

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Dentistry

| RULE NOS.: | RULE TITLES: |
|--------------|---|
| 64B5-14.001 | Definitions |
| 64B5-14.002 | Prohibitions |
| 64B5-14.0025 | Application for Permit |
| 64B5-14.003 | Training, Education, Certification, and Requirements for Issuance of Permits |
| 64B5-14.0032 | Itinerate/Mobile Anesthesia - Physician Anesthesiologist |
| 64B5-14.0034 | Itinerate/Mobile Anesthesia - General Anesthesia Permit Holders |
| 64B5-14.0036 | Treatment of Sedated Patients by Dentists Without an Anesthesia Permit |
| 64B5-14.004 | Additional Requirements |
| 64B5-14.006 | Reporting Adverse Occurrences |
| 64B5-14.007 | Inspection of Facilities and Demonstration of Sedation Technique |
| 64B5-14.008 | Requirements for General Anesthesia or Deep Sedation: Operatory, Recovery Room, Equipment, Medicinal Drugs, Emergency Protocols, Records, and Continuous Monitoring |
| 64B5-14.009 | Conscious Sedation Requirements: Operatory, Recovery Room, Equipment, Medicinal Drugs, Emergency Protocols, Records, and Continuous Monitoring |
| 64B5-14.010 | Pediatric Conscious Sedation Requirements: Operatory, Recovery Room, Equipment, Medicinal Drugs, Emergency Protocols, Records, and Continuous Monitoring |

PURPOSE AND EFFECT: For Rule 64B5-14.001, F.A.C., the Board proposes the rule amendment to clarify language and definitions. For Rule 64B5-14.002, F.A.C., the Board proposes the rule amendment to update language regarding sedation. For Rule 64B5-14.0025, F.A.C., the Board proposes the rule promulgation to create a rule regarding the application for a permit for administering sedation. For Rule 64B5-14.003, F.A.C., the Board proposes the rule amendment to update the requirements for issuance of permits. For Rule 64B5-14.0032, F.A.C., the Board proposes the rule amendment for a comprehensive review for needed updates and to update language regarding itinerate/mobile anesthesia. For Rule 64B5-14.0034, F.A.C., the Board proposes the rule amendment to clarify language regarding Itinerate/Mobile Anesthesia – General Anesthesia Permit Holders. For Rule 64B5-14.0036, F.A.C., the Board proposes the rule amendment to clarify language regarding the treatment of sedated patients by dentists

without an anesthesia permit. For Rule 64B5-14.004, F.A.C., the Board proposes the rule amendment to update requirements for continuing education and to remove unnecessary or outdated language. For Rule 64B5-14.006, F.A.C., the Board proposes the rule amendment to update language regarding reporting adverse occurrences. For Rule 64B5-14.007, F.A.C., the Board proposes the rule amendment to update language regarding inspection of facilities and demonstration of sedation technique. For Rule 64B5-14.008, F.A.C., the Board proposes the rule amendment to update requirements for general anesthesia or deep sedation: operatory, recovery room, equipment, medicinal drugs, emergency protocols, records, and continuous monitoring. For Rule 64B5-14.009, F.A.C., the Board proposes the rule amendment to update requirements for moderate sedation requirements for operatory, recovery room, equipment, medicinal drugs, emergency protocols, records, and continuous monitoring. For Rule 64B5-14.010, F.A.C., the Board proposes the rule amendment to update requirements for pediatric moderate sedation requirements for operatory, recovery room, equipment, medicinal drugs, emergency protocols, records, and continuous monitoring.

SUBJECT AREA TO BE ADDRESSED: Definitions; Prohibitions; Application for Permit; Training, Education, Certification, and Requirements for Issuance of Permits; Itinerate/Mobile Anesthesia – Physician Anesthesiologist; Itinerate/Mobile Anesthesia – General Anesthesia Permit Holders; Treatment of Sedated Patients by Dentists Without an Anesthesia Permit; Continuing Education Requirements; Reporting Adverse Occurrences; Inspection of Facilities and Demonstration of Sedation Technique; Requirements for General Anesthesia or Deep Sedation; Requirements for Moderate Sedation; Requirements for Pediatric Moderate Sedation.

RULEMAKING AUTHORITY: 466.004, 466.004(4), 466.017, 466.017(3), 466.017(6) FS.

LAW IMPLEMENTED: 120.60(8), 466.017, 466.017(3), 466.017(3), (4), (5), (6), 466.017(5) 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: Jennifer Wenhold, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-17.013 Proprietorship by Nondentists

PURPOSE AND EFFECT: The Board proposes the rule amendment to perform a comprehensive review of the rule to determine if there are any needed updates and to ensure the rule does not conflict with the statutes being implemented.

SUBJECT AREA TO BE ADDRESSED: Proprietorship by Nondentists.

RULEMAKING AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.003, 466.028(1)(g), (z), 466.0285, 466.0285(1)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Wenhold, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

**Section II
Proposed Rules**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE NOS.: RULE TITLES:

- 15B-16.001 Definitions
- 15B-16.002 Program Approval
- 15B-16.003 Program Completion Certificates – Wireless Communications Device Driving Safety Program
- 15B-16.004 Elective Student Records – Wireless Communications Device Driving Safety Program
- 15B-16.005 Program Completion – Wireless Communications Device Driving Safety Program
- 15B-16.006 Denial, Suspension or Revocation of Program Approval

PURPOSE AND EFFECT: Pursuant to an amendment to section 316.306, Florida Statutes (effective October 1, 2019), the Department proposes to create a new rule chapter to establish standards for approval and administration of Wireless Communication Device Driving Safety Programs.

SUMMARY: During the 2019 Regular Session, the Florida Legislature enacted section 316.306, Florida Statutes. Section 316.306 prohibits individuals from using wireless, handheld communication devices while operating motor vehicles in certain designated areas. Any person who violates this section commits a noncriminal traffic infraction, punishable as a moving violation, and shall have three points assessed against his or her driver license. However, in lieu of this penalty, a first offender under this section may elect to participate in a wireless communications device driving safety program approved by the Department. New rules are necessary to establish standards for program approval and administration. Therefore, the Department proposes to create a new rule chapter to establish standards for approval and administration of wireless communication device driving safety programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule, input from the affected industry, and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: 321.05(6) FS.

LAW IMPLEMENTED: 316.306 FS.

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

DATE AND TIME: October 28, 2019, 2:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B201, Tallahassee, Florida 32399

To attend the workshop by phone, call (888)585-9008, and enter conference room number (408)193-021.

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: Ray Graves, Bureau Chief, 2900 Apalachee Parkway, Room A201, Tallahassee, FL 32399-0500, raygraves@flhsmv.gov, (850)617-2529.. 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: Ray Graves, Bureau Chief, 2900 Apalachee Parkway, Room A201, Tallahassee, FL 32399-0500, raygraves@flhsmv.gov, (850)617-2529.

THE FULL TEXT OF THE PROPOSED RULE IS:

15B-16.001 Definitions

For the purpose of this chapter, which sets forth the standards for approval of the Wireless Communications Device Driving Safety Program by the Department of Highway Safety and Motor Vehicles, the following words and phrases shall have the meaning indicated.

(1) Class – One or more sessions of an approved Wireless Communications Device Driving Safety Program.

(2) Program Provider – The owner of the copyright or proprietary interests in a Wireless Communications Device Driving Safety Program. Only one program provider shall be designated for each Wireless Communications Device Driving Safety Program in the State of Florida.

(3) Department – The Florida Department of Highway Safety and Motor Vehicles.

(4) Elective Student – A person who attends a Wireless Communications Device Driving Safety Program pursuant to Section 316.306(4)(a), F.S.

(5) Entity – A firm, partnership, association, corporation, public school system, public community college, or public university.

(6) Revocation – The permanent withdrawal of Department approval of a Wireless Communications Device Driving Safety Program for use in the State of Florida.

(7) Suspension – The temporary or conditional withdrawal of Department approval of a Wireless Communications Device Driving Safety Program for use in the State of Florida until program provider remedies all issues relating to suspension.

(8) Wireless Communications Device – This term has the same meaning as provided in sections 316.305(3)(a) and 316.306(1), F.S.

(9) Wireless Communications Device Driving Safety Program or program – A program approved by the Department, designed for drivers who elect to attend pursuant to section 316.306(4)(a), F.S. A program designated to educate drivers on the dangers of operating a motor vehicle while using wireless communication devices in a handheld manner in a designated school crossing, school zone, or work zone.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History–New _____.

15B-16.002 Program Approval

(1) All Wireless Communications Device Driving Safety Programs conducted in the State of Florida must be approved by the Department.

(a) Each program provider seeking approval of a Wireless Communications Device Driving Safety Program must produce proof of ownership or copyright to use the program in the State of Florida.

(b) In order to obtain and retain approval by the Department, each program provider shall ensure that all persons or entities conducting the program fully and promptly comply with the applicable laws of the State of Florida. If the program provider is the person or entity conducting the program, then the program provider must fully and promptly comply with the applicable laws of the State of Florida.

(c) In order to obtain and retain Department approval, each program provider shall fully comply with Chapter 15B-16, F.A.C.

(2) Approval of a Wireless Communications Device Driving Safety Program shall be based on Department review of the program materials and effective oversight of the program by the program provider. The program review will be based on the following:

(a) The program provides effective instruction in the following eight topics:

1. Definition of distracted driving, including the types of distractions and how they affect one’s ability to drive safely.

2. Impact of distracted driving in the United States and Florida.

3. Strategies to reduce or avoid distracted driving.

4. Driver responsibility concepts.

5. Defensive driving concepts.

6. Rules of the road that relate to safe and distraction-free driving.

7. Impact of physics and natural laws on driving, including perception and reaction times.

8. Psychological factors that affect one’s ability to drive safely.

(b) The length of program instruction shall be ninety minutes. An additional ten minutes may be allotted for a break.

(3) A program provider seeking approval of a Wireless Communications Device Driving Safety Program shall submit to the Department HSMV #, Application for Wireless Communications Device Driving Safety Program, [effective date], incorporated herein by reference and available at: [DOS hyperlink] or [Department hyperlink or address].

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History–New _____.

15B-16.003 Program Completion Certificates – Wireless Communications Device Driving Safety Program

(1) Each program provider must provide each entity conducting its program a certificate of authority to conduct its program in the State. Such certificate must contain the name of the program provider, the name of the entity and the name of the Wireless Communications Device Driving Safety Program. Each program provider shall submit to the Department a copy of all such certificates within five days of issuance. A certificate is not required if the program provider is the person or entity conducting its program.

(2) The program provider shall ensure that only Department-approved instructional materials are used in the presentation of the program.

(3) The program provider shall ensure that each person who successfully completes a Wireless Communications Device Driving Safety Program is issued at the time of completion a fully executed certificate of program completion. The certificate must include:

(a) The name of the Elective Student as listed on the Elective Student's driver license.

(b) The driver license number of the Elective Student.

(c) The date of birth of the Elective Student.

(d) The program completion certificate number assigned by the Department.

(e) The name of the Wireless Communications Device Driving Safety Program.

(f) The name of the entity conducting the program.

(g) The date that the Elective Student completed the program.

(h) Whether the program completion was ordered by a court. In such case, the certificate must include the court's circuit and county.

(4) The program provider shall ensure that any Elective Student who is unable to attend or complete a program due to an action, error or omission by the program provider or entity conducting its program shall be permitted to complete the program at no additional cost.

(5) The program provider shall submit to the Department written notice of any authorization for an entity to conduct its Wireless Communications Device Driving Safety Program in the State. The program provider shall also submit written notice to the Department within ten days of authorizing a new entity or terminating any existing authorization.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History–New _____.

15B-16.004 Elective Student Records – Wireless Communications Device Driving Safety Program

(1) Each program provider shall have available for inspection and photocopying by the Department all Elective Student records for each program.

(2) Each program provider shall have available for inspection and photocopying by the Department a list of Elective Students who complete each class conducted and information necessary to issue duplicate certificates to such Elective Students as detailed in Rule 15B-16.003(3), F.A.C.

(3) The program provider shall maintain the above records for a minimum of three years from the date of program completion. Records may be maintained in physical or electronic format.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History–New _____.

15B-16.005 Program Completion – Wireless Communications Device Driving Safety Program

(1) The program provider shall electronically submit notice of Elective Student completion to the Department within 24 hours of an Elective Student's completion of the program.

(2) The program provider shall also submit notice of Elective Student completion together with the citation number through the Florida Courts E-Filing Portal governed by the Florida Courts E-Filing Authority to the clerk of the circuit court of the county where the citation is issued within 24 hours of an Elective Student's completion of the program.

Rulemaking Authority 321.05(6) FS. Law Implemented 316.306 FS. History–New _____.

15B-16.006 Denial, Suspension or Revocation of Program Approval

(1) The Department shall deny approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

(a) Fails to satisfy any program approval requirement in Chapter 15B-16, F.A.C.

(b) Violates any applicable state or federal law.

(c) Conducts a Wireless Communications Device Driving Safety Program in the State of Florida prior to receiving Department approval.

(d) Has experienced a prior revocation of approval of the program by the Department.

(2) The Department shall suspend approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

(a) Violates any applicable state or federal law.

(b) Violates any provision of Chapter 15B-16, F.A.C.

(3) The Department shall revoke approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

(a) Violates any applicable state or federal law.

(b) Violates any provision of Chapter 15B-16, F.A.C.

(c) Receives a second or subsequent suspension of program approval.

(d) Obtains program approval by fraud or misrepresentation.

(e) Obtains or assists a person in obtaining any driver license by fraud or misrepresentation.

(f) Conducts a Wireless Communications Device Driving Safety Program in the State of Florida while approval of such program is under suspension.

(4) The Department shall suspend approval of any Wireless Communications Device Driving Safety Program without preliminary hearing for the purpose of protecting the public safety and enforcing any provision of the Florida Statutes governing Wireless Communications Device Driving Safety Programs, or any provision of Chapter 15B-16, F.A.C.

(5) Except as otherwise provided in this rule, prior to final Department action denying, suspending or revoking approval of a Wireless Communications Device Driving Safety Program, the program provider shall have the opportunity to request either a formal or informal administrative hearing to show cause why the action should not be taken pursuant to sections 120.569 and 120.57, F.S.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Graves, Department of Highway Safety and Motor Vehicles

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 2, 2019

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO.: RULE TITLE:

15C-21.001 Application for Certificate of Title

PURPOSE AND EFFECT: The Department proposes to revise HSMV 82040 to comply with federal standards and § 320.02(14), F.S.

SUMMARY: The Department is amending Rule 15C-21.001 to: 1) ensure continued compliance with 33 C.F.R. § 174.16, which requires states to determine whether a vessel has a primary hull identification number in compliance with 33 C.F.R. Part 181, Subpart C, before issuing, renewing, or updating the ownership information for a certificate of number; and 2) update language in response to an amendment to § 320.02(14), F.S., which allows an individual who is deaf or hard

of hearing to request that such information be noted on his or her motor vehicle registration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule, input from the affected industry, and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: 317.0005, 319.17, 320.011, 328.01(6), 328.03(8), 328.72(17) FS.

LAW IMPLEMENTED: 92.525, 212.06, 317.0004, 317.0006, 317.0007, 317.0008, 317.0011, 317.0014, 319.14, 319.21, 319.22, 319.225, 319.23, 319.24, 319.27, 319.28, 319.29, 319.34, 319.40, 320.01, 320.02, 328.01, 328.03, 328.07, 328.09, 328.11, 328.13, 328.16, 328.30 FS.

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

DATE AND TIME: October 28, 2019, 10:00 a.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B201, Tallahassee, Florida 32399

To attend the workshop by phone, call (888)585-9008, and enter conference room number 408-193-021.

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: Michael McGlockton, HSMV Program Manager, 2900 Apalachee Parkway, Room A334, Tallahassee, FL 32399-0500, michaelmcglockton@flhsmv.gov, (850)617-3001.. 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: Michael McGlockton, HSMV Program Manager, 2900 Apalachee Parkway, Room A334, Tallahassee, FL 32399-0500, michaelmcglockton@flhsmv.gov, (850)617-3001.

THE FULL TEXT OF THE PROPOSED RULE IS:

15C-21.001 Application for Certificate of Title.

(1) Any person applying for a certificate of title to evidence ownership of a motor vehicle, mobile home, vessel, or off-highway vehicle must ~~or vessel, shall~~ apply to the department on ~~Form~~ HSMV 82040, Application for Certificate of Title With/Without Registration (effective _____ ~~Rev. 11/15~~), incorporated herein by reference and available ~~on the web at:~~ [DOS <http://www.flrules.org/Gateway/reference.asp?No=Ref-06169> and <https://www.flhsmv.gov/pdf/forms/82040.pdf>.

(2) Upon receipt of ~~a the~~ completed HSMV Form ~~DHSMV~~ 82040, the satisfaction of all statutory requirements including those set forth in Chapters 317, 319, 320, and 328, F.S., and the payment of all appropriate title fees, the department will ~~Department shall~~ issue a certificate of title to the applicant.

Rulemaking Authority 317.0005, 319.17, 320.011, 328.01(6), 328.03(8), 328.72(17) FS. Law Implemented 92.525, 212.06, 317.0004, 317.0006, 317.0007, 317.0008, 317.0011, ~~317.0012, 317.0014, 317.0017, 319.14, 319.21, 319.22, 319.225, 319.23, 319.24, 319.27, 319.28, 319.29, 319.324, 319.33, 319.34, 319.35, 319.40, 320.01, 320.02, 320.0605, 320.0609, 320.0657, 327.53, 328.01, 328.03, 328.07, 328.09, 328.11, 328.13, 328.16, 328.30, 328.48, 328.68, 328.72~~ FS. History—New 2-7-13, Amended 12-28-15, _____

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael McGlockton, Department of Highway Safety and Motor Vehicles

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 22, 2018

PUBLIC SERVICE COMMISSION

RULE NOS: 25-6.030
 RULE TITLES: Storm Protection Plan

25-6.031 Storm Protection Plan Cost Recovery Clause

PURPOSE AND EFFECT: To implement Section 366.96, F.S., which requires the Commission to adopt rules to specify the elements that must be included in the public electric utility’s filing for the Commission’s review of its storm protection plan and to implement and administer the section.

Docket No. 20190131-EU

SUMMARY: Rule 25-6.030 establishes that a public electric utility must file a storm protection plan that covers the utility’s immediate 10-year planning period and which must be updated every 3 years. The rule describes the information that must be included in the storm protection plan and the information

needed for the Commission to file an annual report with the executive and legislative branches on the planned and completed storm protection projects and the related rate impacts. Rule 25-6.031 establishes a storm protection plan cost recovery clause for a utility’s prudently incurred costs that result from implementing the utility’s storm protection plan. The rule sets forth the information a utility must submit in its storm protection plan cost recovery petition when seeking Commission review and approval of storm protection plan costs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. The SERC examined the factors required by Section 120.541(2), F.S., and concluded the rules will not likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after implementation. Further, the SERC concludes that the rules will not likely have an adverse impact on economic growth, private-sector job creation or employment, private sector investment, business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within five years of implementation. Thus, the rules do not require legislative ratification pursuant to Section 120.541(3), F.S. In addition, the SERC concludes that the rules will have no adverse impact on small businesses, small cities, or small counties. The rules will have minimal impact on state and local revenues and transactional costs. Any implementation or enforcement costs on the Commission will be offset by the additional staff positions and funding provided under the new law. None of the impact/cost criteria established in Section 120.541(2)(a), F.S., will be exceeded as a result of the rules.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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: 366.96, F.S.

LAW IMPLEMENTED: 366.96, F.S.

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

THE PERSONS TO BE CONTACTED REGARDING THE PROPOSED RULE ARE: Adria Harper, (850)413-6082, aharper@psc.state.fl.us or Andrew King, (850)413-6195, aking@psc.state.fl.us., Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.030 Storm Protection Plan.

(1) Application and Scope. Each utility as defined in Section 366.96(2)(a), F.S., must file a petition with the Commission for approval of a Transmission and Distribution Storm Protection Plan (Storm Protection Plan) that covers the utility's immediate 10-year planning period. Each utility must file, for Commission approval, an updated Storm Protection Plan at least every 3 years.

(2) For the purpose of this rule, the following definitions apply:

(a) "Storm protection program" – a category, type, or group of related storm protection projects that are undertaken to enhance the utility's existing infrastructure for the purpose of reducing restoration costs and reducing outage times associated with extreme weather conditions therefore improving overall service reliability.

(b) "Storm protection project" – a specific activity within a storm protection program designed for the enhancement of an identified portion or area of existing electric transmission or distribution facilities for the purpose of reducing restoration costs and reducing outage times associated with extreme weather conditions therefore improving overall service reliability.

(c) "Transmission and distribution facilities" – all utility owned poles and fixtures, towers and fixtures, overhead conductors and devices, substations and related facilities, land and land rights, roads and trails, underground conduits, and underground conductors.

(3) Contents of the Storm Protection Plan. For each Storm Protection Plan, the following information must be provided:

(a) A description of how implementation of the proposed Storm Protection Plan will strengthen electric utility infrastructure to withstand extreme weather conditions by promoting the overhead hardening of electrical transmission and distribution facilities, the undergrounding of certain electrical distribution lines, and vegetation management.

(b) A description of how implementation of the proposed Storm Protection Plan will reduce restoration costs and outage times associated with extreme weather conditions therefore improving overall service reliability.

(c) A description of the utility's service area, including areas prioritized for enhancement and any areas where the utility has determined that enhancement of the utility's existing

transmission and distribution facilities would not be feasible, reasonable, or practical. Such description must include a general map, number of customers served within each area, and the utility's reasoning for prioritizing certain areas for enhanced performance and for designating other areas of the system as not feasible, reasonable, or practical.

(d) A description of each proposed storm protection program that includes:

1. A description of how each proposed storm protection program is designed to enhance the utility's existing transmission and distribution facilities including an estimate of the resulting reduction in outage times and restoration costs due to extreme weather conditions;

2. If applicable, the actual or estimated start and completion dates of the program;

3. A cost estimate including capital and operating expenses;

4. A comparison of the costs identified in subparagraph (3)(d)3. and the benefits identified in subparagraph (3)(d)1.; and

5. A description of the criteria used to select and prioritize proposed storm protection programs.

(e) For the first three years in a utility's Storm Protection Plan, the utility must provide the following information:

1. For the first year of the plan, a description of each proposed storm protection project that includes:

i. The actual or estimated construction start and completion dates;

ii. A description of the affected existing facilities, including number and type(s) of customers served, historic service reliability performance during extreme weather conditions, and how this data was used to prioritize the proposed storm protection project;

iii. A cost estimate including capital and operating expenses; and

iv. A description of the criteria used to select and prioritize proposed storm protection projects.

2. For the second and third years of the plan, project related information in sufficient detail, such as estimated number and costs of projects under every specific program, to allow the development of preliminary estimates of rate impacts as required by paragraph (3)(h) of this rule.

(f) For each of the first three years in a utility's Storm Protection Plan, the utility must provide a description of its proposed vegetation management activities including:

1. The projected frequency (trim cycle);

2. The projected miles of affected transmission and distribution overhead facilities;

3. The estimated annual labor and equipment costs for both utility and contractor personnel; and

4. A description of how the vegetation management activity will reduce outage times and restoration costs due to extreme weather conditions.

(g) An estimate of the annual jurisdictional revenue requirements for each year of the Storm Protection Plan.

(h) An estimate of rate impacts for each of the first three years of the Storm Protection Plan for the utility's typical residential, commercial, and industrial customers.

(i) A description of any implementation alternatives that could mitigate the resulting rate impact for each of the first three years of the proposed Storm Protection Plan.

(j) Any other factors the utility requests the Commission to consider.

(4) By June 1, each utility must submit to the Commission Clerk an annual status report on the utility's Storm Protection Plan programs and projects. The annual status report shall include:

(a) Identification of all Storm Protection Plan programs and projects completed in the prior calendar year or planned for completion;

(b) Actual costs and rate impacts associated with completed activities under the Storm Protection Plan as compared to the estimated costs and rate impacts for those activities; and

(c) Estimated costs and rate impacts associated with programs planned for completion during the next calendar year. Rulemaking Authority 366.96, FS. Law Implemented 366.96, FS. History--New _____.

25-6.031 Storm Protection Plan Cost Recovery Clause.

(1) Application and Scope. This rule applies to each utility as defined in Section 366.96(2)(a), F.S.

(2) After a utility has filed its Transmission and Distribution Storm Protection Plan (Storm Protection Plan), the utility may file a petition for recovery of associated costs through the Storm Protection Plan cost recovery clause. The utility's petition shall be supported by testimony that provides details on the annual Storm Protection Plan implementation activities and associated costs, and how those activities and costs are consistent with its Storm Protection Plan. If the Commission approves the utility's Storm Protection Plan with modifications, the utility shall, within 15 business days, file an amended cost recovery petition and supporting testimony reflecting the modifications.

(3) An annual hearing to address petitions for recovery of Storm Protection Plan costs will be limited to determining the reasonableness of projected Storm Protection Plan costs, the prudence of actual Storm Protection Plan costs incurred by the utility, and to establish Storm Protection Plan cost recovery factors consistent with the requirements of this rule.

(4) Storm Protection Plan cost recovery clause true-up amounts shall be afforded deferred accounting treatment at the 30-day commercial paper rate.

(5) Subaccounts. To ensure separation of costs subject to recovery through the clause, the utility filing for cost recovery shall maintain subaccounts for all items consistent with the Uniform System of Accounts prescribed by this Commission, pursuant to Rule 25-6.014, F.A.C.

(6) Recoverable costs.

(a) The utility's petition for recovery of costs associated with its Storm Protection Plan may include costs incurred after the filing of the utility's Storm Protection Plan.

(b) Storm Protection Plan costs recoverable through the clause shall not include costs recovered through the utility's base rates or any other cost recovery mechanism.

(c) The utility may recover the annual depreciation expense on capitalized Storm Protection Plan expenditures using the utility's most recent Commission-approved depreciation rates. The utility may recover a return on the undepreciated balance of the costs calculated at the utility's weighted average cost of capital using the return on equity most recently approved by the Commission.

(7) Pursuant to the order establishing procedure in the annual cost recovery proceeding, a utility shall submit the following for Commission review and approval as part of its Storm Protection Plan cost recovery filings:

(a) Final True-Up for Previous Year. The final true-up of Storm Protection Plan cost recovery for a prior year shall include revenue requirements based on a comparison of actual costs for the prior year and previously filed costs and revenue requirements for such prior year for each program and project filed in the utility's cost recovery petition. The final true-up shall also include identification of each of the utility's Storm Protection Plan programs and projects for which costs were incurred during the prior year, including a description of the work actually performed during such prior year, for each program and project in the utility's cost recovery petition.

(b) Estimated True-Up for Current Year. The actual/estimated true-up of Storm Protection Plan cost recovery shall include revenue requirements based on a comparison of current year actual/estimated costs and the previously-filed projected costs and revenue requirements for such current year for each program and project filed in the utility's cost recovery petition. The actual/estimated true-up shall also include identification of each of the utility's Storm Protection Plan programs and projects for which costs have been and will be incurred during the current year, including a description of the work projected to be performed during such current year, for each program and project in the utility's cost recovery petition.

(c) Projected Costs for Subsequent Year. The projected Storm Protection Plan costs recovery shall include costs and

revenue requirements for the subsequent year for each program filed in the utility’s cost recovery petition. The projection filing shall also include identification of each of the utility’s Storm Protection Plan programs for which costs will be incurred during the subsequent year, including a description of the work projected to be performed during such year, for each program in the utility’s cost recovery petition.

(d) True-Up of Variances. The utility shall report observed true-up variances including sales forecasting variances, changes in the utility’s prices of services and/or equipment, and changes in the scope of work relative to the estimates provided pursuant to subparagraphs (7)(b) and (7)(c). The utility shall also provide explanations for variances regarding the implementation of the approved Storm Protection Plan.

(e) Proposed Storm Protection Plan Cost Recovery Factors. The utility shall provide the calculations of its proposed factors and effective 12-month billing period.

(8) Recovery of costs under this rule does not preclude a utility from proposing inclusion of unrecovered Storm Protection Plan implementation costs in base rates in a subsequent rate proceeding.

Rulemaking Authority 366.96, FS. Law Implemented 366.96, FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Ballinger
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULES APPROVED BY AGENCY HEAD: October 3, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 45, Number 111, June 7, 2019.

PUBLIC SERVICE COMMISSION

RULE NOS: RULE TITLES:
25-30.350 Underbillings and Overbillings for Water and Wastewater
25-30.360 Refunds
PURPOSE AND EFFECT: To clarify the procedure for customer refunds due to overbilling by water and wastewater companies
Docket No.20190152-WS
SUMMARY: Rule 25-30.350, F.A.C., sets forth the procedure for calculating overbillings. Rule 25-30.360, F.A.C., sets forth the procedure for disbursing the amount of refunds. Once the Commission determines that a water or wastewater utility has overbilled a customer pursuant to Rule 25-30.350, F.A.C., any refund required due to overbilling must be disbursed by the utility pursuant to Rule 25-30.360, F.A.C. The rule amendments clarify that the two rules are to function in conjunction with each other.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendments will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be transactional cost savings to the individual and entities, including government entities, required to comply with the rule.

The agency has determined that the rule amendments are not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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: 350.127(2), 367.121
LAW IMPLEMENTED: 367.081, 367.0814, 367.082(2), 367.091, 367.121

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: Adria Harper, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6042, aharper@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.350 Underbillings and Overbillings for Water and Wastewater Service.

(1) through (2) No change.

(3) In the event of an overbilling, the customer may elect to receive the refund as a one-time disbursement, if the refund is in excess of \$20, or as a credit to future billings. Refunds for overbillings shall be disbursed pursuant to Rule 25-30.360, F.A.C.

Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.091, 367.121 FS. History–New 11-10-86, Amended 6-17-13, _____.

25-30.360 Refunds.

(1) Applicability. ~~With the exception of deposit refunds, All refunds under this chapter ordered by the Commission shall be made in accordance with the provisions of this rule,~~

unless another rule in this chapter specifically sets forth the procedure for making refunds otherwise ordered by the Commission. The calculation for overbillings shall be pursuant to Rule 25-30.350, F.A.C., and disbursed pursuant to this rule.

(2) through (8) No change.

Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.081, 367.0814, 367.082(2) FS. History—New 8-18-83, Formerly 25-10.76, 25-10.076, Amended 11-30-93, _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Adria Harper

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 3, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 45, Number 120, June 20, 2019.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-32.002 Definitions

PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language and add new language to update and clarify the rules.

SUMMARY: Update required certifications.

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: 471.008. 471.033(2) FS.

LAW IMPLEMENTED: 471.015(7), 471.033(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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-32.002 Definitions.

(1) Engineer of Record for the Fire Protection System(s): The Florida ~~licensed Registered~~ Professional Engineer who develops the Fire Protection System(s) design criteria; performs analysis as required: and is responsible for the preparation of the Fire Protection System Engineering Documents. Except to the limited extent provided in subsection 61G15-32.002(10), F.A.C., the Engineer of Record for the Fire Protection system(s) is responsible for providing sealed, signed and dated Fire Protection System Engineering Documents that are in full conformity with the applicable design standards set forth in rule chapter 61G15-32, F.A.C.

(2) through (5) No change.

(6) Fire Protection System Layout Documents: Layout drawings, supporting hydraulic—calculations, catalog information on standard products, and other construction data prepared by either a the licensed contractor or a licensed Engineer of Record that provides detail on the location of risers, service cross mains, distribution branch lines, devices, equipment, sprinkler heads, sizing of pipe and/or circuits, hanger locations, and supporting hydraulic calculations and also serves as a guide for fabrication and installation of a fire protection system. Fire Protection System Layout Documents are based upon engineering direction provided in the Fire Protection System Engineering Documents and require no additional engineering input.

(a) If prepared by a licensed contractor, these documents do not require the seal of a Florida licensed registered engineer.

(b) If prepared by a licensed engineer, these documents are Engineering Documents and therefore meet the definition of Engineering Documents in Rule 61G15-30.002(4) and accordingly, require sealing by a Florida licensed engineer in accordance with Rule 61G15-23.001, F.A.C., Signature, Date and Seal Shall Be Affixed.

(c) If prepared by a licensed engineer other than the engineer who prepared, signed, dated, and sealed the Fire Protection System Engineering documents, that engineer shall additionally meet the requirements of Rule 61G15-27.001, F.A.C., Procedures for a Successor Professional Engineer Adopting as His Own the Work of Another Engineer.

(7) through (10) No change.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.005(7), 471.033(2) FS. History—New 5-19-93, Formerly 21H-32.002, Amended 4-2-00, 6-26-01, 3-26-09, 10-11-10, 3-28-17, 7-25-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 20, 2019

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-4.0181 Specialization Requirements for
 Certification in Guidance and Counseling
 (Grades PK-12) - Specialty Class Beginning
 July 1, 1990
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 150, August 2, 2019 issue of the Florida Administrative Register.

Based on public comment the rule has been amended as follows:

- (1) No change.
- (2) Plan Two. A master’s or higher degree with a graduate major in counseling other than guidance and counseling or school counseling as specified in subsection (1) of this rule that includes a minimum of six-hundred (600) clock hours of supervised internship with school-aged children and their families in a setting other than a prekindergarten, an elementary or a secondary school with at least nine (9) semester hours of graduate credit to include the following specified areas:

- (a) through (d) No change.
- (3) Applicants using Plan Two shall submit verification from the employing school district to attest that a school counselor with a state-issued professional certificate as specified in Rule 6A-4.004, F.A.C., will be assigned as the applicant’s mentor during the first two (2) years of employment as a school counselor. Plan Three. A master’s or higher degree with a major in an education field and verification of three (3) years of full-time teaching experience as specified in paragraph

~~6A 4.002(5)(a), F.A.C., with thirty (30) semester hours of graduate credit to include the following specified areas:~~

- ~~(a) Principles, philosophy, organization and administration of a comprehensive school counseling program in prekindergarten, elementary and secondary schools;~~
- ~~(b) Student appraisal and evaluation methods in prekindergarten, elementary and secondary schools including interpretation and analysis of standardized tests and other assessment results that assist students in career exploration, academic skills and personal and social skill development;~~
- ~~(c) College and career planning for prekindergarten, elementary and secondary school students including college and career exploration and knowledge of financial and financing postsecondary options;~~
- ~~(d) Learning and human development theories;~~
- ~~(e) Counseling theories appropriate for students in prekindergarten, elementary and secondary schools;~~
- ~~(f) Individual counseling techniques appropriate for students in prekindergarten, elementary and secondary schools;~~
- ~~(g) Group counseling techniques appropriate in prekindergarten, elementary and secondary schools including psycho-educational and counseling for large and small groups;~~
- ~~(h) Consultation skills and techniques for conferring with groups such as agencies, teachers and parents;~~
- ~~(i) Legal, ethical, advocacy, equity and current policy issues affecting prekindergarten, elementary and secondary school counselors and school counseling programs, including confidentiality practices appropriate to school counseling;~~
- ~~(j) Counseling interventions provided through a multi-tiered system of supports framework for use with prekindergarten, elementary or secondary level special populations, such as students with exceptional needs; students who are ethnically, racially, culturally or linguistically diverse; students of varying socioeconomic status; students exposed to trauma; and students at risk of dropping out, to include knowledge of the unique needs of these populations;~~
- ~~(k) Social and cultural diversity including coverage of multicultural counseling competencies and strategies for eliminating barriers to prekindergarten, elementary and secondary student achievement; and~~
- ~~(l) Program evaluation and accountability including evidence-based practices, qualitative and quantitative research methods, needs assessment, data analysis and interpretation, and use of data in prekindergarten, elementary and secondary school counseling.~~

~~(4) Plans Two and Three require verification submitted by employer to attest that a school counselor with a state-issued professional certificate as specified in Rule 6A 4.004, F.A.C., will be assigned as the applicant’s mentor during the first two (2) years of employment as a school counselor.~~

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:
11B-27.002 Certification, Employment or Appointment,
Reactivation, and Terminating Employment or Appointment of
Officers
NOTICE IS HEREBY GIVEN that on September 26, 2019, the
Department of Law Enforcement, received a petition for a
permanent waiver of subsection 11B-27.002(4), F.A.C., from
Calvin R. Britt. Petitioner wishes to permanently waive that
portion of the Rule that states: (a) Within 4 years of the
beginning date of a Commission-approved Basic Recruit
Training Program, an individual shall successfully complete the
program, achieve a passing score on the applicable State Officer
Certification Examination, and gain employment, and
certification as an officer.
A copy of the Petition for Variance or Waiver may be obtained
by contacting: Dana Kelly, Agency Clerk, Florida Department
of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or
by Telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:
11B-35.0011 Basic Abilities Test Requirements for Applicant
Admission into a Law Enforcement and Correctional Basic
Recruit Training Program
NOTICE IS HEREBY GIVEN that on October 1, 2019, the
Department of Law Enforcement, received a petition for a
permanent waiver of paragraph 11B-35.0011(1)(h), F.A.C.
from Jimmy Nicholes. The Petitioner wishes to permanently
waive that portion of the rule that states: (h) A passing score on
a Commission-approved Basic Abilities Test is valid four years
from the date of the test.
A copy of the Petition for Variance or Waiver may be obtained
by contacting: Dana Kelly, Agency Clerk, Florida Department
of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or
by Telephone at (850)410-7676.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing
Homes
NOTICE IS HEREBY GIVEN that on September 26, 2019, the
Agency for Health Care Administration, received a petition for
variance from subsection 59A-4.1265(5), F.A.C., from Life
Care Center of Orange Park to implement the Detailed Nursing
Home Emergency Power Plan. The petition was assigned case
number 2019015371. Any interested person or other agency
may submit written comments on the petition within 14 days
after this notice by e-mailing LTCstaff@ahca.myflorida.com.
A copy of the Petition for Variance or Waiver may be obtained
by contacting: Jacqueline Williams, Agency for Health Care
Administration, 2727 Mahan Drive, Mail Stop #33,
Tallahassee, Florida 32308 or e-mailing
LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-36.025 Emergency Environmental Control for Assisted
Living Facilities
NOTICE IS HEREBY GIVEN that on October 1, 2019, the
Agency for Health Care Administration, received a petition for
variance from Rule 59A-36.025, F.A.C., from Atria Tamarac to
implement the Detailed Emergency Environmental Control
Plan. The petition was assigned case number 2019015364. Any
interested person or other agency may submit written comments
on the petition within 14 days after this notice by e-mailing
assistedliving@ahca.myflorida.com.
A copy of the Petition for Variance or Waiver may be obtained
by contacting: Chequita Byrd, Agency for Health Care
Administration, 2727 Mahan Drive, Mail Stop #30,
Tallahassee, Florida 32308 or e-mailing
assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-36.025 Emergency Environmental Control for Assisted
Living Facilities
NOTICE IS HEREBY GIVEN that on October 1, 2019, the
Agency for Health Care Administration, received a petition for
variance from Rule 59A-36.025, F.A.C., from Atria Tamarac to
implement the Detailed Emergency Environmental Control
Plan. The petition was assigned case number 2019015365. Any
interested person or other agency may submit written comments

on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 01, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-36.025, F.A.C., from Atria Willow Wood to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019015367. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 4, 2019, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Harbor Accents LLC. located in Dunedin. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.003 Food Hygiene Standards

NOTICE IS HEREBY GIVEN that on July 31, 2019, the Department of Health, received a petition for Permanent Variance from Timothy Gill, representing Sushi with Gusto @Florida State University. The petitioner seeks a variance from paragraph 64E-11.003(1)(a), Florida Administrative Code and section 3-501.16, Food and Drug Administration 2013 Model Food Code, requires all potentially hazardous foods to be kept at 41 degrees Fahrenheit or below or 135 degrees Fahrenheit or above, except during necessary periods of preparation and storage, as well as, raw fish and seafood products be cooked to an internal temperature of 145 degrees Fahrenheit or above for at least 15 seconds. Comments on this petition should be filed with Wanda D. Young, Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

A copy of the Petition for Variance or Waiver may be obtained by contacting: VaKasha Brown, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1703 or by calling (850)901-6490.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on October 03, 2019, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(95) Florida Administrative Code (2017) and the 2016 Qualified Allocation Plan ("QAP") from Fair Oaks, LLC, to allow the requested credit exchange to be approved before the last calendar quarter of 2020.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

The Florida Housing Finance Corporation hereby gives notice: On October 2, 2019, Casa Juarez, LLC, withdrew its Petition for a waiver of paragraph 67-48.0072(21)(b) F.A.C., and on October 4, 2019, Florida Housing Finance Corporation issued an Order Closing File. The Petition was filed on August 30, 2019, and notice of receipt of the petition was published on September 4, 2019, in Volume 45, Number 172 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 LEGAL AFFAIRS

The Direct Support Organization: End Human Trafficking, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: October 28, 2019, 1:00 p.m. until conclusion

PLACE: Broward County Main Library, Bienes Museum Ceremonial Room, 100 South Andrews Avenue, Fort Lauderdale, Florida 33301

GENERAL SUBJECT MATTER TO BE CONSIDERED: DSO Business

A copy of the agenda may be obtained by contacting: Erica Geiger at Erica.Geiger@myfloridalegal.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Erica Geiger at Erica.Geiger@myfloridalegal.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Thursday, October 17, 2019, 2:00 p.m.

PLACE: Caldwell Dairy Barn; 7900 Old Kings Road N, Palm Coast, FL 32137

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

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kara Hoblick at (386)446-7630. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

The Citrus Budwood Technical Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 16, 2019, 10:00 a.m. – 12:00 Noon

PLACE: FDACS Pest Eradication & Control, 3027 Lake Alfred Rd, Winter Haven, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budwood presentations from the past year; CNI report; Discussions of new variety requests; Vote on new varieties.

A copy of the agenda may be obtained by contacting: Ben.Rosson@FDACS.gov.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Blind Services Foundation and the Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 15, 2019, 6:30 p.m.

PLACE: Teleconference Phone: 1(888)585-9008, Conference Room #: 319-035-377

GENERAL SUBJECT MATTER TO BE CONSIDERED: Blind Services Foundation Website

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Phone (850)245-0329, Email: Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Phone (850)245-0329, Email: Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Phone (850)245-0329, Email: Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF EDUCATION

University of South Florida
The Louis De La Parte Florida Mental Health Institute at the University of South Florida announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2019, 7:30 a.m.
PLACE: Renaissance Hotel at International Plaza Hotel, 4200 Jim Walter Blvd. Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The University of South Florida Louis De La Parte Florida Mental Health Institute announces the Florida Medicaid Drug Therapy Management for Behavioral Health Expert Panel to update the Florida Best Practice Psychotherapeutic Medication Guidelines for Adults.

A copy of the agenda may be obtained by contacting: Sabrina Singh at 1(813)974-9879 or sabrinasingh@usf.edu.

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: Sabrina Singh Health Policy and Law, 13301 Bruce B Downs Blvd., Tampa, FL 33612, at 1(813)974-9879, or by e-mail sabrinasingh@usf.edu. 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: Sabrina Singh at 1(813)974-9879 or e-mail sabrinasingh@usf.edu.

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
The Region XIV Trust Fund Advisory Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2019, 10:00 a.m.
PLACE: Miami Dade College, North Campus, Room 9118
GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Region XIV reports and other related matters.
A copy of the agenda may be obtained by contacting: Sandra Carbon at (305)237-1329 or fcarbon@mdc.edu.

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: October 21, 2019, 9:30 a.m.
PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Wednesday, October 23, 2019, 1:30 p.m.
PLACE: SWFWMD, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Management Committee: Discussion will include an update on management plan implementation and FY2021 Springs funding application and evaluation process. All or part of this meeting may be conducted by means of

communications media technology to permit maximum participation of committee members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: 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: Lauren.Vossler@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, x4400 (Ad Order EXE0699).

DEPARTMENT OF THE LOTTERY

The Department of the Lottery announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 17, 2019, 3:30 p.m., Eastern Time

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301 or Teleconference: 1(888)585-9008, Conference Room #: 779-281-710.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Lottery will open Proposals received in response to Request for Proposals: Operational Security and Evaluation Services (Project Number 054-18/19) and will read aloud the names of the submitting Vendors.

For more information, please visit the Vendor Bid System (VBS) at:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu. A copy of the agenda may be obtained by contacting: Audrey Gregory at (850)487-7710 or by going to the Department of the Lottery’s website, www.flalottery.com.

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (voice), at least 24 hours prior to the meeting.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Tuesday, October 15, 2019, 5:00 p.m. – 6:30 p.m. ET

PLACE: This meeting will be held via online webinar and requires a telephone for audio. To join the webinar, please use the following link <https://attendee.gotowebinar.com/register/4251389654113998849>. Call United States (Toll-free):1(866)901-6455, Access Code: 278-488-597. Enter your audio pin and press #. 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 Cardiac 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 prior to the meeting at:

<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 BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

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

DATE AND TIME: November 6, 2019, 9:00 a.m.

PLACE: Springhill Suites Marriott Tallahassee, 1300 Executive Center Drive, Tallahassee, FL 32301, (850)325-1103

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Florida Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the

Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2019, 9:00 a.m.

PLACE: 1(888)585-9008, Participant Code: 599196982.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy at www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Board of Pharmacy at (850)245-4474. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Pharmacy at (850)245-4474.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health, Children's Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 30, 2019, 9:30 a.m. – 11:30 a.m.

PLACE: FICCIT Fourth Quarter Meeting

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/339386093>

Join the conference call: 1. Dial 1(888)585-9008, 2. Enter room number 605-692-999#

Joining from a video-conferencing room or system?

Depending on your device, dial: 339386093@67.217.95.2 or 67.217.95.2##339386093

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/339386093>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Interagency Coordinating Council for Infants and Toddlers (FICCIT) will convene to conduct a quarterly meeting to advise and assist Florida's Early Steps Program.

A copy of the agenda may be obtained by contacting: Hannah.Naitove@flhealth.gov.

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

For more information, you may contact: Hannah.Naitove@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:RULE TITLES:

69A-39.003 Types of Certification Available

69A-39.005 Minimum Curriculum Requirements for Firesafety Inspector Certification

69A-39.009 Renewal of Firesafety Inspector and Fire Code Administrator Certification

The Department of Financial Services announces a hearing to which all persons are invited.

DATE AND TIME: October 29, 2019, 10:00 a.m.

PLACE: Florida State Fire College, 11655 N.W. Gainesville Road, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a notice of additional public hearing

A copy of the agenda may be obtained by contacting: NA 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: Mark Harper at (352)369-2858 or Mark.Harper@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:RULE TITLES:

69A-37.039 Prescribed Forms for Training and Certification

69A-37.065 Programs of Study and Vocational Courses

NOTICE OF ADDITIONAL PUBLIC HEARING

The Department of Financial Services hereby gives notice that an additional public hearing will be held to discuss the proposed changes to the above referenced rules.

DATE AND TIME: October 29, 2019, 10:00 a.m.

PLACE: Florida State Fire College, 11655 N.W. Gainesville Road, Ocala, Florida

These rules were originally published in the July 22, 2019 (Vol. 45, No. 141) issue of the Florida Administrative Register. A copy of the proposed changes can be obtained from the Department's website <https://www.myfloridacfo.com/Division/GeneralCounsel/RuleWorkshopMeetings/default.htm>. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Mark Harper at (352)369-2858 or Mark.Harper@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA INDEPENDENT LIVING COUNCIL

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

DATE AND TIME: Thursday, October 24, 2019, 4:00 p.m. – 5:00 p.m.

MEETING: State Plan for Independent Living Workgroup

PLACE: Call in number: 1(888)585-9008, Conference ID: 605155637

GENERAL SUBJECT MATTER TO BE CONSIDERED: SPIL Workgroup

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or 850-488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 16, 2019, 10:00 a.m. ET

PLACE: Contact Kathy Coyne at (941)378-7408 to participate.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Litigation matter American Residuals and Talent, Inc. v. Florida Workers' Compensation Joint Underwriting Association, Case No. 2024692-17 (1st DCA Case No. 1D17-2801). The meeting will be convened in the open; however, pursuant to section(s) 286.011(8) and 627.3121(4), Florida Statutes, the Board's discussion of the litigation will be conducted in private, and participants who are not members of the Board, counsel to the Board, or employees of the FWCJUA will be disconnected from the portions of the meeting discussing the litigation.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 16, 2019, 10:00 a.m. ET

PLACE: Contact Kathy Coyne at (941)378-7408 to participate.
 GENERAL SUBJECT MATTER TO BE CONSIDERED:

Litigation matter American Residuals and Talent, Inc. v. Florida Workers' Compensation Joint Underwriting Association, Case No. 2024692-17 (1st DCA Case No. 1D17-2801). The meeting will be convened in the open; however, pursuant to section(s) 286.011(8) and 627.3121(4), Florida Statutes, the Board's discussion of the litigation will be conducted in private, and participants who are not members of the Board, counsel to the Board, or employees of the FWCJUA will be disconnected from the portions of the meeting discussing the litigation.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

QCAUSA

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

DATE AND TIME: Monday, October 14, 2019, 3:00 p.m. – 6:00 p.m.

PLACE: Citrus Springs Community Center, Building B, 1570 W. Citrus Springs Boulevard, Citrus Springs, FL 34434

GENERAL SUBJECT MATTER TO BE CONSIDERED: Withlacoochee-Dunnellon Trail Connector Public Open House
 The Florida Department of Transportation (FDOT) is hosting a public open house regarding the upcoming Withlacoochee-Dunnellon Trail Connector construction project (Financial Project Number 437349-152-01).

This project involves building a multi-use trail connecting the Withlacoochee State Trail to the Dunnellon Trail. The new trail includes a pedestrian crossing at US 41 near CR 39 in Citrus County.

The Department’s contractor, Commercial Industrial Corp. has proposed an alternate design for the pedestrian crossing that will save the Department over \$1 million in combined construction and utility costs. Graphics showing both the Department’s original design and the Contractor’s proposed design will be available for review at the open house. Public comment is encouraged.

The open house will be from 3:00 p.m. – 6:00 p.m. on Monday, October 14, 2019, at the Citrus Springs Community Center, Building B, 1570 W. Citrus Springs Boulevard, Citrus Springs, FL 34434.

There will be no formal presentation; therefore, we encourage you to drop in at your convenience during the above listed hours to review the project display boards and speak with project staff.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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

For more information on this project, please email the department at roadwork@dot.state.fl.us or visit the following link: <http://www.fdottampabay.com/project/290/437349-1-52-01>

A copy of the agenda may be obtained by contacting: NA 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: Alex Henry, Public Coordinator by phone at 1(813)975-6405, or via email at alex.henry@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT at roadwork@dot.state.fl.us or by visiting www.FDOTtampabay.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Peter

Svoboda, In Re: Homosassa Tradewinds Condominium Association, Inc., Docket No. 2019044180. The petition seeks the agency's opinion as to the applicability of Rule 61B-23.0026 as it applies to the petitioner.

1. Whether the Recall of Directors can be initiated by the Developer, pursuant to Rule 61B-23.0026, Florida Administrative Code. 2. Whether the Developer has any voting rights in a Recall of Directors if none of the Directors were appointed by the Developer, pursuant to Rule 61B-23.0026, Florida Administrative Code. 3. Whether there is a conflict of interest in having the Developer’s attorney initiate paperwork for the Recall and represent the homeowner. 4. Whether the Developer is permitted to appoint another Developer’s representative after his or her position on the board of directors has been relinquished, or is the Developer’s relinquishment permanent?

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

Please refer all comments to: Nick DuVal, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Louis T. Brindisi, In Re: Tiara Condominium Association, Inc., Docket No. 2019037432 on July 22, 2019. The following is a summary of the agency's declination of the petition: A declaratory statement is not an appropriate remedy where there is related pending litigation, as exist in this case.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Norm Adams, In Re: Tiara Condominium Association, Inc., Docket No. 2019037779 on July 22, 2019. The following is a summary of the agency's declination of the petition: A declaratory statement is not an appropriate remedy where there is related pending litigation, as exists in this case; the purpose of a declaratory statement is to allow petitioners to select a proper course of action in advance; a declaratory statement is not the appropriate means for determining the conduct of another person.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
 DISTRICT BOARD OF TRUSTEES
 MIAMI DADE COLLEGE
 11011 S.W. 104th STREET
 MIAMI, FL 33176-3393

Responses to the Invitation to Bid (ITB) listed below will be accepted in the PURCHASING DEPARTMENT, Room 9254, by 3:00 p.m. on October 29, 2019

Prospective proposers may obtain the ITB solicitation at the College's Purchasing Department website, <http://www.mdc.edu/purchasing/bid-posting.aspx>, or by calling (305)237-2402.

BID NUMBER: 2020-JB-06, BID TITLE: Elevator Repairs – Homestead Campus & Medical Campus

Direct questions regarding this Bid to: Jay Bergel – jbergel@mdc.edu, Purchasing Department, Miami Dade College, 11011 SW 104th Street, Miami, FL 33176, (305)237-0129

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

Section XII
Miscellaneous

DEPARTMENT OF STATE
 Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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, September 30, 2019 and 3:00 p.m., Friday, October 4, 2019.

| Rule No. | File Date | Effective Date |
|-------------|-----------|----------------|
| 6A-1.001 | 10/4/2019 | 10/24/2019 |
| 6A-1.004 | 10/4/2019 | 10/24/2019 |
| 6A-1.0071 | 10/4/2019 | 10/24/2019 |
| 6A-1.094124 | 10/4/2019 | 10/24/2019 |

| | | |
|---|------------------|-----------------------|
| 6A-1.099811 | 10/4/2019 | 10/24/2019 |
| 6A-3.003 | 10/4/2019 | 10/24/2019 |
| 6A-5.066 | 10/4/2019 | 10/24/2019 |
| 6A-6.0573 | 10/4/2019 | 10/24/2019 |
| 6A-7.0710 | 10/4/2019 | 10/24/2019 |
| 61H1-36.004 | 10/4/2019 | 10/24/2019 |
| 64B5-2.014 | 10/2/2019 | 10/22/2019 |
| 64B5-2.0142 | 10/2/2019 | 10/22/2019 |
| 64B5-2.0144 | 10/2/2019 | 10/22/2019 |
| 64B5-2.0146 | 10/2/2019 | 10/22/2019 |
| 64B5-7.003 | 10/2/2019 | 10/22/2019 |
| 64B5-7.0035 | 10/2/2019 | 10/22/2019 |
| 64B5-7.005 | 10/2/2019 | 10/22/2019 |
| 64B5-9.011 | 10/2/2019 | 10/22/2019 |
| 64B15-14.0081 | 10/4/2019 | 10/24/2019 |
| 65C-43.001 | 10/4/2019 | 10/24/2019 |
| 65C-43.002 | 10/4/2019 | 10/24/2019 |
| 65C-43.003 | 10/4/2019 | 10/24/2019 |
| 65C-43.0035 | 10/4/2019 | 10/24/2019 |
| 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 ENVIRONMENTAL PROTECTION
 Clean Water State Revolving Fund Program
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE
 Palm Coast, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Palm Coast’s proposed project to expand the capacity of the City’s wastewater treatment facility No. 2 from 2.0 million gallons per day (MGD) to 4.0 MGD is not expected to generate controversy over potential

environmental effects. The total estimated construction cost is \$19,903,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Pankaj Shah, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2962 or emailing to Pankaj.shah@dep.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order Number DEO-19-033
 In re: AMENDMENT TO THE CITY OF KEY WEST, FLORIDA,
 LAND DEVELOPMENT REGULATIONS
 ADOPTED BY CITY OF KEY WEST, FLORIDA,
 ORDINANCE NO. 19-12

FINAL ORDER
APPROVING CITY OF KEY WEST ORDINANCE NO. 19-12

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6), Florida Statutes, approving the requested changes to land development regulations (“LDRs”) adopted by the City of Key West, Florida (“City”) by Ordinance No. 19-12 (“Ordinance”).

FINDINGS OF FACT

1. The City is designated as an area of critical state concern by Rule 28-36.002, Florida Administrative Code.
2. The Ordinance was adopted by the City on May 21, 2019, and rendered to the Department on August 6, 2019.
3. The Ordinance amends Chapter 122 of the City of Key West Code of Ordinances (“Code”) to allow fences up to six feet tall to be constructed on the front line of residential property in the single family residential and medium density residential zoning districts.

CONCLUSIONS OF LAW

4. Any LDR for the City may be amended by the City, but the amendment becomes effective only upon approval by the Department within 60 days after receipt. § 380.05(6), Fla. Stat.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations amended by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically, with Policy 1-1.2.1 and Policy 1-1.2.2

7. LDRs enacted, amended, or rescinded within an area of critical state concern must be consistent and in compliance with the principles for guiding development for that area. See § 380.05(6), Fla. Stat. The Principles for Guiding Development for the City are set forth in Rule 28-36.003, Florida Administrative Code.

8. The Ordinance is consistent and in compliance with the Principles for Guiding Development for the City as a whole, and specifically furthers the following principles:

(1)(a) Strengthen local government capabilities for managing land use and development.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 19-12 is consistent and in compliance with the City’s Comprehensive Plan and Principles for Guiding Development for the City and is hereby APPROVED.

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

/s/ James Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED ON THE CERTIFICATE OF SERVICE. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230,

AGENCY.CLERK@DEO.MYFLORIDA.COM.

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE DATE OF THE FILING OF THE FINAL ORDER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND

SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 3rd day of October 2019.

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

By U.S. Mail:

The Honorable Teri Johnston, Mayor, City of Key West, P.O. Box 1409 , Key West, Florida 33041-1409

Cheri Smith, City Clerk, City of Key West, P.O. Box 1409, Key West, Florida 33041-1409

Patrick Wright, Director, City of Key West Planning Department, P.O. Box 1409, Key West, Florida 33041-1409

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.