to implement its turnaround plan if the following conditions are met:

1. The request is received by the Department on or before November 1 of the year before the extension would be implemented on the form entitled TOP-1, 3-Options;

2. The request demonstrates that the school has a positive trajectory using the school grade components listed in section 1008.34(3)(b), F.S.;

3. The request demonstrates that the DA school has no Unsatisfactory rated instructional personnel and the percentage of Needs Improvement instructional personnel must be at or below the district VAM average where the district has more than five (5) schools, or the state VAM average where the district has five (5) or fewer schools; and

4. During the remainder of the implementation of the turnaround plan, the district agrees to staff the school without any Unsatisfactory rated instructional personnel and maintain or improve the school's percentage of Needs Improvement rated instructional personnel from the percentage reported.

(b) The State Board of Education is authorized to approve, conditionally approve or deny the request.

(c) The State Board of Education shall approve a district's request for additional time to implement its turnaround plan when a school district:

1. Meets the requirements set forth in paragraph (15)(a) of this rule; and

2. The State Board determines that the school district has demonstrated that it is more likely than not that the school will improve to a grade of at least a "C" during an extended period of implementation of the turnaround plan.

(16) Failure to comply with the requirements of this rule will subject a district to the remedies provided in section 1008.32, F.S.

(17) Forms. The following forms are hereby incorporated by reference: Form DA-1, Checklist for Districts with Targeted Support and Improvement or Comprehensive Support and Improvement Schools (effective August 2018) (DOS link); Form DA-2, Checklist for Targeted Support and Improvement and Comprehensive Support and Improvement Schools

(effective August 2018) (*DOS link*); Form TOP-1, District-managed Turnaround Plan—Step 1 (effective August 2018) (*DOS link*); Form TOP-2, District-managed Turnaround Plan—Step 2 (effective August 2018) (*DOS link*); Form TOP-1, Turnaround Option Plan—Step 1, 3-Options (effective August 2018) (*DOS link*); Form TOP-2, Turnaround Option Plan—Step 2, Reassign/Closure (effective August 2018) (*DOS link*); Form TOP-2, Turnaround Option Plan—Step 2, Charter (effective August 2018) (*DOS link*); Form TOP-2, Turnaround Option Plan—Step 2, External Operator/Outside Entity (effective August 2018) (*DOS link*); and Form SIP-1, School Improvement Plan (SIP) (December 2014) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04622>). All forms may be obtained by contacting the Bureau of School Improvement, Division of Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Rulemaking Authority 1001.02(2)(n)(4), 4001.42(18)(a), 1008.33 FS. Law Implemented 1001.42(18)(a), 1008.33, 1008.345, 1012.2315 FS. History—New 8-11-10, Amended 8-6-13, 12-23-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, Division of Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 13, 2017.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-51.002
 RULE TITLE: Licensure by Examination

PURPOSE AND EFFECT: The proposed rule development is intended to update language regarding licensure by examination.

SUMMARY: Update rule language regarding licensure by examination.

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 concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board 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: 478.43(1), (4) FS.

LAW IMPLEMENTED: 456.0635, 478.45 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Medicine; Electrolysis Council, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.002 Licensure by Examination.

(1) Every applicant for licensure as an electrologist by examination shall demonstrate to the Council that the applicant:

(a) through (d) No change.

(e) Has successfully completed the requirements of a pre-licensure an electrolysis training program approved by the Council for; consisting of 120 hours academic training and a minimum of 200 hours of practical application.

1. The combined epilator, laser, and light-based curriculum defined in Rules 64B8-53.002, Florida Administrative Code, effective February 15, 2017; or

2. The epilator curriculum required for applicants who completed the training prior to March 1, 2018.

(f) through (g) No change.

(2) The Electrolysis Licensure Examination shall be any national examination pursuant to Section 456.017, F.S. and approved by the Board for the practice of electrology the International Board of Electrologist Certification (IBEC) national examination. The requirements and standards of the national examination shall comply with the requirements set forth in Rule 64B-1.011, F.A.C.

(3) ~~Each national examination provider shall set the minimum passing score for its exam the examination shall be set by the national examination provider.~~

(4) No change.

Rulemaking Authority 478.43(1), (4) FS. Law Implemented 456.017, 456.0635, 478.45 FS. History—New 5-31-93, Formerly 21M-76.002, 61F6-76.002, Amended 7-11-95, Formerly 59R-51.002, Amended 11-13-97, 2-17-00, 5-28-00, 11-27-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 18, 2017

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-51.008 Additional Educational Requirements for Initial Licensure

PURPOSE AND EFFECT: The proposed rule repeal is intended to remove language no longer in use.

SUMMARY: The current rules are obsolete and are being 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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board 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: 478.43, 456.013(7) FS.

LAW IMPLEMENTED: 456.013(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Medicine; Electrolysis Council, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.008 Additional Educational Requirements for Initial Licensure.

Rulemaking Authority 478.43, 456.013(7) FS. Law Implemented 456.013(7) FS. History—New 7-22-02, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: n/a

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-27.003 Florida Endangered and Threatened Species List; Prohibitions

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this rule amendment is to revise the Florida Endangered and Threatened Species List to reflect Federal listing changes. Rule 68A-27.0012(1) of the Florida Administrative Code requires that when species native to Florida are added or reclassified under the Federal Endangered Species Act (ESA), the species shall be so listed or reclassified in the Florida Administrative Code to reflect the federal designation. Because of recent federal designations, staff is proposing to add two species (Nassau grouper and giant manta

ray) to 68A-27.003(1).

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution n; 379.1025, Florida Statutes

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution n; 379.2291, Florida Statutes

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Dr. Brad Gruver, Leader, Species Conservation Planning Section, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600 SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-27.003 Florida Endangered and Threatened Species List; Prohibitions.

(1) Federally-designated Endangered and Threatened species:

(a) through (b) No change.

(c) Fish:

1. Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*)(E); South Atlantic distinct population segment (consistent with 77 Fed. Reg. 5914-5982),

2. Okaloosa darter (*Etheostoma okaloosae*)(T) (consistent with 76 Fed. Reg. 18087-18103),

3. Smalltooth sawfish (*Pristis pectinata*)(E) (consistent with 70 Fed. Reg. 69464-69466),

4. Nassau grouper (*Epinephelus striatus*)(T) (consistent with 81 Fed. Reg. 42268-42285),

5. Giant manta ray (*Manta birostris*)(T) (consistent with 83 Fed. Reg. 2916-2931).

(d) through (k) No change.

(2) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-84, 7-1-85, Formerly 39-27.03, Amended 6-1-86, 5-10-87, 4-27-89, 9-14-93, 6-23-99, Formerly 39-27.003. Amended 12-16-03, 7-20-09, 11-8-10, 11-14-11, 8-23-12, 9-19-12, 6-10-15, 1-11-17, 6-2-17,_____.

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support

RULE NOS.:	RULE TITLES:
64J-1.001	Definitions
64J-1.004	Medical Direction
64J-1.008	Emergency Medical Technician
64J-1.009	Paramedic
64J-1.011	Involuntary Inactive Certification
64J-1.020	Training Programs

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. 43 No. 126, June 29, 2017 issue of the Florida Administrative Register.

These changes are in response to written comments submitted by the Joint Administrative Procedures Committee (“JAPC”) staff in letters dated July 7, 2017, and January 17, 2018. Some of the changes to incorporated forms are based on record discussion of changes that occurred at a May 3, 2018 rule hearing.

64J-1.001 Definitions.

In addition to the definitions provided in sections 395.4001, 401.107, and 401.23, F.S., the following definitions apply to these rules:

(1) through (6) No change.

(7) “Electronic Patient Care Record” means an incident level electronic record in accordance with the format specified in the Emergency Medical Services Tracking and Reporting System (EMSTARS) Data Dictionary Version 1.4.1, or in accordance with EMSTARS Data Standards, Version 3 (see, rule 64J-1.014 F.A.C.).

(8) through (10) No change.

(11) “Neonatal Transport” means critical care interfacility transport of any neonate from a hospital licensed under Chapter 395, F.S., to a hospital licensed under Chapter 395, F.S., to deliver Level II or Level III neonatal intensive care services as defined in Rule 59C-1.042, F.A.C., effective March 15, 2017, which is incorporated by reference.

Rulemaking Authority 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.4001, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 401.23, 401.25, 401.35, 401.435 FS. History—New 4-26-84, Amended 3-11-85, Formerly 10D-66.485, Amended 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-99, 2-20-00, 11-3-02, 6-9-05, 10-24-05, 4-22-07, Formerly 64E-2.001, Amended 1-12-09, 11-5-09, 2-16-10, 5-27-10,_____.

64J-1.004 Medical Direction.

DH FORM 1256: This proposed rule section incorporates by reference DH Form 1256, 12/2008, “Certification of Training” – the following changes are made:

1. In response to JAPC’s July 7, 2017, letter directed to the requirements for training of paramedics to provide immunizations in a nonemergent setting pursuant to authority in section 401.272, F.S., and based on discussion at the May 3, 2018 rule hearing, reference to section 401.272(2)(b), F.S., is changed to 401.272(3).

2. Based on discussion at the May 3, 2018 rule hearing, the oath format on the form is changed to the format provided at section 92.525, Florida Statutes.

3. The edition of the form will be changed and updated to 06/17.

4. The rule citation for Rule 64J-1.004, F.A.C., is added to the form.

64J-1.008 Emergency Medical Technician.

(1) Qualifications and Procedures for Certification pursuant to Section 401.27, F.S. To be qualified for EMT certification, an individual must:

(a)1. Successfully complete an initial Florida EMT training program conducted in accordance with the January 2009 U.S. DOT EMT National EMS Education Standards, which are incorporated by reference and available at <https://www.ems.gov/education.html> and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>, or

2. If out of state or military trained in accordance with either the 1994 U.S. DOT EMT-Basic National Standard Curriculum or the January 2009 U.S. DOT EMT National EMS Education Standards, currently hold a valid EMT certification from the National Registry of Emergency Medical Technicians (NREMT). The 1994 U.S. DOT EMT-Basic National Standard Curriculum is incorporated by reference and available at <https://www.ems.gov/education.html> and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>.

(b) No change.

(c) Applicants who are subject to subparagraph (1)(a)1. must take the department required EMT Certification examination within 2 two years of completing the initial Florida training program. The department will accept a passing score for this exam if taken within the two-year period, whether the exam is taken before or after the application is filed pass or otherwise have passed the department required EMT Certification Examination within 2 years of completing the initial Florida training program.

(2) Renewal Certification – To maintain an active certificate, the EMT shall pay the recertification fee and affirm continued compliance with all applicable requirements contained in paragraph 64J-1.008(2)(a), (b) or (c), F.A.C.; complete and submit the applicable certification renewal notice, “Recertification Notice and Application.” ~~Certificate Renewal Notice~~ DH-MQA 1212, 06/17, incorporated by reference and mailed by the department; or apply for renewal online at www.flhealthsource.gov, where the form may also be obtained as well as at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>; and within 2 years prior to the expiration date of his or her EMT certification complete one of the following:

(a) through (d) No change.

(3) No change.

Rulemaking Authority 381.0035, 401.23, 401.27, 401.35, 456.013 FS. Law Implemented 401.23, 401.2715, 401.27, 401.34, 401.35, 456.013(1) FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.56, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.056, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-3-02, 10-24-05, 1-11-06, 1-23-07, 10-16-07, Formerly 64E-2.008, Amended 11-22-09, 5-27-10,_____.

DH FORM 1583: This proposed rule section incorporates by reference Form DH 1583, 04/2017, “Application for EMT/Paramedic Certification” – the following changes are made:

1. A series of questions are being added to elicit information relevant to potential licensure disqualification due to Section 456.0635, Florida Statutes.

2. A clarifying statement is being added to the application to indicate that ethnic information requested on the application is gathered for a purpose other than determining whether an applicant is qualified.

3. A citation to section 401.273, Florida Statutes, is being added as authority for the question asking if the applicant would be available to provide services in the event of an emergency or a disaster and would like to be included in a Registry of EMT’s and paramedics who indicate on the application that they would be available.

4. A clarifying statement regarding the criminal history response at question number 4, indicating the list of documents set forth to be provided by the applicant are only required if the applicant provides a “yes” answer to the question which reads: “Have you ever been convicted in any court in any state or in any federal court of a felony?”

5. All requirements for the applicant to provide a “Statement of Good Standing” are deleted from the form. The change will require the applicants who are applying for licensure based on current registration with the National Registry of Emergency Medical Technicians (NREMT) to provide their current NREMT registration number on the

application, for confirmation by the department through on-line research.

6. Application language applicable to Florida trained EMT and paramedic certification applicants who hold NREMT certification, to require obtaining the certification within two years of Florida training school course completion or have passed the NREMT written examination within the two years, and requiring all such applicants to submit their exam date and results to the department. This change is based on record discussion at the May 3, 2018 rule hearing.

7. Application language applicable to Florida trained EMT and paramedic certification applicants who have not already passed the NREMT written examination to register for this exam and provide the applicant's candidate number if applicable. This change is based on record discussion at the May 3, 2018 rule hearing.

8. Application language applicable to Florida trained EMT and Paramedic certification applicants to identify the name of the training program in the application. This change was discussed on the record in the rule hearing held on May 3, 2018.

9. Deletion of paragraph 7.c., removing the option for taking the Florida paramedic examination. This change is in response to the January 17, 2018 JAPC letter.

10. Under the heading "General Information and Application Instructions:" paragraph 6.; deletion of the reference to "good standing forms." paragraph 7., deletion of the lines advising exam scores will not be provided to the candidates and advising the scores will no longer be available on-line.

11. On the page titled "Contact Information:" deletion of the exam results column and the web page address for obtaining them.

12. The oath of the form is changed to the oath format provided in section 92.525, Florida Statutes, which does not require a notarized signature. This change was discussed in the record of the May 3, 2018 rule hearing.

FORM DH 1212:

1. A series of questions are being added to elicit information relevant to potential licensure renewal disqualification due to Section 456.0635, Florida Statutes. Also added are requirements for an explanation and supporting documentation related to disclosed offenses to be provided with the application.

2. Aside from the Section 456.0635 changes, the "Required Criminal Conviction Question" on the form is being changed: A. to add entry of a guilty plea to the conviction question; and B. to add some additional application response questions for those applicants who provide a positive response to the conviction question. These changes are discussed in the record of the May 3, 2018 rule hearing.

3. An oath is being added to this form in the format provided in section 92.525, Florida Statutes. Some of the questions related to substance abuse, mental health issues and applicant identity are changed to a yes/ no format to compliment the oath format. The renewal statement in the form is deleted. This change is related to comments in the JAPC letter dated July 7, 2017, and record discussion at the rule hearing held May 3, 2018.

4. Changes are made to the fees required for the recertification of EMT's and paramedics, to conform to the statutory and rule requirements. These changes were discussed in the record of the May 3, 2018 rule hearing.

5. The Continuing Education verification line is deleted, as the EMT and paramedic renewal related education is not tracked through CE Broker. This change was discussed in the record of the May 3, 2018 rule hearing.

64J-1.009 Paramedics.

(1) Qualifications and Procedures for Certification pursuant to Section 401.27, F.S. To be qualified for paramedic certification, an individual must:

(a)1. Successfully complete an initial Florida paramedic training program that was conducted in accordance with the January 2009 U.S. DOT Paramedic National EMS Education Standards incorporated by reference and is available at <https://www.ems.gov/education.html> and www.ems.gov/educationstandards.htm and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####> or

2. If out of state or military trained in accordance with the 1998 U.S. DOT EMT-Paramedic (EMT-P) NSC or the January 2009 U.S. DOT Paramedic National EMS Education Standards, currently hold a valid paramedic certification from the National Registry of Emergency Medical Technicians (NREMT). The 1998 U.S. DOT EMT-Paramedic (EMT-P) NSC is incorporated herein by reference and available at <https://www.ems.gov/education.html> and [www.ems.gov/educationstandards.htm](http://www.flrules.org/Gateway/reference.asp?No=Ref-#####) and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>.

(b) Each applicant must submit to the department DH Form 1583, 04/2017 6/16, "Application for EMT/Paramedic Certification" (see Rule 64J-1.008 F.A.C.).

(c) For those applicants subject to subparagraph (1)(a)1., file the completed application form described in paragraph (1)(b) to apply for certification and pass the department required paramedic certification examination within two years of completing the initial Florida training program. The department will accept a passing score for this exam if taken within the two-year period, whether the exam is taken before or after the application is filed. ~~or otherwise have passed the~~

~~Florida required paramedic certification examination within two years of completing the Florida initial training program.~~

(2) Renewal Certification – To maintain an active certificate the paramedic shall pay the recertification fee and affirm continued compliance with all applicable requirements contained in Rules 64J-1.009(2)(a) or (b), F.A.C., complete and submit the applicable certification renewal notice, “Recertification Notice and Application” ~~Certificate Renewal Notice~~ DH- MQA 1212, 06/17, incorporated by reference in Rule 64J-1.008, F.A.C., and mailed by the department, or apply for renewal online at www.flhealthsource.gov, where the form may also be obtained or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>, and within 2 years prior to the expiration date of his or her paramedic certification complete one of the following:

(a) through (b) No change.

(3) through (4) No change.

Rulemaking Authority 381.0034, 381.0035, 401.27, 401.35, 456.013 FS. Law Implemented 381.001, 401.23, 401.27, 401.2715, 401.34, 401.35, 401.41, 401.411, 401.414, 456.013 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.57, Amended 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.057, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-3-02, 10-24-05, 1-23-07, 10-16-07, Formerly 64E-2.009, Amended 11-22-09, 5-27-10, _____.

64J-1.011 Involuntary Inactive Certification.

FORM DH 5023-MQA: This form is incorporated by reference into this rule section. A change is made to the form to delete an option for taking the Florida paramedic examination. This change is made in response to the January 17, 2018 JAPC letter where JAPC has taken the position that the Florida paramedic exam is no longer authorized where the department has certified a National Examination.

The oath on the form is also being changed to the section 92.525 Florida Statutes format. This change will remove the Notary Public portion of the form.

64J-1.020 Training Programs.

DH FORM 1698: This proposed rule section incorporates by reference “APPLICATION FOR APPROVAL OF AN EMERGENCY MEDICAL SERVICES (EMS) TRAINING PROGRAM,” DH Form 1698, 04/17 – the following changes are made:

1. Under the heading “Program of Study” regarding a required final written and practical examination, the form is changed to specifically identify the most current National Education Standards on which the school must teach and examine. Those standards are the same standards identified at proposed Rule 64J-1.008(1)(a)1. (for EMT certification) and at

proposed Rule 64J-1.009(1)(a)1. (for paramedic certification).

2. Under the Heading “Important Information for the Applicant,” the requirement for an applicant to complete all departmental requirements, including a site visit, within 120 days of filing the application, is deleted from the application form.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-51.006 Rule Governing Licensure and Inspection of Electrolysis Facilities

NOTICE IS HEREBY GIVEN that on June 15, 2018, the Board of Medicine, received a petition for waiver or variance filed by Kristen Nielsen, from Rule 64B8-51.006, F.A.C., with regard to the requirement for hot water to be available in an electrolysis facility. 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: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address, or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-51.001 Manner of Application

NOTICE IS HEREBY GIVEN that on June 20, 2018, the Board of Medicine, received a petition for waiver or variance filed by Mayra Villa-Hartofilis, from subsection 64B8-51.001(2), F.A.C., with regard to the requirement for official documentation of completion of electrolysis training. 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: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address, or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-51.001 Manner of Application

NOTICE IS HEREBY GIVEN that on June 25, 2018, the Board of Medicine, received a petition for waiver or variance filed by Susan Eramo-Webster, from subsection 64B8-51.001(2), F.A.C., with regard to the requirement for official documentation of completion of electrolysis training. 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: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address, or telephone: (850)245-4131.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-13.023 Background Screening Requirements

NOTICE IS HEREBY GIVEN that on June 27, 2018, the Department of Children and Families, received a petition for waiver of paragraph 65C-13.023(15)(b), Florida Administrative Code, from Sandra Wallace, assigned Case No. 18-026W. Paragraph 65C-13.023(15)(b), F.A.C., requires that Program directors, or staff serving a similar function, who are responsible for supervising, evaluating and monitoring the delivery of services within the child caring agency and for supervising supervisors of direct care staff shall have a master's degree in social work or in a related area in paragraph 402.402(1)(b), F.S., of study from an accredited college or university and at least two (2) years of experience in social services, or a bachelor's degree from a college or university and four (4) years of experience working with children.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NOS.:RULE TITLES:

65D-30.004 Common Licensing Standards

65D-30.013 Standards for Prevention

NOTICE IS HEREBY GIVEN that on June 21, 2018, the Department of Children and Families, received a petition for variance of paragraphs 65D-30.004(12)(c)(4), and 65D-30.013(2)(d), Florida Administrative Code, from South Florida Behavioral Health Network and The Village South Inc., assigned Case No. 18-024W. Paragraphs 65D-30.004(12)(c)(4), Florida Administrative Code requires that the

following information be in the client participant records for Level II prevent: (a) identified risk and protective factors for the target population, (b) record of activities including description, date, duration, purpose, and location of service delivery, (c) tracking of individual participant attendance, (d) individual demographic identifying information, (e) informed consent for services, (f) prevention plan, (g) summary notes, (h) informed consent for release of information, (i) completion of services summary of participant involvement and follow-up information; and (j) transfer summary, if referred to another placement. Paragraphs 65D-30.013(2)(d), Florida Administrative Code identified specific prevention strategies for problem identification and referral services. The intent of this strategy is to identify children and youth who have indulged in the use of tobacco or alcohol and those who have indulged in the first use of illicit drugs, in order to assess whether prevention services are indicated or referral to treatment is necessary.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: RULE TITLE:

65E-14.021 Schedule of Covered Services

NOTICE IS HEREBY GIVEN that on June 21, 2018, the Department of Children and Families, received a petition for variance of sub-subparagraph 65E-14.021(4)(v)4.b., Florida Administrative Code, from South Florida Behavioral Health Network and The Village South Inc., assigned Case No. 18-024W. Sub-subparagraph 65E-14.021(4)(v)4.b., F.A.C., requires in pertinent part required audit documentation for indicated prevention services are (I) attendance records with date, (II) program material; and (III) activity name from the program manual.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on June 28, 2018, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.004(3)(g), F.A.C. from Ridgewood Affordable LLC, requesting a permanent waiver to amend the Development Type for Ridgewood Apartments from "Garden Apartments" to "Townhouses".

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Department of Legal Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 12, 2018, 10:00 a.m. – 2:00 p.m.

PLACE: Via Webinar originating in Tallahassee; contact: Kairi Sisask at (850)414-3500 for more information

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida New Motor Vehicle Arbitration Board, 2018 New Board Member Training (Webinar).

A copy of the agenda may be obtained by contacting: Kairi Sisask at (850)414-3500.

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: Kairi Sisask at (850)414-3500. 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: Kairi Sisask at (850)414-3500.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 13, 2018, 11:00 a.m.

PLACE: Flagler County Fairgrounds; Cattlemen's Hall Community Center; 150 Sawgrass Rd., Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: This

is a meeting of the Board of Trustees to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630 or email at kara.hoblick@floridaagmuseum.org.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, July 12, 2018, 2:00 p.m.

PLACE: Call in number: (605)475-5910; Access code: 9442330

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

A copy of the agenda may be obtained by contacting: Tenley Struhs at (352)307-6699 or email at tstruhs@flhorsepark.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tenley Struhs at (352)307-6699 or email at tstruhs@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF LAW ENFORCEMENT

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

DATES AND TIMES: Tuesday, July 10, 2018, 8:30a.m. – 5:30p.m.; Wednesday, July 11, 2018, 8:30a.m. – 5:00p.m.; Thursday, July 12, 2018, 8:30a.m. – 3:15p.m.

PLACE: BB&T Center, Chairman's Club, 1 Panther Parkway, Sunrise, FL 33323, Use Gate 5 and park in Lot B

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting is held to convene members of the Marjory Stoneman Douglas High School Public Safety Commission.

A copy of the Commission meeting agenda will be posted when available on the following website: <http://www.fdle.state.fl.us/MSDHS/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 5 days before the workshop/meeting by contacting: Office of Policy Development and Planning, Jennifer Miller at (850)410-8321 or e-mail at JenniferMiller2@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 6, 2018, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. John’s River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL 32177, sdavis@sjrwmd.com, (407)659-4838 or by visiting the Council’s website at harrischainoflakescouncil.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: The District Clerk at (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).

For more information, you may contact: Susan Davis, 4049 Reid Street, Palatka, FL 32177, sdavis@sjrwmd.com, (407)659-4838.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, July 10, 2018, 10:00 a.m., Committee Meetings; 11:00 a.m. or following the Committee Meetings whichever is later, 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 Lori Griffith, 4049 Reid Street, Palatka, FL 32177 or by phone at (386)329-4470, or by visiting the District’s website at sjrwmd.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 at (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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: July 11, 2018, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/

A copy of the agenda may be obtained by contacting: Justin J. Eddy, (813)985-7481, ext. 2097.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, 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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Wednesday, July 11, 2018, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Well Drillers Advisory Committee (WDAC) Meeting. Some members of the District’s Governing Board may also attend the meeting.

A copy of the agenda may be obtained by contacting: teri.rhodes@watermatters.org, 1(800)836-0797 (FL only), or (813)985-7481, ext. 4476.

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: SWFWMD Human Resources, 1(800)423-1476 (FL only), or (352)796-7211, ext. 4702. 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

Tampa Bay Water - A Regional Water Supply Authority
 The Tampa Bay Water, A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2018, 1:00 p.m. – 4:00 p.m., or until completed

PLACE: Tampa Bay Water's Administrative Offices, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for the Request for Proposals to Develop and Implement A SCADA Master Plan Project, Contract No. 2018-010. As a part of the selection process, the Selection Committee will hear presentations and conduct interviews with short-listed firms in order to determine the highest ranking firm to recommend for award.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)791-2392. 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: Records Department at (727)796-2355.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority
 The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 17, 2018, 9:00 a.m. – 10:00 a.m., or until completed

PLACE: Tampa Bay Water's Administrative Offices located at 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for the Request for Proposals on the Ecological Monitoring and Assessment Consulting Services for the Cypress Creek Wellfield; the Morris Bridge Wellfield; the Northwest Hillsborough Regional Wellfields and the J.B. Starkey Wellfields, Contract Nos. 2018-046 thru 2018-049. As a part of the selection process, the Selection Committee will meet to review and discuss the

responses, reference checks and short-list/ranking of the firms, determine if interviews are needed and review potential interview questions.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board
 The Building Code Administrators and Inspectors Board announces a public meeting to which all persons are invited.

DATES AND TIMES: August 22, 23, 24, 2018, 9:00 a.m.

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746, (407)995-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions of which may be closed to the public), general board business.

A copy of the agenda may be obtained by contacting: Myfloridalicense.com - Businesses & Professions - Building Code Administrators & Inspectors - Board Meeting Information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee FL 32399, or by calling (850)717-1980. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee FL 32399, or by calling (850)717-1980.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 11, 2018, 9:30 a.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting listed above is being cancelled. The meeting will be rescheduled at a later date.

For more information, you may contact: Karan Lee, Florida Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

The Circuit 10 Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

DATES AND TIMES: July 24, 2018, 1:00 p.m. – 3:30 p.m., Closed Meeting; 3:30 p.m. – 4:00 p.m., Open to Public

PLACE: Polk County Medical Examiner’s Office, 1891 Jim Keene Blvd., Winter Haven, FL 33880

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: David Acevedo or Deedree Zervas; David.Acevedo@flhealth.gov or Deedree.Zervas@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: David Acevedo or Deedree Zervas. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

The Circuit 10 Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2018, 1:00 p.m. – 3:30 p.m., Closed Meeting; 3:30 p.m. – 4:00 p.m., Open to Public

PLACE: Polk County Medical Examiner's Office, 1891 Jim Keene Blvd., Winter Haven, FL 33880

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: David Acevedo or Deedree Zervas; David.Acevedo@flhealth.gov or Deedree.Zervas@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: David Acevedo or Deedree Zervas. 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 CHILDREN AND FAMILIES

Refugee Services

The Palm Beach Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 19, 2018, 10:00 a.m. – 12:00 Noon

PLACE: West Palm Beach City Hall, Room - Flagler Gallery, 401 Clematis Street, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Broward Area 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: Miriam Rosario at (561)227-6722 or David Draper at (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: Miriam Rosario at (561)227-6722 or David Draper at (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: Miriam Rosario at (561)227-6722 or David Draper at (407)317-7335.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Grant Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2018, 10:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Evaluation Team for the FMMJUA will evaluate and score the Applications for Grants for Partnerships in Improving the Safety of Health Care Services (RFA # 2018-01).

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, 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: frankie@fmmjua.org or call (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Grant Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2018, 2:00 p.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Grant Committee of the Florida Medical Malpractice Joint Underwriting Association will discuss the recommendations and scored Applications for the Grants for Partnerships in Improving the Safety of Health Care Services (RFA # 2018-01) from the Evaluation Team and consider such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, 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: frankie@fmmjua.org or call (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2018, immediately following the Grant Committee Meeting

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, 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: frankie@fmmjua.org or call (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Claims & Underwriting Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 17, 2018, immediately following the Audit Committee Meeting.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider reports from the Association's General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting:

FMMJUA, 1836 Hermitage Blvd., Suite 201, 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: frankie@fmmjua.org or call (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 18, 2018, 9:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors of the Florida Medical Malpractice Joint Underwriting Association will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Audit Committee, Claims Committee, Grant Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, 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: frankie@fmmjua.org or call (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by People's Gas System on April 2, 2018. The following is a summary of the agency's disposition of the petition: The petition for declaratory

statement was dismissed because it did not meet the requirements for a declaratory statement under Section 120.565, F.S.

Final Order No. PSC-2018-0333-FOF-GU was issued and filed on June 27, 2018, in Docket No. 20180085-GU.

A copy of the petition and final order may be obtained by contacting: Carlotta Stauffer, Commission Clerk, Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, Clerk@psc.state.fl.us, (850)413-6770.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-9.013 Bathing Places

NOTICE IS HEREBY GIVEN that the Florida Department of Health has received the petition for declaratory statement from Crystal Lagoons U.S. Corp. The petition seeks the agency's opinion as to the applicability of Section 514.011(4), Florida Statutes (2017) as it applies to the petitioner.

The petition was received on June 15, 2018. The petitioner seeks a declaratory statement that the bodies of water constructed and operated by the petitioner's licensees in accordance with the terms of petitioner's license agreements are "public bathing places" as defined by Section 514.011(4), Florida Statutes (2017).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lori L. Jobe, Senior Attorney, Office of the General Counsel, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399-3265, Lori.Jobe@flhealth.gov, (850)245-4005.

Please refer all comments to: Lori L. Jobe, Senior Attorney, Office of the General Counsel, 4052 Bald Cypress Way, Bin A-02, Tallahassee, FL 32399-3265, Lori.Jobe@flhealth.gov, (850)245-4005.

Motions for leave to intervene must be filed with: Agency Clerk, Office of the General Counsel, Florida Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, FL 32399, Shannon.Revels@flhealth.gov, (850)245-4005, not later than 14 days after the date of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Charles H. Crowell, City of West Melbourne Fire Inspector on April 30, 2018. The following is a summary of the agency's disposition of the petition:

The Petition requests a determination as to whether the FFPC, 6th ed., National Fire Prevention Association 1 (NFPA 1), sections 63.3.1.2.4 and 63.3.1.2.4.1, applies to carbon dioxide beverage systems over 100 pounds that utilize non-insulated

carbon dioxide beverage system containers or insulated carbon dioxide beverage system containers. The Department concludes the FFPC, NFPA 1, sections 63.3.1.2.4 and 63.1.2.4.1, applies to all carbon dioxide beverage systems over 100 pounds, which includes both non-insulated and insulated carbon dioxide beverage system containers.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Sarah Marcos at sarah.marcos@myfloridacfo.com.

Please refer all comments to: Sarah Marcos at sarah.marcos@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Cryptobase, LLC, on April 03, 2018. The following is a summary of the agency’s disposition of the petition:

The petition sought a declaratory statement from the Office on whether the sale of virtual currency in the State of Florida via automated kiosk (“kiosk”) will require obtaining licensure, under Chapter 560, Florida Statutes. On June 28, 2018, the Office of Financial Regulation issued a Final Order advising Petitioner it is not required to obtain licensure as a "money transmitter," under chapter 560, Florida Statutes, for the activities described in its Petition.

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

<https://real.flofr.com/datamart/searchFinalOrderFLOFR.do>

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

Section VIII
Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

University of South Florida

CM - Notice for Professional Services

Notice to Professional Consultants

Request for Qualifications

The University of South Florida (USF), announces continuing professional services are required for the following discipline:

Construction Manager, minimum of five (5) firms, with the ability to service the University of South Florida System including the Tampa Campus, USF Downtown facilities, St. Petersburg campus, and the Sarasota/Manatee campus.

PROJECT DESCRIPTION: Projects included in the scope of this agreement will be specific projects for renovations, alterations, new construction, and additions for University facilities that have a construction budget that does not exceed \$2,000,000.00, or survey or studies for which the fee for professional services does not exceed \$200,000.00. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service contracts for these projects provide that the Construction Manager will be available on an as-needed basis for a period of three (3) years. This selection is based upon Construction Manager services only. A Construction Manager receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Any new construction projects should have the ability to be USGBC LEED certified, to a minimum certification level of Silver, if required by the Owner

and shall be included as part of basic services and will not be considered as an additional service.

The Construction Manager contract shall be in compliance with the selection provisions in Section 287.055, Florida Statutes, and Board of Governors Regulation 14.0055.

It is the University's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the selected firms based upon an hourly/unit costs for services document to be provided at the time of negotiations.

In addition to General Liability and Automobile Liability insurance, Blanket Professional Liability insurance will be required for this Contract in the amount of \$1,000,000.00 per incident and \$2,000,000 aggregate. Blanket Professional Liability insurance will be provided as a part of Basic Services.

INSTRUCTIONS:

To be considered, companies must provide a submittal containing requirements detailed in the Request for Qualifications (RFQ), including a letter of interest, a completed USF Construction Manager Qualifications Supplement (CMQS) with attachments, and any required or additional information within the proposal limits as described in the RFQ. Applications on any other form may not be considered. The RFQ and the CMQS, which includes project information and selection criteria, may be obtained by contacting: Terry Mead, Facilities Management / Design & Construction, University of South Florida, 4202 East Fowler Avenue / OPM 100, Tampa, FL 33620-7550, tmead@usf.edu, (813)974-0843.

Requests for any other project information, or any questions, must be submitted in writing to the above e-mail address. Applications which do not comply with the above instructions may be disqualified. Submittals are part of the public record. Application materials will not be returned. An applicant must be properly licensed to practice its profession in the State of Florida at the time of application. If the applicant is a corporation it must be chartered by the Florida Department of State to operate in Florida at the time of application.

Pre-Submittal Meeting: All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 1:00 p.m., ET, Tuesday, July 10, 2018, at the: University of South Florida, Tampa Campus, PTB Training Center, 13311 USF Plum Drive, Tampa, Florida 33620, to review the scope and requirements of this project. Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, or view map at website: <http://www.usf.edu/administrative-services/parking/maps/index.aspx>

Request for Meetings: Requests for meetings by individual firms will not be granted. No communication specific to the selection process or company capabilities shall take place between the applicants and the Selection Committee members, employees of USF, or its Owner Representatives, except as provided at the Pre-Submittal Meeting, and in the request for the RFQ, CMQS, and written clarifications and questions from the applicant.

Request for Information: Requests for any project information, including the CMQS and Project Fact Sheet must be submitted in writing or email to: Terry Mead, Administrative Specialist, University of South Florida, Facilities Management, Design & Construction, 4202 East Fowler Avenue / OPM 100, Tampa, Florida, 33620-7550, email: tmead@usf.edu, (813)974-0843.

Submission: One (1) original and eight (8) spiral-bound copies of the submittals are to be submitted to the attention of Terry Mead, Administrative Specialist, University of South Florida, Facilities Management- Design & Construction Office, 4202 East Fowler Avenue / OPM 100, Tampa, FL 33620-7550 by 2:00 p.m., ET, July 24, 2018. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Submittals that do not comply with the above instructions may be disqualified. Submittals are not to exceed forty (40) pages, including the "USF Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively.

The University reserves the right to suspend, discontinue or cancel the selection process at any time and reject any or all submissions without obligation to the respondent.

PROJECT SELECTION CRITERIA:

Selection of finalists for interviews will be made on the basis of professional qualifications including experience and ability, past performance, workload, company office location, and ability to meet the goals and objectives of the USF Strategic Plan.

As part of the USF Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. USF is an equal opportunity institution and, as such, strongly encourages the lawful use of Certified Business Enterprise including certified Minority (MBE), Women (WBE), and Veteran (VBE) business enterprises in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or to participate in, design and/or construction-related services.

The plans and specifications for the USF projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a Consultant 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 Consultant must warrant that

it will neither utilize the services of, nor contract with, any supplier, subcontractor, or Consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CITY OF HOMESTEAD

Emergency Catering Services

The City of Homestead is announcing the availability of the following Request for Proposals (RFP):

RFP #201844

EMERGENCY CATERING SERVICES

Interested proposers may obtain a copy of the RFP package by visiting our website at <http://www.cityofhomestead.com/bids.aspx> or request a copy via e-mail from bids@cityofhomestead.com.

Scope of Work: The City of Homestead (the “City”) is soliciting proposals to procure the services of a caterer/ food service professional to provide food for city employees during the relief of a natural disaster or other emergency related crisis. The caterer would provide three (3) meals per day, for an estimated one hundred and fifty (150) to six hundred (600) employees, twenty four (24) hours after the all clear has been given.

Pre-Proposal Meeting: **NON-MANDATORY**

Thursday, July 12, 2018 at 10:00 a.m.

Location: Procurement & Contract Services Division
450 SE 6th Avenue
Homestead, FL 33030

Proposal Due Date: **Tuesday, July 31, 2018 at 2:00 p.m.**

City of Homestead, City Hall
City Clerk’s Office
c/o Bids Department
100 Civic Court
Homestead, FL 33030

Insurance: **Required**

Proposals received after the above-specified date and time will not be accepted. Proposals submitted by fax or email will not be accepted.

Pursuant to Ordinance 2002-09-27, a Cone of Silence is hereby imposed on the project identified above. Disclosure: A Cone of Silence shall be imposed upon each RFP, RFQ and bid after the advertisement of said RFP, RFQ or bid. At the time of imposition of the Cone of Silence, the City Manager or his or her designee shall provide for public notice of the Cone of Silence by posting a notice at the City Hall. The City Manager shall issue a written notice thereof to the affected departments, file a copy of such notice with the City Clerk, with a copy thereof to each City Councilmember, and shall include in any public solicitation for goods or services a statement disclosing the requirements of this section.

The details of the Cone of Silence restriction upon communications are set forth in Section XIX of the RFP documents.

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

FLORIDA WORKERS COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC. (FWCJUA) Notice of Request for Proposals for Actuarial Services

Notice of Request for Proposals for Actuarial Services

The FWCJUA, the single-line residual market insurer of workers compensation and employers liability coverage in Florida, will issue an RFP for Actuarial Services on July 11, 2018, for the purpose of engaging a reputable actuarial firm to advise and assist the FWCJUA with actuarial matters, to include analyses related to ratemaking, reserving, deficit elimination plans, loss ratio selection, loss payout patterns, reinsurance proposals, and premium dividend proposals. The FWCJUA is not a state agency; and thus, the RFP process is not governed by the contracting procedures applicable to state agencies set forth by Florida law. Interested parties may obtain a copy of the FWCJUA’s RFP for Actuarial Services on or after July 11, 2018, from the FWCJUA’s website, <http://www.fwcjua.com>. Responses to the RFP will be due no later than 12:00 p.m., Eastern Time, August 10, 2018.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, June 22, 2018 and 3:00 p.m., Thursday, June 28, 2018.

Rule No.	File Date	Effective Date
12AER18-06	6/25/2018	7/1/2018
5B-40.001	6/27/2018	7/17/2018
5B-40.0055	6/27/2018	7/17/2018
5J-4.004	6/25/2018	7/15/2018
5J-4.005	6/25/2018	7/15/2018
5J-4.014	6/25/2018	7/15/2018
5J-17.011	6/25/2018	7/15/2018
5J-17.020	6/25/2018	7/15/2018

5J-17.021	6/25/2018	7/15/2018
5J-17.022	6/25/2018	7/15/2018
5J-17.025	6/25/2018	7/15/2018
5J-17.040	6/25/2018	7/15/2018
5J-17.041	6/25/2018	7/15/2018
5J-17.042	6/25/2018	7/15/2018
5J-17.043	6/25/2018	7/15/2018
5J-17.044	6/25/2018	7/15/2018
5J-17.045	6/25/2018	7/15/2018
5J-17.047	6/25/2018	7/15/2018
5J-17.048	6/25/2018	7/15/2018
5J-17.050	6/25/2018	7/15/2018
5J-17.052	6/25/2018	7/15/2018
5J-17.053	6/25/2018	7/15/2018
5J-17.060	6/25/2018	7/15/2018
5J-17.062	6/25/2018	7/15/2018
33-401.701	6/25/2018	7/15/2018
33-603.201	6/25/2018	7/15/2018
53ER18-30	6/27/2018	6/27/2018
53ER18-31	6/27/2018	6/27/2018
53ER18-32	6/27/2018	6/27/2018
53ER18-33	6/27/2018	6/27/2018
53ER18-34	6/27/2018	6/27/2018
59A-3.081	6/22/2018	7/1/2018
59A-10.033	6/22/2018	7/1/2018
59A-10.034	6/22/2018	7/1/2018
59A-10.035	6/22/2018	7/1/2018
59A-10.036	6/22/2018	7/1/2018
59A-10.037	6/22/2018	7/1/2018
59G-6.020	6/22/2018	7/12/2018
64B8-13.008	6/25/2018	7/15/2018
69K-7.011	6/27/2018	7/17/2018

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

DEPARTMENT OF TRANSPORTATION

Proposed Site Approval Order for Orlando Health Emergency Room and Medical Pavilion Helistop

FLORIDA DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Orlando Health Emergency Room & Medical Pavilion, a private airport, in Osceola County, at Latitude 28° 20' 23.391" and Longitude 81° 23' 42.553", to be owned and operated by Orlando Health, Inc., 1001 E. Osceola Parkway Kissimmee, FL 34744.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; 850/414-4514; aviation.fdot@dot.state.fl.us.

Website:

<http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment updates buy-back provisions for Intermediate Care Facilities for Individuals with Developmental Disabilities as authorized in the General Appropriations Act for State Fiscal Year 2018-2019, and makes technical and editorial changes. This amendment to the State Plan will have a federal fiscal impact with an expected increase of \$1,610,227 in federal funds for federal fiscal year (FFY) 2017-18 and an increase of \$4,830,682 in federal funds for FFY 2018-19. The effective date for this amendment will be July 1, 2018.

Interested parties may contact the following staff for further information:

Rydell Samuel, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4103 or by e-mail at: rydell.samuel@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan for the County Health Department Reimbursement Plan. The amendment updates buy-back provisions as authorized in the General Appropriations Act for State Fiscal Year 2018-2019, and makes technical and editorial changes. This amendment to the State Plan will have a federal fiscal impact with an expected decrease of (\$53,998) in federal funds for federal fiscal year (FFY) 2017-18 and a decrease of (\$161,993) in federal funds for FFY 2018-19. The effective date for this amendment will be July 1, 2018.

Interested parties may contact the following staff for further information:

Rydell Samuel, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4103 or by e-mail at: rydell.samuel@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment updates Enhanced Ambulatory Patient Group (EAPG) reimbursement rates for hospital outpatient services as authorized in the General Appropriations Act for State Fiscal Year 2018-2019, and makes technical and editorial changes. This amendment to the State Plan will have a federal fiscal impact with an expected decrease of (\$305,014) in federal funds

for federal fiscal year (FFY) 2017-18 and a decrease of (\$915,041) in federal funds for FFY 2018-19. The effective date for this amendment will be July 1, 2018.

Interested parties may contact the following staff for further information:

Rydell Samuel, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4103 or by e-mail at: rydell.samuel@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

State Plan Amendment

The Agency for Health Care Administration announces that it is requesting an amendment to the Medicaid State Plan. The amendment updates Diagnosis Related Group (DRG) reimbursement rates for hospital inpatient services as authorized in the General Appropriations Act for State Fiscal Year 2018-2019, and makes technical and editorial changes. This amendment to the State Plan will have a federal fiscal impact with an expected decrease of (\$2,588,281) in federal funds for federal fiscal year (FFY) 2017-18 and a decrease of (\$7,764,842) in federal funds for FFY 2018-19. The effective date for this amendment will be July 1, 2018.

Interested parties may contact the following staff for further information:

Rydell Samuel, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850) 412-4103 or by e-mail at: rydell.samuel@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary
Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
DEO Final Order No. DEO-18-040

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY LAKE COUNTY

ORDINANCE NO. 2018-15

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2018-15

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Lake County, Florida, Ordinance No. 2018-15 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. Lake County is a local government within the Green Swamp Area.
2. The Ordinance was adopted by Lake County on April 24, 2018, and rendered to the Department on May 2, 2018.
3. The Ordinance amends the Lake County Code by establishing the definition for “Public Safety Services”, which includes law enforcement, firefighting, emergency medical assistance or transport, search and rescue, and hazardous material cleanup. The Ordinance also amends Section 3.01.03 Table Schedule of Permitted and Conditional Uses to permit Public Safety Services in every zoning district.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in the Green Swamp Area of Critical State Concern.

See subsection 380.05(6), Florida Statutes.

5. “Land development regulations” include “local zoning, subdivision, building, and other regulations controlling the development of land.” Subsection 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Lake County Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and is not inconsistent with any specific policies.
7. 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. See subsection 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in subsection 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake County Ordinance No. 2018-15 is consistent with the Lake County Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity
 Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either section 120.569 and subsection 120.57(1), Florida statutes, or section 120.569 and subsection 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the Florida administrative register. A petition is filed when it is received by:

Agency Clerk, Department of Economic Opportunity, Office of The General Counsel, 107 East Madison St., Msc. 110, Tallahassee, Florida 32399-4128, Fax 850-921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida Administrative Register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 28th day of June, 2018.

/s/

Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail: The Honorable Timothy I. Sullivan, Chairman, Lake County Board of County Commissioners
 P. O. Box 7800, Tavares, FL 32778-7800

Neil Kelly, Lake County Clerk of the Circuit Court, Lake County Courthouse, 550 W. Main St., Tavares, FL 32778

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

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