

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-4.002 General Provisions

PURPOSE AND EFFECT: To permit sponsors to request an extension to the length of time for exchange teachers to hold a temporary exchange teacher certificate for up to an additional two (2) years for a period not to exceed a total of five (5) years. Proposed revisions also permit, but do not require, the department to issue exchange teacher certificates to include Florida subject(s) for which the exchange teacher may be assigned as a qualified instructor.

SUBJECT AREA TO BE ADDRESSED: Exchange Teacher Certification.

RULEMAKING AUTHORITY: 1001.02, 1012.55, 1012.56, FS.

LAW IMPLEMENTED: 1001.10(5)(b), 1012.55, 1012.56, 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: Chane Eplin, Chief, Bureau of Student Achievement through Language Acquisition, Department of Education, (850)245-0417 or e-mail chane.eplin@fldoe.org. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.0573 Industry Certification Process.

PURPOSE AND EFFECT: To adopt the most recent CAPE Industry Certification Funding List (“2018-19 CAPE Industry Certification Funding List, Revised”).

SUBJECT AREA TO BE ADDRESSED: Industry Certification.

RULEMAKING AUTHORITY: 1003.4203(9), 1003.492(3), 1008.44, 1011.62(1)(o), FS.

LAW IMPLEMENTED: 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1)(o), 1012.796, 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: Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, suite 744, Tallahassee, Florida 32399-0400; phone: (850)245-9001; Tara.Goodman@fldoe.org. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact Chris Emerson, Director of the Office of Executive Management, Department of Education, (850)245-9601 or e-mail Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:
61D-6.0052 Procedures for Collecting Samples from Racing Greyhounds

PURPOSE AND EFFECT: The purpose of this Rule Development is to further clarify and describe the procedures performed by the Division in collecting samples from greyhounds and to create a rule specific to the greyhound sample collection process following the issuance of the final order in DOAH Case No. 18-0915.

SUBJECT AREA TO BE ADDRESSED: Sample collection procedures in greyhounds

RULEMAKING AUTHORITY: 550.0251(3), (11), 550.2415(5), (12), (13) FS.

LAW IMPLEMENTED: 550.0251, 550.2415 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: Bryan Barber, Division of Pari-Mutuel Wagering,

bryan.barber@myfloridalicense.com, 2601 Blairstone Rd., Tallahassee, FL 32399, (850)717-1761
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II
Proposed Rules

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:
 19-8.010 Reimbursement Contract

PURPOSE AND EFFECT: The State Board of Administration of Florida, Florida Hurricane Catastrophe Fund, seeks to amend the rule listed above to implement Section 215.555, F.S.

SUMMARY: The rule is being amended to adopt the 2019-2020 Reimbursement Contract, including Addenda. In addition, the rule is being amended to provide an alternative procedure for commutation of Contract Year 2017-2018 losses and obsolete material is being removed.

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 Reimbursement Contract meeting the requirements set forth in Section 215.555, F.S., must be adopted annually pursuant to Section 215.555(4) and (16)(b), F.S. Upon review of the proposed changes to the upcoming Contract Year’s Reimbursement Contract, which is incorporated into Rule 19-8.010, F.A.C., Reimbursement Contract, the State Board of Administration of Florida has determined that the preparation of a Statement of Estimated Regulatory Costs is not necessary and that this rule does not meet the statutory threshold for ratification by the Legislature. The changes to this rule also do not directly or indirectly have an adverse impact on economic growth, private sector job creation or employment, or private sector investment, business competitiveness, or innovation or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

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

RULEMAKING AUTHORITY: 215.555(3), FS.
 LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (16), FS.

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

DATE AND TIME: December 28, 2018, 10:00 a.m. (ET) to 11:00 a.m. (ET).

PLACE: Hermitage Centre Conference Room, Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308. Persons wishing to participate by phone may dial (888) 670-3525 and enter conference code 7135858151.

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: Donna Sirmons, Florida Hurricane Catastrophe Fund, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1349, donna.sirmons@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Sirmons at the number or email listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.010 Reimbursement Contract.

(1) The reimbursement contract for the 2019-2020 contract year, <http://www.flrules.org/Gateway/reference.asp?No=ref-XXXXX>, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF-2019K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. XX/19 is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2019 through May 31, 2020. The reimbursement contract for the 2014 2015 contract year, <http://www.flrules.org/Gateway/reference.asp?No=ref-03348>, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF 2014K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC # () and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 12/13 is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2014 through May 31, 2015.

~~(2) The reimbursement contract for the 2015-2016 contract year, http://www.flrules.org/Gateway/reference.asp?No=ref_04711, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF 2015K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC #(-) and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), http://www.flrules.org/Gateway/reference.asp?No=ref_05417, rev. 11/14 is hereby adopted and incorporated by reference into this rule. In addition, Form 2015K-2, Amendment No. 1 to the Reimbursement Contract, is also adopted and incorporated by reference into this rule. This contract is effective from June 1, 2015 through May 31, 2016.~~

~~(3) The reimbursement contract for the 2016-2017 contract year, http://www.flrules.org/Gateway/reference.asp?No=ref_06219, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF 2016K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC #(-) and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 12/15 is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2016 through May 31, 2017.~~

~~(4) The reimbursement contract for the 2017-2018 contract year, http://www.flrules.org/Gateway/reference.asp?No=ref_07504, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF 2017K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC #(-) and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 11/16 is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2017 through May 31, 2018.~~

~~(5) The reimbursement contract for the 2018-2019 contract year, http://www.flrules.org/Gateway/reference.asp?No=ref_08825, including all Amendments and Addenda, required by Section 215.555(4), F.S., which is called Form FHCF 2018K-“Reimbursement Contract” or “Contract” between (name of insurer) (the “Company”)/NAIC #(-) and The State Board of Administration of the State of Florida (“SBA”) which administers the Florida Hurricane Catastrophe Fund (“FHCF”), rev. 12/17 is hereby adopted and incorporated by reference into this rule. This contract is effective from June 1, 2018 through May 31, 2019.~~

~~(2)(6) In recognition of the fact that few, if any, companies sustained losses from Hurricanes Hermine and Matthew in 2016 in amounts sufficient to exceed their FHCF retention, and~~

that, notwithstanding the limitations of Art. X(3)(d) of the 2016-2017 Reimbursement Contract, companies may wish to complete a commutation for zero dollars earlier than 36 months after the end of the 2016-2017 contract year, which is the earliest date for commutation allowed under that provision of the Reimbursement Contract. Therefore, with respect to the 2016-2017 Reimbursement Contract, a company and the SBA may mutually agree to initiate and complete a commutation for zero dollars prior to the end of the 36-month period referred to in Art. X(3)(d). Such early commutation, once completed, eliminates the mandatory Proof of Loss requirements under Art. X(3)(b)3. and 4. for all reporting periods subsequent to the completion of the commutation.

~~(3) In recognition of the fact that many companies did not sustain losses from Hurricane Irma in 2017 in amounts sufficient to exceed their FHCF retention, and few, if any, companies sustained losses from Hurricane Nate in 2017 in amounts sufficient to exceed their FHCF retention, and that, notwithstanding the limitations of Art. X(3)(d) of the 2017-2018 Reimbursement Contract, companies may wish to complete a commutation for zero dollars earlier than 36 months after the end of the 2017-2018 contract year, which is the earliest date for commutation allowed under that provision of the Reimbursement Contract. Therefore, with respect to the 2017-2018 Reimbursement Contract, a company and the SBA may mutually agree to initiate and complete a commutation for zero dollars for either or both hurricanes prior to the end of the 36-month period referred to in Art. X(3)(d). Such early commutation, once completed, eliminates the mandatory Proof of Loss requirements under Art. X(3)(b)3. and 4. for all reporting periods subsequent to the completion of the commutation.~~

~~(4)(7) Copies of the reimbursement contract form may be obtained by accessing from the FHCF website, at www.sbafla.com/fhcf, or by submitting a written request to contacting the State Board of Administration at. The mailing address is P. O. Box 13300, Tallahassee, Florida 32317-3300; or by calling. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308 and the telephone number is (850) 413-1335.~~

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-31-94, Amended 8-29-95, 5-19-96, 6-19-97, 5-28-98, 5-17-99, 9-13-99, 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 11-13-05, 5-10-06, 9-5-06, 5-8-07, 8-13-07, 6-8-08, 9-2-08, 3-30-09, 8-23-09, 3-29-10, 8-8-10, 12-12-10, 9-11-11, 12-19-11, 11-18-12, 12-2-13, 11-12-14, 6-2-15, 1-3-16, 11-9-16, 12-6-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anne T. Bert, FHCF Chief Operating Officer, State Board of Administration of Florida.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 3, 2018

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-8.029
 RULE TITLE: Insurer Reporting Requirements and Responsibilities

PURPOSE AND EFFECT: The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, to implement Section 215.555, Florida Statutes.

SUMMARY: In general, Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, addresses reporting and examination requirements. The proposed revisions to Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, adopt the 2019-2020 Data Call for exposure reporting, the forms for loss reporting, and forms relating to exposure examinations and claims examinations. As amended, Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, adopts the Data Call and other applicable reporting requirements and examination instruction forms for the 2019-2020 contract year, deletes obsolete or duplicative material, and provides additional clarification.

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: Upon review of the proposed changes to this rule and the incorporated forms, the State Board of Administration of Florida has determined that the rule does not meet the requirements for ratification by the legislature. The changes to the rule do not have an adverse impact on small business and do not directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate within 1 year of implementation. The changes to the rule also do not directly or indirectly have an adverse impact on economic growth, private sector job

creation or employment, or private sector investment, business competitiveness or innovation or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

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

RULEMAKING AUTHORITY: 215.555(3), FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), FS.

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

DATE AND TIME: December 28, 2018, 9:00 a.m. (ET) to 10:00 a.m. (ET).

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 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: Donna Sirmons, Florida Hurricane Catastrophe Fund, 1801 Hermitage Boulevard, Tallahassee, FL 32308, (850)413-1349, donna.sirmons@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Sirmons at the number or email listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.029 Insurer Reporting Requirements and Responsibilities.

(1) Purpose. This rule specifies certain deadlines and other requirements for insurers that participate in the Florida Hurricane Catastrophe Fund (FHCF).

(2) Definitions. The definitions in the Reimbursement Contract for the applicable Contract Year also apply to this rule and the forms referenced in this rule. In addition, as used in this rule and the forms referenced in this rule:

(a) "Contract Year" is defined in section 215.555(2), F.S.

(b) "Insurer" or "Company" means an insurer that is required to enter into a Reimbursement Contract.

(3) Data Call form. For the 2019/2020 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2019 Data Call," rev. 0X/19,

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. Data Call form. For the 2018/2019 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF D1A, "Florida Hurricane Catastrophe Fund 2018 Data Call," rev. 02/18, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09024>, which is hereby adopted and incorporated by reference into this rule.~~

(4) Loss reporting forms.

~~(a) For the 2019/2020 Contract Year, the reporting of estimated Ultimate Net Loss shall be in accordance with Form FHCF-L1A, "Contract Year 2019 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 0X/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. For the 2018/2019 Contract Year, the reporting of estimated Ultimate Net Loss shall be in accordance with Form FHCF L1A, "Contract Year 2018 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 02/18, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09025>, which is hereby adopted and incorporated by reference into this rule.~~

~~(b) For the 2019/2020 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1B, "Contract Year 2019 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 0X/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. For the 2018/2019 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF L1B, "Contract Year 2018 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 02/18, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09026>, which is hereby adopted and incorporated by reference into this rule.~~

~~(c) For the 2019/2020 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2019 Detailed Claims Listing Instructions," rev. 0X/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. For the 2018/2019 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2018 Detailed Claims Listing Instructions," rev. 02/18, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09027>, which is hereby adopted and incorporated by reference into this rule.~~

(5) Examination.

(a) Advance examination record requirements. Within 30 days after the date of the request for such information, a Company must provide the FHCF with the records indicated in the applicable Contract Year's "Exposure Examination Advance Preparation Instructions" or in the applicable Contract Year's "Claims Loss Reimbursement Examination Advance Preparation Instructions." The FHCF may grant an extension of 30 days if the Company can show that the need for the additional time is due to circumstances beyond its reasonable control. For the ~~2019/2020~~ ~~2018/2019~~ Contract Year, the applicable exposure examination instructions form is the ~~"Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2019 Advance Preparation Instructions," FHCF-EAP1, rev. 0X/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>~~ "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2018 Advance Preparation Instructions," FHCF-EAP1, rev. 02/18, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09028>, which is hereby adopted and incorporated by reference into this rule. The applicable ~~claims loss~~ examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Claims Examination – Contract Year 2019 Advance Preparation Instructions," FHCF-LAP1, rev. 0X/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ~~"Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2018 Advance Preparation Instructions," FHCF-LAP1, rev. 02/18, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09029>, which is hereby adopted and incorporated by reference into this rule.~~

(b) Consequences for failure to meet the requirements contained in the FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" or the FHCF-LAP1, "Claims Loss Reimbursement Examination Advance Preparation Instructions." In addition to other penalties or consequences, the FHCF has the authority, pursuant to section 215.555(4)(f), F.S., to require that the Company pay for the following services under the circumstances specified herein:

1. If the Company is responsible for the delay of an examination, the inability to conduct an examination as scheduled, or the inability to complete an examination, the Company shall be required to reimburse the FHCF for all the usual and customary expenses connected to such delay, cancellation, or incompleteness.

2. If the FHCF finds any Company's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained, the FHCF may employ experts to reconstruct, rewrite, record, post, or maintain such records or information, at the expense of the Company being examined.

3. A Company required to reimburse the FHCF for costs as required in subparagraphs 1. and 2. is liable for interest on the amount owed to the FHCF from the date the FHCF pays such expenses until the date payment from the Company is received. The applicable interest rate will be the average rate earned by the SBA for the FHCF for the first four months of the current Contract Year plus 5%. The payment of reimbursements or refunds by the FHCF to the Company will be offset by any amounts owed by that Company to the FHCF under this paragraph.

(6) Company contact information. Companies must submit Form FHCF C-1, Company Contact Information, ~~rev. 01/17, <http://www.flrules.org/Gateway/reference.asp?No=Ref 07734>, which is hereby adopted and incorporated by reference into this rule~~, by March 1 preceding each Contract Year to the FHCF Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437. A New Participant must submit Form FHCF C-1 within 30 calendar days after writing its first Covered Policy. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed and notarized Form FHCF C-1 from the Company.

(7) Deadlines. If any deadline provided for herein falls on a Saturday, Sunday or on a legal State of Florida or federal holiday, then the actual due date will be the day immediately following the applicable due date which is not a Saturday, Sunday or legal State of Florida or federal holiday.

(8) All the forms adopted and incorporated by reference in this rule may be obtained from the FHCF website at www.sbafla.com/fhcf or by contacting the Florida Hurricane Catastrophe Fund Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, MN 55437.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15), 627.351(6), FS. History—New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12, 3-17-13; 4-24-14, 5-12-15, 3-13-16, 1-24-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anne T. Bert, FHCF Chief Operating Officer, State Board of Administration of Florida.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 25, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-2.002 Examination for Licensure

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 468.384(2), FS.

LAW IMPLEMENTED: 455.217(1)(b), 468.385, 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: Krista Woodard, Executive Director, Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-2.002 Examination for Licensure.

(1) The examination for licensure must be in writing and must test the applicant's general knowledge of:

(a) The laws of this State relating to the provisions of the Uniform Commercial Code that are relevant to auctions ~~The laws of this state relating to bulk sales;~~

(b) Auctions; and

~~(c) Brokerage; and~~

~~(c)(4) Chapter 468, part VI, and chapter 455, F.S.~~

(2) through (3) No change.

(4) Any person seeking to take the examination must have submitted a completed application and the application and examination fees ~~provided for in rules 61G2-3.002 and 61G2-3.003, F.A.C.,~~ at least 60 days prior to the scheduled examination date.

(a) through (d) No change.

(5) The Board shall review all applicants for licensure by examination and approve their qualifications before an applicant will be permitted to sit for the examination. ~~The application fee is non-refundable.~~ Should an applicant be denied approval to sit for the examination, the examination fee shall be refunded. The examination fee paid to the Department shall be transferred to a subsequent examination upon the applicant's written request, if the request is received in the Board office at least 20 days prior to the scheduled examination date.

(6) No change.

Rulemaking Authority 468.384(2) FS. Law Implemented 455.217(1)(b), 468.385 FS. History--New 5-10-87, Amended 10-20-87, 6-5-88, 5-11-89, Formerly 21BB-2.002, Amended 9-27-93, 8-20-96, 11-1-99, 6-19-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Auctioneers

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Auctioneers

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 28, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-2.0035 Exemption from Licensure Renewal Provisions

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 455.02, 468.384(2), FS.

LAW IMPLEMENTED: 455.02, 468.384(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: Krista Woodard, Executive Director, Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-2.0035 Exemption from Licensure Renewal Provisions.

(1) ~~Notwithstanding the provisions of Rule 61G2-3.005, F.A.C.,~~ A spouse of a member of the armed forces who is absent from the State because of the spouse's duties with the armed forces and, having submitted documentation to the Board demonstrating same, shall be exempt from licensure renewal provisions without paying dues or fees or performing any other act on his or her part.

(2) No change.

Rulemaking Specific Authority 455.02, 468.384(2) FS. Law Implemented 455.02, 468.384(2) FS. History--New 3-29-04, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Auctioneers

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Auctioneers

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 28, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-4.001 Apprenticeship Training Requirements

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 468.384(2), 468.385(6)(a), FS.

LAW IMPLEMENTED: 468.382(3), 468.385, 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: Krista Woodard, Executive Director, Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-4.001 Apprenticeship Training Requirements.

(1) No change.

(2) Any auctioneer who undertakes the sponsorship of an apprentice shall insure that the apprentice receives training in the following:

(a) The laws of this State relating to the provisions of the Uniform Commercial Code that are relevant to auctions, Laws relating to Bulk sales, brokerages, chapter 455 and part VI of chapter 468, F.S., and the rules promulgated thereunder.

(b) No change.

(3) through (8) No change.

Rulemaking Authority 468.384(2), 468.385(6)(a) FS. Law Implemented 468.382(3), 468.385 FS. History—New 5-4-87, Amended 12-3-90, Formerly 21BB-4.001, Amended 10-13-93, 10-2-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Auctioneers

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Auctioneers

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: September 28, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-5.001 Requirements for Conducting an Auction

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 468.384(2), FS.

LAW IMPLEMENTED: 468.388, 468.389, 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: Krista Woodard, Executive Director, Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-5.001 Requirements for Conducting an Auction.

(1) through (2) No change.

(3) The auction business under which the auction is conducted is responsible for all other aspects of the auction to include contract negotiations, advertising, auction organization and layout, merchandise distribution and final settlement with the seller. The auction business may delegate in whole, or in part, different aspects of the auction only to the extent that such delegation is permitted by law and that such delegation will not impede the principal auctioneer’s ability to assure the proper conduct of his independent responsibility for the auction. The auction business under whose auspices the auction is conducted is responsible for assuring compliance with the following requirements:

(a) through (b) No change.

~~(c) Assure that all advertising is in compliance with Rule 61G2-5.004, F.A.C.;~~

~~(c)(4)~~ Comply with Section 468.388(10), F.S., regarding clients’ funds and auction proceeds.

~~(d)(e)~~ Designate a principal auctioneer for each auction conducted.

Rulemaking Authority 468.384(2) FS. Law Implemented 468.388, 468.389 FS. History—New 10-19-87, Amended 7-4-88, 12-11-88, 12-3-90, 1-28-92, Formerly 21BB-5.001, Amended 10-12-93, 6-19-12, .

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-7.030 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING

AUTHORITY:

455.2273(1),455.273(2),468.384(2), FS.

LAW IMPLEMENTED: 455.227, 455.2273(1), (2), (3), 468.389, 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: Krista Woodard, Executive Director, Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-7.030 Disciplinary Guidelines.

(1) When the Board finds that an applicant or licensee whom it regulates under chapter 468, part VI, F.S., has committed any of the acts set forth in section 468.389, F.S., it shall issue a final order imposing appropriate penalties within the ranges recommended in the following disciplinary guidelines:

(a) through (b) No change.

(c) Failure to account for money belonging to another which has come into the control of an auctioneer or auction business through an auction, within a reasonable time not to exceed 30 days. The usual penalty shall be: 1st offense – an administrative fine of \$100 to \$500 and a reprimand; 2nd offense – an administrative fine of \$500 to \$1,000, ~~an increase in the amount of bond required~~, probation and successful completion of the licensure examination; 3rd offense – an administrative fine of \$1,000 and license revocation.

(d) Failure to pay money belonging to another which has come into the control of an auctioneer or auction business through an auction, within a reasonable time not to exceed 30 days. The usual penalty shall be: 1st offense – an administrative fine of \$500 to \$1,000, probation and/or license suspension; 2nd offense – an administrative fine of \$1,000, suspension ~~and an increase in the amount of bond required~~; 3rd offense – an administrative fine of \$1,000 and license revocation.

(e) through (f) No change

(g) Using or permitting the use of false bidders, cappers, or shills. The usual penalty shall be: 1st offense – an administrative fine of \$1,000 and license suspension followed by probation; 2nd offense – an administrative fine of \$1,000, license suspension followed by probation ~~and an increase in the amount of bond required~~; 3rd offense – an administrative fine of \$1,000 and license revocation.

(h) No change.

(i) Commingling money or property of another person with his own. The usual penalty shall be: 1st offense – an administrative fine of \$100 to \$500 and a reprimand; 2nd offense – an administrative fine of \$500 to \$1,000, ~~an increase in the amount of bond required~~, probation and successful completion of the licensure examination; 3rd offense – an administrative fine of \$1,000 and license revocation.

(j) Refusal or neglect of any auctioneer or other receiver of public moneys to pay the moneys so received into the State Treasury at the times and under the regulations prescribed by law. The usual penalty shall be: 1st offense – an administrative fine of \$500 to \$1,000, probation and/or license suspension; 2nd offense – an administrative fine of \$1,000, license suspension ~~and an increase in the amount of bond required~~; 3rd offense – an administrative fine of \$1,000 and license revocation.

(k) through (o) No change.

(2) through (3) No change.

Rulemaking Authority 455.2273(1), 455.273(2), 468.384(2) FS. Law Implemented 455.227, 455.2273(1), (2), (3), 468.389 FS. History–New 12-6-87, Formerly 21BB-1.030, 21BB-7.030, Amended 8-29-93, 12-23-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-7.040 Minor Violations

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 455.225(3) FS.

LAW IMPLEMENTED: 455.225(3) 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: Krista Woodard, Executive Director,

Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-7.040 Minor Violations.

For purposes of Section 455.225(3), F.S., the Board hereby deems the following violations to be minor:

(1) First time failure of an auctioneer or auction business to include the name and license number of such auctioneer and auction business in an advertisement, as required by Section 468.388(11)(a)(6), F.S.

(2) No change

(3) First time failure of an auctioneer ~~or~~ auction business to advertise an auction as absolute without specifying any and all items to be sold with reserve or with minimum bids as prohibited by Section 468.388(7)468.389(1)(d), F.S.

(4) First time failure of an auctioneer or auction business to file a change of address with the Board office within 30 days of the effective date of such change, as prohibited by Section 468.385(7)(b)468.389(1)(d), F.S.

Rulemaking Specific Authority 455.225(3) FS. Law Implemented 455.225(3) FS. History—New 7-26-90, Formerly 21BB-1.0171, 21BB-7.040, Amended 8-29-93, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-7.050 Citations

PURPOSE AND EFFECT: The proposed amendment will update the text of the existing rule.

SUMMARY: Update text.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 455.224, 468.384(2), FS.

LAW IMPLEMENTED: 455.224, 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: Krista Woodard, Executive Director, Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Krista.Woodard@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-7.050 Citations.

(1) through (3) No change.

(4) Pursuant to Section 455.224, F.S. (1991), the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. The Board hereby designates the following as citation violation which shall result in a penalty of one hundred dollars (\$100.00).

(a) Failure of an auctioneer or auction business to include the name and license number of such auctioneer or auction business in an advertisement as required by Section 468.388(11)(a)(6), F.S.

(b) Failure of an auctioneer or auction business to prominently display his license, or make it otherwise available for inspection, at each auction in which he participates as required by Section 468.388(5)(6), F.S.

(c) First time failure of an auctioneer or auction business to advertise an auction as absolute without specifying any and all items to be sold with reserve as required by section 468.388(7), F.S. or with minimum bids as prohibited by Section 468.389(1)(d), F.S.

(d) First time failure of an auctioneer or auction business to file a change of address with the Board office within 30 days of the effective date of such change as required by section 468.385(7)(b), F.S..

(5) through (7) No change.

Rulemaking Specific Authority 455.224, 468.384(2) FS. Law Implemented 455.224 FS. History—New 1-1-92, Formerly 21BB-1.019, 21BB-7.050, Amended 8-29-93, 3-8-94, 10-2-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.011 RULE TITLE: Continuing Education for School Instructors

PURPOSE AND EFFECT: The Commission proposes the rule amendment to update the rule regarding continuing education for school instructors.

SUMMARY: The rule will be updated in regards to continuing education for school instructors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 455.2123, 475.05, 475.451 FS.

LAW IMPLEMENTED: 455.2123, 455.2178, 475.451 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: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, lori.crawford@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.011 Continuing Education for School Instructors.

(1)(a) Any person holding “school instructor” permits shall recertify competency during each permit period by satisfactorily completing 7 classroom or distance learning hours consisting of 3 hours of Core Law and 4 hours of Instructional Techniques as approved by the Commission. A school instructor is not required to complete the 7 hours of recertification education as a condition for initial permit renewal if the time between the effective date on the initial permit as an instructor and the beginning of the initial renewal permit is less than 6 months. Of the required 7 classroom or distance learning hours, up to 3 hours may be applied toward the continuing education core law requirement for licensure pursuant to Rule 61J2-3.009, F.A.C. The commission may accept as a substitute for 3 classroom hours of core law, one time per renewal cycle, attendance at one legal agenda session of the commission. To obtain credit, the licensee must notify the division at least 7 days in advance of his or her intent to attend. A licensee may not earn any continuing education credit for attending a legal agenda session of the commission as a party to a disciplinary action.

(b) No change.

(2)(a) For all courses approved for classroom delivery, 50 minute hours means fifty minutes of classroom instruction, exclusive of any breaks, recesses, or other time not spent in instruction. Classroom hours are the hours delivered live by an instructor in a classroom, or by live streaming, or any means of video conferencing technology to students who are in attendance at permitted or approved school locations.

(b) No change.

(c) The Commission shall approve any course, seminar or conference in the real estate practice area provided by a public or private school, firm, association, organization, person, corporation, sponsor or provider. Instructional Technique courses shall be approved for no less than 2 hours and for not more than 4 hours of instruction of 50 minutes each. Courses shall not be approved for fractional hours. The Commission will

approve the course for 24 months. ~~Approval or denial of an Instructional Techniques course will be based on its compliance with the following criteria: the course shall be related to real estate. Instructional Technique courses shall be designed to be training oriented to teach instructors how to present courses, and provide updates on statutes and rules relevant to the real estate industry.~~

- (d) through (f) No change.
- (3) through (9) No change.

Rulemaking Authority 455.2123, 475.05, 475.451 FS. Law Implemented 455.2123, 455.2178, 475.451 FS. History—New 7-28-80, Amended 8-24-80, 1-3-84, Formerly 21V-3.11, Amended 7-25-90, 7-20-93, Formerly 21V-3.011, Amended 12-30-97, 1-18-00, 9-17-00, 2-4-04, 10-13-10, 12-6-12, 4-19-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 2, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-10.025
RULE TITLE: Advertising

PURPOSE AND EFFECT: The Commission proposes the rule amendment to update the rule regarding advertisements for individuals.

SUMMARY: The rule will be updated in regards to advertising for individuals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and

experience of its members, determined that there was no reason to expect increased costs, 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: 120.53, 475.05, 475.25(1)(c) FS.

LAW IMPLEMENTED: 475.01, 475.25, 475.42, 475.421, 475.4511 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: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, lori.crawford@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-10.025 Advertising.

(1) No change.

(2) When the ~~licensee's~~ broker associate's or sales associate's personal name appears in the advertisement, at the very least the ~~licensee's~~ last name must be used in the manner in which it is registered with the Commission. In addition, the broker associate's or sales associate's personal name shall not appear in larger print than the name or logo of the registered brokerage in an advertisement.

(3)(a) through (b) No change.

~~Rulemaking Specific~~ Authority 120.53, 475.05, 475.25(1)(c) FS. Law Implemented 475.01, 475.25, 475.42, 475.421, 475.4511 FS. History—New 1-1-80, Amended 2-17-81, 3-14-85, Formerly 21V-10.25, Amended 12-29-91, 7-20-93, Formerly 21V-10.025, Amended 4-18-99, 7-4-06, 2-5-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 2, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#N801, Orlando, Florida 32801,
lori.crawford@myfloridalicense.com.

Florida Real Estate Commission

RULE NOS.: RULE TITLES:

61J2-24.002 Citation Authority

61J2-24.003 Notification of Noncompliance

PURPOSE AND EFFECT: For Rule 61J2-24.002, F.A.C., the Commission proposes the rule amendment to clarify the violation and fine regarding failure to follow the requirements for team or group advertising pursuant to Rule 61J2-10.026, F.A.C. For Rule 61J2-24.003, F.A.C., the Commission proposes the rule amendment to add a minor violation regarding Rule 61J2-10.026, F.A.C.

SUMMARY: For Rule 61J2-24.002, F.A.C., the rule will be updated in regards to the requirements for team or group advertising pursuant to Rule 61J2-10.026, F.A.C. For Rule 61J2-24.003, F.A.C., the rule will be updated in regards to adding a minor violation pursuant to Rule 61J2-10.026, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that there was no reason to expect increased costs, 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: 475.05 FS.

LAW IMPLEMENTED: 120.695, 455.224, 455.225(3), 475.25(1) 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: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street,

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-24.002 Citation Authority.

(1) Pursuant to Section 455.224, F.S., the Commission sets forth violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a violation for which there is no substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the fine or other conditions to be imposed. For purposes of this rule, the descriptions of the violations listed below are abbreviated and the statute or rule that is listed should be consulted for a complete description of the prohibited conduct.

(2) The following violations with accompanying fine or other conditions may be disposed of by citation:

VIOLATION	FINE
(a) through (u) No change.	
<u>(v) Rule 61J2-10.026, F.A.C. – failed to follow the requirements for team or group advertising; a citation shall only be issued for a second violation of the rule committed after July 1, 2019.</u>	<u>\$500.00</u>
<u>(w)(v) through (jj)(ii) No change.</u>	

(3) through (5) No change.

Rulemaking Authority 475.05 FS. Law Implemented 455.224, 475.25(1) FS. History–New 12-29-91, Amended 4-16-92, 1-20-93, 6-28-93, Formerly 21V-24.002, Amended 8-23-93, 4-7-94, 4-12-95, 7-5-95, 2-13-96, 6-5-96, 7-23-96, 1-22-97, 3-30-97, 11-10-97, 3-24-98, 7-1-98, 10-25-98, 1-19-99, 1-18-00, 10-15-00, 2-21-02, 2-5-04, 1-30-06, 7-20-09, 11-15-12, 10-16-16,_____.

61J2-24.003 Notification of Noncompliance.

(1) Pursuant to Sections 455.225(3) and 120.695, F.S., the Commission sets forth below those statutes and rules which are considered minor violations for which the DBPR shall provide a licensee, registrant or permitholder with a notice of noncompliance. A violation is considered a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. The notice of noncompliance shall only be issued for an initial offense of a listed minor violation. For purposes of this rule, the descriptions of the violations listed below are abbreviated and the statute or rule that is listed should be consulted for a complete description of the prohibited conduct.

(a) through (n) No change.

(o) Rule 61J2-10.026 – for a first violation, failure to adhere to team advertising requirements after July 1, 2019.

(2) through (3) No change.

Rulemaking Authority 475.05 FS. Law Implemented 120.695, 455.225(3) FS. History—New 1-9-94, Amended 1-1-96, 11-10-97, 6-30-98, 10-25-98, 9-17-00, 7-4-06, 6-15-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Real Estate Commission
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 14, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: October 4, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:
61K1-3.043 Instant Replay

PURPOSE AND EFFECT: The purpose of creating the rule is to outline requirements for use of instant replay.

SUMMARY: Use of instant replay.

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 Commission meeting, the Commission, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.003 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: Patrick Cunningham, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone (850) 488-8500.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.043 Instant Replay

(1) When adequate technology is available, instant replay may be used by the referee who is working a bout to examine the fight ending sequence for fouls which led to the end of the bout. Instant replay may be used only after the fight has officially concluded and before the final official outcome of the fight is announced in the ring or cage. Only the referee is authorized to initiate instant replay review. The referee must watch the instant replay footage of the fight ending sequence and may consult with alternate referees present to determine the correct outcome of the bout. Only the working referee is authorized to make the final official determination of the outcome of the bout following the instant replay review. No bout may resume after the initiation of instant replay review. Nothing in this part shall restrict the Commission's authority to review any evidence in making a determination under Rule 61K1-3.033(4).

(2) Instant replay is a video reproduction of something that recently occurred which was both filmed and or broadcast live using combinations of video servers and high-speed cameras.

(3) If the promotor, decides to use instant replay in the filming and or broadcasting of any match, the cost of doing so shall be that of the promotor.

(4) The promotor shall advise the Commission before the first bout if instant replay will be used at a match and the type of equipment.

(5) The promotor, on request, shall provide the referee immediate access to the original instant replay footage in question.

(6) The instant replay footage may be by; frame-by-frame review, replay at variable speeds, slow motion, freeze frame, from multiple camera angles or any combination of the foregoing.

(7) Adequate technology for the purposes of Rule 61K1-3.043 means that the quality of the instant replay footage must provide the referee with a clear and accurate view of the action in question.

Rulemaking Authority 548.003 FS. Law Implemented 548.003 FS. History – New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida State Boxing Commission
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: 61K1-4.001
RULE TITLE: Amateur Sanctioning Organization Licensure, Criteria for Approval and Denial
PURPOSE AND EFFECT: The purpose of the amendment is to add application renewal requirements.
SUMMARY: Add renewal requirements.
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 Commission meeting, the Commission, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 548.003(2), FS.
LAW IMPLEMENTED: 548.003, 548.0065, 548.008 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.046, 548.057, 548.066, 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: Patrick Cunningham, Executive

Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone (850) 488-8500.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-4.001 Amateur Sanctioning Organization Licensure, Criteria for Approval and Denial.

(1) through (6) No change.

(7) Application Renewal Requirements

(a) In support of its biennial renewal application, each Amateur Sanctioning Organization shall also provide the Commission with documentation of its compliance with 61K1-4.028 Supervision of Amateur Events, and Rule 61K1-4.030 Amateur Reporting Requirements.

(b) A renewal application that fails to provide documentation showing compliance with Rules 61K1-4.028 and 61K1-4.030 shall be deemed incomplete.

(c) The Commission as part of its decision whether to approve, disapprove, suspend or revoke the approval of an Amateur Sanctioning Organization renewal application pursuant to Rule 61K1-4.001(1)(c)(2), shall verify whether the Amateur Sanctioning Organization has complied with Rules 61K1-4.028 and 61K1-4.030.

Rulemaking Authority 548.003(2), 548.006 FS. Law Implemented 548.003, 548.006, 548.0065, 548.008 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.046, 548.057, 548.066 FS. History—New 3-14-13, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida State Boxing Commission
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2018

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: **RULE TITLE:**

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on November 16, 2018, the Department of Elder Affairs, received a petition for Temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Ruleme Place LLC (d/b/a) Ruleme Place. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: **RULE TITLE:**

67-48.010 Terms and Conditions of SAIL Loans

The Florida Housing Finance Corporation hereby gives notice: On November 26, 2018, SPT Dolphin Park Avenue, LLC; SPT Dolphin Avalon Reserve, LLC; SPT Dolphin Osprey Ridge, LLC; SPT Dolphin West Pointe, LLC; SPT Dolphin Glen Oaks, LLC; SPT Dolphin Madison Chase, LLC; SPT Dolphin Madison Commons, LLC; and SPT Dolphin Spring Harbor, LLC., withdrew their request for a waiver of paragraph 67-48.010(8)(a), subsection 67-48.023(9), paragraph 67-48.020(14)(a) F.A.C. (2014); paragraph 67-48.010(8)(a), subsection 67-48.023(9) F.A.C. (2013); paragraph 67-48.010(8)(a), subsection 67-48.023(9) F.A.C. (2011); paragraph 67-48.010(8)(a) F.A.C. (2009) and subsection 67-21.006(17), paragraph 67-21.008(1)(g), and paragraph 67-48.010(6)(a) F.A.C. (2002), for a waiver of the rules requiring annual audited financial statements. The Petition was filed on October 5, 2018, and notice of receipt of the petition was published on October 8, 2018, in Volume 44, Number 196 of the F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT) District Five announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, December 11, 2018, 5:30 p.m., formal presentation at 6:00 p.m., followed by a public comment period.

PLACE: Ormond Beach Performing Arts Center, 399 N. U.S. 1, Ormond Beach, Florida 32174

GENERAL SUBJECT MATTER TO BE CONSIDERED: S.R. 5/U.S. 1 Resurfacing Project

Financial Project ID (FPID) Number: 439136-1

Project Description: The Florida Department of Transportation (FDOT) invites all persons to a public hearing regarding the resurfacing of State Road (S.R.) 5/U.S. 1 from Woodland Avenue to the Flagler County line in Ormond Beach, Volusia County. In addition to resurfacing the roadway, this project includes various safety improvements such as filling in sidewalk gaps in some areas, evaluating the need to correct guardrail deficiencies, widening the outside shoulder on the northbound lane to accommodate bicycles, extending turn lanes as needed, signalization and lighting upgrades, and access management changes.

The public hearing will be Tuesday, Dec. 11, 2018, at the Ormond Beach Performing Arts Center, 399 North U.S. 1, Ormond Beach, FL 32174. The hearing will begin as an informal open house at 5:30 p.m. where displays and other project information will be available for review. Staff also will be available to discuss the project and answer questions. A presentation will begin at 6:00 p.m., followed by public comments.

A court reporter will be present to record proceedings, and assist with comments, as part of the project record. Written comments can be submitted at the hearing, sent by mail to Marcus Lisicki, P.E., Florida Department of Transportation, 719 S. Woodland Boulevard, DeLand, FL 32720; or, emailed to marcus.lisicki@dot.state.fl.us no later than Dec. 21, 2018. All written and oral comments will become part of the project's public record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator at jennifer.smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Marcus Lisicki, P.E., FDOT project manager at (386)943-5542, or email marcus.lisicki@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Marcus Lisicki, P.E., FDOT project manager, at (386)943-5542, or email marcus.lisicki@dot.state.fl.us. Persons who require translation services (free of charge) should also contact Mr. Marcus Lisicki, P.E., FDOT project manager, at (386)943-5542, or email marcus.lisicki@dot.state.fl.us at least seven (7) days prior to the meeting. 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: Marcus Lisicki, P.E., FDOT project manager, at (386)943-5542 or email marcus.lisicki@dot.state.fl.us. You may also contact Michael Heron at (321)418-6607 or email michael.heron@stvinc.com. Information about this project is also available on the website at www.CFLRoads.com. Type 439136-1 in the search box and hit enter.

DEPARTMENT OF TRANSPORTATION

The Commercial Motor Vehicle Review Board announces a public meeting to which all persons are invited.

DATES AND TIMES: Second Thursday of every month, as follows: January 10, 2019, 8:30 a.m.; February 14, 2019, 8:30 a.m.; March 14, 2019, 8:30 a.m.; April 11, 2019, 8:30 a.m.; May 9, 2019, 8:30 a.m.; June 13, 2019, 8:30 a.m.; July 11, 2019, 8:30 a.m.; August 8, 2019, 8:30 a.m.; September 12, 2019, 8:30 a.m.; October 10, 2019, 8:30 a.m.; November 14, 2019, 8:30 a.m.; December 12, 2019, 8:30 a.m.

PLACE: Florida Dept. of Transportation, Burns Bldg. Auditorium, 605 Suwannee Street, Tallahassee, FL

Persons wishing to participate via video conference, may appear at the following locations:

Department of Transportation District 1, 801 N. Broadway Ave., Bartow, FL

Department of Transportation District 2, 1109 S. Marion Ave., Lake City, FL

Department of Transportation District 3, 1074 Highway 90, Chipley, FL

Department of Transportation District 4, 3400 W. Commercial Blvd., Ft. Lauderdale, FL

Department of Transportation District 5, 719 S. Woodland Blvd., Deland, FL

Department of Transportation District 6, 1000 NW 111th Ave., Miami, FL

Department of Transportation District 7, 11201 N. Malcolm McKinley Drive, Tampa FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Marie Tucker, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee St. MS 90, Tallahassee, FL 32399

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: December 13, 2018, 6:00 p.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: December 13, 2018, 6:00 p.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: December 13, 2018, 7:00 p.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

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

PLACE: Madison County Extension Office, 184 College Loop, Madison, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Middle and Lower Suwannee River and Withlacoochee River Task Force.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIMES: December 20, 2018, 8:15 a.m. (Executive Committee Meeting), 9:00 a.m. (Council Meeting)

PLACE: SWFRPC Office: 1400 Colonial Blvd., Suite 1, Fort Myers, FL 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly meeting of the Southwest Florida Regional Planning Council (9:00 a.m.). There will also be a meeting of the Council's Executive Committee immediately preceding the Council Meeting (8:15 a.m.).

A copy of the agenda may be obtained by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org.

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: Monday, December 17, 2018, 9:30 a.m.
 PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop and Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Records Department (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 (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).

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: Records Department (727)796-2355.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.032 Pediatric Cardiac Catheterization and Angioplasty Institutional Health Services

59C-1.033 Pediatric Open Heart Surgery Program

The Agency for Health Care Administration announces a public meeting to which all persons are invited. announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 13, 2018, 5:30 p.m. – 6:30 p.m. ET

PLACE: This meeting is available via webinar and requires a telephone for audio. To join the webinar, please use the following link

<https://attendee.gotowebinar.com/register/5919530206057569027> and webinar ID: 686-828-475. United States (Toll-free): 1(866)901-6455, Access Code: 627-940-139. If you have any difficulty accessing the teleconference, please call the Florida Center’s main number at (850)412-3730. This meeting will be recorded.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Full Pediatric Cardiology Technical Advisory Panel (PCTAP) to which all interested parties are

invited. The purpose of this meeting is to discuss the business of the PCTAP.

A copy of the agenda may be obtained by contacting: The agenda will be posted on the Agency website seven (7) days prior to the meeting: <http://ahca.myflorida.com/SCHS/PCTAP/meetings.shtml>

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: Jess Hand, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750. 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: Jess Hand, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750.

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

The Child Abuse Death Review Circuit 20 announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 10, 2018, 9:00 a.m. – 12:30 p.m.

PLACE: Children’s Advocacy Center, 3830 Evans Avenue, Fort Myers, 33901

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: Francine Dunnorummo: fdunnorummo@sao.cjis20.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Francine Dunnorummo: fdunnorummo@sao.cjis20.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention, School Health Services Program announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2018, 3:30 p.m. - 5:00 p.m.

PLACE: Capital Circle Office Complex (CCOC), 4052 Bald Cypress Way, Conference Room 301, Tallahassee, FL 32399; Conference Call: 1(866)899-4679, Access Code: 826-286-941
To attend via webinar, please use this link: <https://global.gotomeeting.com/join/826286941>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To help address the growing needs of students, we are convening a School Health Services Program Ad Hoc Advisory Committee (Committee). The purpose of the Committee will be to investigate alternate school health models and make recommendations on best practices and initiatives that focus on increasing the quality and coordination of physical, mental, and behavioral health care, and improved health outcomes in the public-school setting.

"This call will be recorded. By staying on the line, you are agreeing to be recorded."

A copy of the agenda may be obtained by contacting: Amy Riggen, Florida Department of Health, (850)901-6939.

For more information, you may contact: Amy Riggen, School Health Services Program Administrator, (850)901-6939.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services, Division of State Fire Marshal, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 11, 2018, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor Atrium Building, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board. Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone conference call should dial (850)413-1558,

Once you have dialed the initial number you will be prompted to enter the Participant Access PIN Code which is 789450. The connection will be available 5 to 10 minutes before 10:00 a.m.

A copy of the agenda may be obtained by contacting: Shelia Thomas, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling her at (850)413-3610.

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: Sheila Thomas at the number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

MRGMIAMI

The Florida Department of Transportation (FDOT), District Six, in partnership with Miami-Dade Expressway Authority (MDX) announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, December 12, 2018, 6:00 p.m.; Wednesday, December 19, 2018, 6:00 p.m.

PLACE: December 12 Meeting – Overtown Performing Arts Center, 1074 NW 3 Avenue, Miami, FL 33136

December 19 Meeting – Miami Police Benevolent Association, 2300 NW 14 Street, Miami, FL 33125

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six, in partnership with the Miami-Dade Expressway Authority (MDX), will host two public meetings for the I-395/SR 836/I-95 Design-Build Project in Miami-Dade County. Project limits extend along SR 836 beginning at NW 17 Avenue and continue through the SR 836/I-395/I-95 (Midtown) Interchange to the MacArthur Causeway Bridge. The limits on I-95 are from NW 8 Street to NW 29 Street. Construction is expected to begin in February 2019 and last roughly four years. The estimated construction cost for this project is about \$802 million.

A copy of the agenda may be obtained by contacting: Ms. Maria Perdomo, P.E. Project Manager, at (305)640-7186 or by email at Maria.Perdomo@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Ms. Hong Benitez, P.E. at (305)470-5219 or via email at hong.benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). Any person who require translation services (free of charge) should also contact Ms. Hong Benitez at least seven (7) days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Senior Community Outreach Specialist Oscar Gonzalez at (786)280-0983 or by email at OGonzalez@mr Miami.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

Notice is hereby given that the Board of Physical Therapy Practice has received the Petition for Declaratory Statement from Sherry Wiggins-Baker. The petition does not identify a specific rule or statute for the agency’s opinion as to how it applies to the petitioner. The Petition, filed on October 15, 2018, seeks a declaratory statement regarding the scope of practice for licensed physical therapists, specifically as it relates to the practice of nutrition as a licensed physical therapist in the State of Florida. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from SandP Solutions, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from SandP Solutions, Inc. The petition seeks a declaratory statement from the Office on whether its proposed business model (purchase and sale transactions of virtual currencies using a computer tablet at merchant locations) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

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

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:

TARGET CORPORATION, TOPGOLF INTERNATIONAL, INC., AND WALMART INC., Petitioners vs. DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO, Respondent, and ABC FINE WINE AND SPIRITS, FLORIDA INDEPENDENT SPIRITS ASSOCIATION, AND PUBLIX SUPERMARKETS, Intervenors; CASE NO.: 18-5116RX; RULE NO.: 61A-3.055; Invalid

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

NONE

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., Monday, November 26, 2018 and 3:00 p.m., Friday, November 30, 2018.

Rule No.	File Date	Effective Date
5P-1.001	11/26/2018	12/16/2018
5P-1.002	11/26/2018	12/16/2018
5P-1.004	11/26/2018	12/16/2018
53ER-18-66	11/29/2018	11/29/2018
53ER-18-67	11/29/2018	11/29/2018
53ER-18-68	11/29/2018	11/29/2018
53ER-18-69	11/29/2018	11/29/2018
61-6.001	11/27/2018	12/17/2018
61-6.043	11/27/2018	12/17/2018
61G15-20.0010	11/28/2018	12/18/2018
61G15-20.0015	11/28/2018	12/18/2018
61G15-20.002	11/28/2018	12/18/2018
61G16-8.001	11/27/2018	12/17/2018
64B13-18.002	11/27/2018	12/17/2018
64B16-27.401	11/27/2018	12/17/2018
64B16-30.001	11/28/2018	12/18/2018
64B19-12.007	11/28/2018	12/18/2018
64K-1.002	11/29/2018	12/19/2018
64K-1.003	11/29/2018	12/19/2018
65C-16.001	11/26/2018	12/16/2018
65C-16.012	11/26/2018	12/16/2018
65C-16.013	11/26/2018	12/16/2018
65C-16.0131	11/26/2018	12/16/2018

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	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Galeana European Imports, Inc. for the establishment of MASE vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Maserati North America, Inc., intends to allow the establishment of Galeana European Imports, Inc., d/b/a Maserati of Fort Myers as a dealership for the sale and service of Maserati passenger cars and light trucks (line-make MASE) at 14401 South Tamiami Trail, Fort Myers, (Lee County), Florida 33912-1945, on or after January 3, 2019.

The name and address of the dealer operator(s) and principal investor(s) of Galeana European Imports, Inc., d/b/a Maserati of Fort Myers are dealer operator(s): Carl F. Galeana, 14401 South Tamiami Trail, Fort Myers, Florida 33912 and Frank H. Galeana, 14401 South Tamiami Trail, Fort Myers, Florida 33912; principal investor(s): Carl F. Galeana, 14401 South Tamiami Trail, Fort Myers, Florida 33912, Frank H. Galeana, 14401 South Tamiami Trail, Fort Myers, Florida 33912, Roseann Galeana McBain, 14401 South Tamiami Trail, Fort Myers, Florida 33912.

The notice indicates intent to establish the new point location in a county with a population of more than 300,000, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Leah Strauss, Maserati North America, Inc., One Chrysler Drive, Auburn Hills, Michigan 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Step One Automotive MAF PN, LLC for the establishment of ALFA vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC, intends to allow the establishment of Step One Automotive MAF PN, LLC, as a dealership for the sale of Alfa Romeo passenger cars and light trucks manufactured by FCA US LLC (line-make ALFA) at 5600 Pensacola Boulevard, Pensacola, (Escambia County), Florida 32505, on or after January 3, 2019.

The name and address of the dealer operator(s) and principal investor(s) of Step One Automotive MAF PN, LLC, are dealer operator(s): Fernando Arellano Geddes, 541 Mary Esther Cut off Northwest, Fort Walton Beach, Florida 32548; principal investor(s): Corma Automotive, LLC, 600 Brickell Avenue, Suite 2950, Miami, Florida 33131, C Investments FL, LLC, 541 Mary Esther Cut off Northwest, Fort Walton Beach, Florida 32548, JCCM 2017 Family Trust Dated March 28, 2017 200 North Phillips Avenue, Suite 301, Sioux Falls, South Dakota 57104. Trustee: Trident Trust Company (South Dakota), Inc., Beneficiary: Juan Carlos Correa Mantilla, MICM 2017 Family Trust dated March 28, 2017 200 North Phillips Avenue, Suite 301, Sioux Falls, South Dakota 57104. Trustee: Trident Trust Company (South Dakota), Inc., Beneficiary: Maria Isabel Correa Mantilla. The notice indicates intent to establish the new point location in a county with a population of more than 300,000, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Eric Rodriguez, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Step One Automotive MAF PN, LLC for the establishment of MASE vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Maserati North America, Inc., intends to allow the establishment of Step One Automotive MAF PN, LLC, as a dealership for the sale of Maserati passenger cars and light trucks by Maserati (MASE) at 5600 Pensacola Boulevard, Pensacola, (Escambia County), Florida 32505, on or after January 2, 2019.

The name and address of the dealer operator(s) and principal investor(s) of Step One Automotive MAF PN, LLC are dealer operator(s): Fernando Arellano Geddes, 541 Mary Esther Cut off Northwest, Fort Walton Beach, Florida 32548; principal investor(s): Corma Automotive, LLC, 600 Brickell Avenue, Suite 2950, Miami, Florida 33131, C Investments FL, LLC, 541 Mary Esther Cut off Northwest, Fort Walton Beach, Florida 32548, JCCM 2017 Family Trust Dated March 28, 2017 200 North Phillips Avenue, Suite 301, Sioux Falls, South Dakota 57104. Trustee: Trident Trust Company (South Dakota), Inc., Beneficiary: Juan Carlos Correa Mantilla, MICM 2017 Family Trust dated March 28, 2017 200 North Phillips Avenue, Suite 301, Sioux Falls, South Dakota 57104. Trustee: Trident Trust Company (South Dakota), Inc., Beneficiary: Maria Isabel Correa Mantilla.

The notice indicates intent to establish the new point location in a county with a population of more than 300,000, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Leah Strauss, Maserati North America, Inc., One Chrysler Drive, Auburn Hills, Michigan 48326.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**PUBLIC SERVICE COMMISSION
NOTICE OF SECURITIES APPLICATION**

The Florida Public Service Commission will consider at its December 11, 2018 Agenda Conference, Docket No. 20180192-GU, Application for authorization to issue common stock, preferred stock and secured and/or unsecured debt, and to enter into agreements for interest rate swap products, equity products and other financial derivatives, and to exceed limitation placed on short-term borrowings in 2019, by Chesapeake Utilities Corporation. Pursuant to Section 366.04, F.S., and Chapter 25-8, F.A.C., Chesapeake seeks PSC approval to issue, in 2019, up to 8,600,000 shares of Chesapeake common stock; up to 2,000,000 shares of Chesapeake preferred stock; and up to \$650,000,000 in secured and/or unsecured debt. Chesapeake also seeks PSC approval to enter into agreements for up to \$200,000,000 in Interest Rate Swap Products, Equity Products and other Financial Derivatives, and to exceed the limitation on short-term borrowings in 2019 by up to \$350,000,000.

DATE AND TIME: Tuesday, December 11, 2018. The Agenda Conference begins at 9:30a.m., although the time at which this item will be heard cannot be determined at this time.
PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301.

PURPOSE: To take final action in Docket No. 20180192-GU, Application for authorization to issue common stock, preferred stock and secured and/or unsecured debt, and to enter into agreements for interest rate swap products, equity products and other financial derivatives, and to exceed limitation placed on short-term borrowings in 2019, pursuant to Chapter 25-8, F.A.C., and Section 366.04, F.S., by Chesapeake Utilities Corporation.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

Notice of Public Meeting - State Plan Amendment

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2018, 1:30 – 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan for the Long-term Care Reimbursement Plan. The amendment updates buy-back provisions as authorized in the General Appropriations Act for State Fiscal Year 2018-2019, makes changes to correspond to the statutory updates in 409.908, F.S. to implement a prospective payment system, and makes technical and editorial changes. The effective date for this amendment will be October 1, 2018. Interested parties may contact the following staff for further information: Zainab Day, Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4798, or by e-mail at: Zainab.Day@AHCA.MyFlorida.com. Please note that a preliminary draft of the amendment, if available, will be posted prior to the meeting at <http://ahca.myflorida.com/Medicaid/stateplan.shtml>.

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 by contacting: Zainab Day. 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
Notice of Emergency Action**

On November 29, 2018, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Jacqueline Antoinette Hillard, L.M.T., License No: MA 31958. Department orders that the Emergency Suspension of License be lifted.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On November 29, 2018, the State Surgeon General issued an Order of Emergency Restriction with regard to the license of Aitor Aizpurua, L.M.T., License # MA 85892. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

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

Notice of Emergency Action

On November 29, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Carol Denise Clark, L.M.H.C., License# MH 10894. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

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

Notice of Emergency Action

On November 29, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the registration of Laura Marie Messer, R.M.H.C.I., Registration # IMH 13950. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.
