

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-13.003 Continuing Psychological Education Credit
PURPOSE AND EFFECT: The Board proposes a rule amendment that updates the requirements for Board members serving on a Board Probable Cause Panel and allows for members to receive up to a maximum of 5 hours of credit per biennium in the area of risk management, on an hour by hour basis.

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses the Board Probable Cause Panel.

RULEMAKING AUTHORITY: 456.013(7), (9), 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(7), (9), 490.007(2), 490.0085(1), (3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

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

Section II

Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.040 Basic Skills Requirements for Postsecondary Career Certificate Education

PURPOSE AND EFFECT: To adopt the 2022-2023 CTE Basic Skills Exemption List, which will be incorporated by reference herein and clarify and update language to conform with statutory changes related to the passage of HB 3 which stated that a person is not required to take the basic skills examination and assessment instrument before entering a law enforcement officer basic recruit training program if he or she is a veteran as

defined in s. 1.01(14) F.S., or holds an associate degree or higher from an accredited college or university.

SUMMARY: The State Board of Education adopts, by rule, standards of basic skill mastery for students completing postsecondary career certificate programs of 450 hours or more. Students enrolling in these certificate programs must complete a basic skills assessment within the first six weeks after admission to the program (unless otherwise exempt), and if necessary, the district or Florida college system institution offering the program must provide basic skills instruction. The statute provides for some exemptions. This rule amendment will adopt the 2022-2023 CTE Basic Skills Exemption List, which will be incorporated by reference and clarify and update language to conform with statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of these changes and experience with similar changes in the past, no adverse impact or regulatory cost is expected and certainly none that will exceed any of the criteria of s. 120.541(2)(a), F.S. and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1004.91(1), F.S.

LAW IMPLEMENTED: 1004.91, F.S.

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

DATE AND TIME: January 18, 2023, 9:00 a.m.

PLACE: Nassau County School Board Office, 1201 Atlantic Avenue, Fernandina Beach, FL 32034.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, Suite 714, Tallahassee, FL 32399-0400; Phone 850-245-9062.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.040 Basic Skills Requirements for Postsecondary Career Certificate Education.

(1) Students enrolled in a career certificate postsecondary program as defined in Section 1004.02, F.S., offered for career education credit of 450 hours or more must shall complete an entry-level basic skills examination within the first six (6) weeks after admission into the program. The assessment instruments and methods listed in paragraphs (1)(a) through (1)(~~e~~)(~~d~~), of this rule, (English version only) are designated to assess student mastery of basic communication (reading language arts) and computation (mathematics) skills and must shall be used according to standards established for test administration and interpretation set forth in Standards for Educational and Psychological Testing (American Psychological Association (APA), American Educational Research Association (AERA), National Council on Measurement in Education (NCME), 2014) and with appropriate accommodations for students with disabilities as specified in Rule 6A-1.0943, F.A.C.:

(a) through (d) No change.

(e) A test adopted by the Criminal Justice Standards and Training Commission pursuant to Section 943.17, F.S., and Rule 11B-35.0011 F.A.C., used for admission into law enforcement or corrections training programs.

(2) Minimum basic skills grade levels in each career education program description adopted under Rule 6A-6.0571, F.A.C., and published annually in the curriculum frameworks and posted on the Department of Education's website <http://fldoe.org/workforce/dvdfame/>, must shall be used to determine basic skills levels required for completion of career certificate programs.

(3) Students deemed to lack the required minimal level of basic skills as measured by one of the designated examinations must shall be provided with instruction specifically designed to correct the deficiencies.

(4) After a student completes the remediation prescribed for basic skills deficiencies, the student must shall be retested using an alternative form (if possible) of the same examination that was used for initial testing. A career certificate of completion shall not be awarded until the minimum, or higher, required level of basic skills, as designated in the program's curriculum framework, is achieved. An adult with a disability as defined in Section 1004.02(6), F.S., may be exempted from meeting the career basic skills grade levels required for completion of the career certificate program. Each school district and Florida college institution must adopt a policy addressing procedures for exempting eligible adults with disabilities from the basic skills exit requirements as permitted in Section 1004.91(3), F.S.

(5) Procedures for students whose first language is not English:

(a) No student is exempt from this rule because of language deficiencies. If one of the approved basic skills assessment instruments cannot be administered, an alternative assessment from subsection (7) of this rule should be used for initial testing. Adult English Language Learners (ELL), must shall be given English language instruction and remediation in basic skills as needed to improve proficiency. The math assessment may be measured by one (1) of the designated tests in subsection (1) of this rule.

(b) No change.

(6) Minimum basic skills grade levels/scale scores achieved on one of the designated tests in Rule 6A-10.0315, F.A.C., are shall be acceptable for a period of two (2) years. Minimum basic skills grade levels or scale scores for designated tests in paragraphs (1)(a), (c), ~~or~~ (d), and (e) are shall be acceptable indefinitely. The program administrators must receive a copy of the test scores from the institution which administered the test or an official copy of the transcript.

(7) Use of alternative assessments. If the tests listed in subsection (1) do not meet the initial assessment needs of the adult with disability or ELL student, one of the following alternative assessment instruments may be used within the first six (6) weeks, for diagnostic and remediation purposes only:

(a) through (h) No change.

(8) Exemptions. The following students are exempt from the basic skills examination requirement this section and the designated program administrator must receive an official copy of the degree, transcript, or test score in order to allow any of these exemptions:-

(a) through (b) No change.

(c) One who passes a state, national or industry certification or licensure examination related to their career certificate program and identified in the "2022-2023 ~~2021-2022~~ Basic Skills Licensure Exemption List," which is incorporated by reference herein <http://www.fldoe.org/core/fileparse.php/5652/urlt/2022-23-basicskills-with-License-exempt.rtf> <http://www.fldoe.org/core/fileparse.php/5652/urlt/2021-22-basicskills-with-License-exempt.rtf> (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14184>). The Basic Skills Licensure Exemption List may be requested from the Department of Education, Division of Career and Adult Education, 325 West Gaines Street, Tallahassee, FL 32399-0400.

(d) No change.

(e) A candidate entering a law enforcement officer basic recruit training program, if he or she is a veteran as defined in Section 1.01(14), F.S., or holds an associate degree or higher from an accredited college or university.

(9) Dual enrollment. Pursuant to paragraph (8)(b) of this rule, students enrolled in an eligible career education dual

enrollment program under Section 1007.271, F.S., are exempt from the basic skills examination requirement if they have demonstrated readiness for postsecondary education in accordance with Rule 6A-10.0315, F.A.C. prior to admission into the career certificate program. Dual enrollment students who have not met this requirement must complete the basic skills examination, unless otherwise exempt.

Rulemaking Authority 1001.02(1), (2)(n), 1004.91(1) FS. Law Implemented 1004.91 FS. History—New 10-8-85, Formerly 6A-10.40, Amended 5-2-89, 9-5-93, 11-25-97, 1-24-99, 4-26-06, 7-21-08, 5-18-14, 8-26-15, 6-23-16, 2-20-18, 12-22-19, 2-16-21, 5-3-22,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kathleen Taylor, Bureau Chief, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 17, 2022

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.087
RULE TITLE: Postsecondary Education Benefits and Services for Students Who Have Been or are in Foster Care or are Experiencing Homelessness

PURPOSE AND EFFECT: In 2022, House Bill (HB) 1577 modified section 1009.25, Florida Statutes (F.S.), to specify that students who meet the federal definition of homeless children and youths are exempt from the payment of tuition and fees, including lab fees, at school district career centers, charter technical career centers, and Florida College System (FCS) institutions. Additionally, Senate Bill (SB) 7034 amended s. 1009.25, F.S., to expand the existing tuition and fee exemption to additional students. Relatedly, HB 7065 established requirements regarding the tuition and fee exemption and services for youth and students in the child welfare system. This new rule will provide guidance to assist students, parents/guardians, institutions, and other agencies in understanding available exemptions under s. 1009.25, F.S., and associated documentation requirements established under s. 409.1452, F.S. Additionally, the rule will address other components related to institutional implementation of comprehensive support structures to serve these populations.

SUMMARY: The new rule will address tuition and fee exemptions and comprehensive support structures for students experiencing homelessness and students in the child welfare system.

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: This proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this rule. This is based upon the nature of the proposed rule.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.25(1)(f), F.S.

LAW IMPLEMENTED: 409.1452, 1009.25, F.S.

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

DATE AND TIME: January 18, 2023, 9:00 a.m.

PLACE: Nassau County School Board Office, 1201 Atlantic Avenue, Fernandina Beach, FL 32034.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shanna Autry, Director of Student Affairs, 850-245-9488, shanna.autry@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.087 Postsecondary Education Benefits and Services for Students Who Have Been or are in Foster Care or are Experiencing Homelessness.

(1) Purpose. The purpose of this rule is to set forth the requirements related to fee exemptions and services for students who have been or are in foster care and students experiencing homelessness.

(2) Definitions.

(a) “Campus coaching services” means the services that institutions may provide in accordance with Section 409.1452(2), F.S., to assist students in their successful completion of postsecondary education and transition to independent living.

(b) “Institution” means a Florida College System institution, school district career center authorized under

Section 1001.44, F.S., and charter technical career center authorized under Section 1002.34, F.S.

(c) “Liaison” means the institution’s employee or employees that are responsible for providing on-campus support for students related to tuition and fee exemptions and related issues, as required by Section 409.1452(1), F.S., for institutions that have students exempt under Section 1009.25, F.S. and this rule.

(d) “Students experiencing homelessness” means students of any age who lack a fixed, regular, and adequate nighttime residence and includes:

1. Students who were verified as a homeless child or youth using the following criteria, which are set forth in 42 U.S.C. Section 11434a(2):

a. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

b. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and

c. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

d. Migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in the clauses above.

2. Students who were verified as lacking a fixed, regular, and adequate nighttime residence as defined in 42 U.S.C. Section 11302(a)(1) but who do not meet the criteria under subparagraph (2)(d)1.

This definition includes a student who meets the requirements of this rule, as determined by the institution, but for their residence in college dormitory housing.

(e) “Students who have been or are in foster care” means students who were the subject of a shelter proceeding, a dependency proceeding, or a termination of parental rights proceeding and:

1. Who are or were in out-of-home care at the time they reached eighteen (18) years of age;

2. Who were adopted from the Department of Children and Families after May 5, 1997;

3. Who are, or were at the time of reaching eighteen (18) years of age, placed in the custody of a relative or nonrelative under Sections 39.5085, 39.6221, or 39.6225, F.S.; or

4. Who after reaching fourteen (14) years of age and thereafter spending at least eighteen (18) months in out-of-home care, were reunited with his or her parent or parents who

were the subject of the dependency proceeding before they reached eighteen (18) years of age, including students who were reunited under Section 39.8155, F.S.

(3) Exemption for students who have been or are in foster care. Each institution’s board shall adopt policies or procedures to exempt students who have been or are in foster care from the payment of tuition and fees. These policies or procedures must address:

(a) Eligibility determination and verification. The institution must determine and verify eligibility and maintain related documentation for each student in accordance with Section 1009.25, F.S. and this rule. Documentation may include the Department of Children and Families’ Tuition and Fee Exemption form, CF-FSP 5220, or official state documentation (e.g., a court order) that the student received support from the Department of Children and Families in foster care. Students under subparagraph (2)(e)4. must be eligible for the Pell Grant, as determined by the Free Application for Federal Student Aid and verified by the entity imposing the tuition and fees.

(b) Tuition and Fees. Pursuant to Section 1009.25, F.S., students who meet the eligibility requirements under subsection (3) are exempt from the payment of tuition and fees, including lab fees and fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches twenty-eight (28) years of age.

(c) Enrollment. A student receiving benefits under this rule must be enrolled according to the customary rules and requirements of the institution attended.

(d) Records Retention. Pursuant to Section 409.1452(1)(b), F.S., each institution must maintain the original documentation submitted by the student regarding his or her eligibility for the tuition and fee exemption under Section 1009.25, F.S. and may not make additional requests for such documentation. Institutions must retain the documentation in accordance with the Florida Department of State’s General Records Schedule GS5 For Public Universities and Colleges, Item #89.

(4) Exemption for students experiencing homelessness. Each institution’s board shall adopt and implement policies or procedures to exempt students experiencing homelessness from the payment of tuition and fees. These policies and procedures must address:

(a) Eligibility determination and verification for students who meet the definition of homeless under subparagraph (2)(d)1. The institution must determine and verify eligibility and maintain related documentation for each student in accordance with Section 1009.25, F.S. and this rule.

1. Required documentation. Eligibility documentation for these students must include Form FSH-1, Florida Student Homelessness Verification for Tuition and Fees Exemption

Purposes and associated documentation, if applicable, required to establish eligibility in a format determined by the institution.

2. Individuals authorized to certify eligibility. The following individuals are authorized to certify that students meet eligibility under this subparagraph:

a. The designated Florida school district's liaison for homeless children and youths;

b. The director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director's designee;

c. The director of a runaway or homeless youth basic center or transitional living program funded by the United States Department of Health and Human Services, or the director's designee; or

d. A continuum of care lead agency, or its designee.

(b) Eligibility determination and verification for students who do not meet the definition of homeless under subparagraph (2)(d)2. The institution must determine and verify eligibility and maintain related documentation for each student in accordance with Section 1009.25, F.S. and this rule.

1. Required documentation. Eligibility documentation for these students must include Form FSH-1, Florida Student Homelessness Verification for Tuition and Fees Exemption Purposes and at least one document that meets the standards under 20 U.S.C. Section 1087uu-2(a). Associated documentation, if applicable, may be required to establish eligibility.

2. Individuals authorized to certify eligibility. The following individuals are authorized to certify that students meet eligibility under this subparagraph:

a. The director of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other program serving individuals who are experiencing homelessness, or a designee of the director;

b. The director of an emergency shelter program funded by the United States Department of Housing and Urban Development, or the director's designee;

c. The director of a project supported by a Federal TRIO program or a Gaining Early Awareness and Readiness for Undergraduate program grant under division 1 or 2 of subpart 2 of part A, or a designee of the director;

d. A financial aid administrator at the current postsecondary institution; or

e. A financial aid administrator at another institution who documented the student's circumstance in the same or a prior award year.

3. Case-by-case determinations. If a student is unable to provide documentation from any individual described in subparagraph (4)(b)2., institutions must make a case-by-case determination, which must be based on a written statement from, or a documented interview with, the student that confirms

that the student is an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting; and made without regard to the reasons that the student is an unaccompanied homeless youth, or unaccompanied, at risk of homelessness, and self-supporting.

(c) Tuition and fees. Pursuant to Section 1009.25, F.S., students who meet the eligibility requirements under subsection (4) are exempt from the payment of tuition and fees, including lab fees. The exemption remains valid until the student informs the institution that the student's circumstances have changed or the institution has specific conflicting information about the student's independence and has informed the student of this information.

(d) Enrollment. A student receiving benefits under this rule must be enrolled according to the customary rules and requirements of the institution attended.

(e) Records retention. Pursuant to Section 409.1452(1)(b), F.S., each institution must maintain the original documentation submitted by the student regarding his or her eligibility for the tuition and fee exemption under Section 1009.25, F.S. and may not make additional requests for such documentation. Institutions may request additional documentation if the student reenrolls after discontinuing enrollment for twelve (12) consecutive months or more or if the institution receives conflicting information regarding a change in the student's status. For purposes of this exemption, institutions must retain the documentation in accordance with the Florida Department of State's General Records Schedule GS5 For Public Universities and Colleges, Item #89.

(5) Fraud. If fraud is suspected that a student, employee, or other individual has misreported information or altered documentation to fraudulently allow the student to obtain this tuition and fees exemption, the individual must report his or her suspicions and provide any evidence to the appropriate institutional authority.

(6) Third Attempt. Pursuant to Section 1009.285, F.S., a student will be required to pay tuition at one hundred (100) percent of the full cost of instruction upon the third attempt of a course unless the Florida College System institution has granted an exception due to extenuating circumstances.

(7) Reporting.

(a) Pursuant to Section 409.1452(3), F.S., the Division of Florida Colleges and the Division of Career and Adult Education are required to annually report specified data to the Department of Children and Families. Institutions must maintain documentation on the following:

1. Liaisons. Pursuant to Section 409.1452(1), F.S., institutions must provide at least one knowledgeable, accessible staff member to act as a liaison for students exempt from the payment of tuition and fees and provide the liaison's contact information to exempt students who are attending the

institution, the Department of Children and Families, and community-based care lead agencies. The contact information must also be published on the institution’s website.

2. Student-progress data. Institutions must comply with state reporting requirements regarding the progress of students served by the liaisons, including data on academic progress, retention, financial aid status, and information required by the National Youth in Transition Database.

3. Campus coaching services. As provided in Section 409.1452(2), F.S., each institution may provide campus coaching services and other support to a student who is exempt from the payment of tuition and fees under Section 1009.25, F.S. to promote his or her successful completion of postsecondary education and transition to independent living.

(b) Value of fee exemptions. Each institution shall report to the Florida Department of Education the number and value of all fee exemptions granted annually.

(8) Documents incorporated by reference. The following forms are hereby incorporated by reference and made part of this rule. Copies may be obtained from the Division of Florida Colleges, 325 West Gaines Street, Tallahassee, Florida 32399.

(a) Department of Children and Families’ Tuition and Fee Exemption form, CF-FSP 5220 (DOS LINK), as adopted by the State Board of Education effective February 2023.

(b) Florida Student Homelessness Verification for Tuition and Fees Exemption Purposes, FSH-1 (DOS LINK), effective February 2023.

Rulemaking Authority 1001.02(1), (6), 1009.25(1)(e) FS. Law Implemented 409.1452, 1009.25, 1009.285 FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Shanna Autry, Director of Student Affairs.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2022

DEPARTMENT OF MANAGEMENT SERVICES

Division of Administrative Hearings

RULE NOS.:	RULE TITLES:
60Q-6.102	DEFINITIONS
60Q-6.106	CONSOLIDATION AND VENUE
60Q-6.110	MEDIATION, GENERALLY
60Q-6.111	AUTHORITY AND DUTIES OF MEDIATOR
60Q-6.116	PROSECUTION OF CLAIMS AND PETITIONS FOR BENEFITS

PURPOSE AND EFFECT: Procedural changes for adjudication of workers' compensation claims were

implemented in 2003, pursuant to the mandate in section 440.45, Florida Statutes, that the Division of Administrative Hearings adopt procedural rules. It is necessary to amend the existing rules to incorporate changes that will improve the adjudicatory process based upon experience in utilizing the existing rules.

SUMMARY: The rules are primarily changed to accommodate the reality of virtual attendance at state mediation, and clarity for the term “venue” in a digital world.

Details include process for rescheduling mediations, transfer to alternative personnel for in-person proceedings as necessary, and use of digital signature software.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 440.45(1)(a), (4)

LAW IMPLEMENTED: 440.192(1), 440.25(1)-(4), 440.29(2), 440.33(1) 440.45(1)(a), (4)

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: Loretta Sloan, Deputy Executive Director, at 1230 Apalachee Parkway, Tallahassee, FL 32399-3060; (850)404-5442; or loretta.sloan@doah.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

60Q-6.102 DEFINITIONS
(1) through (12) No Change.
(13) “Venue” means the geographic district where the parties would gather for a non-virtual hearing or mediation.
“Verified” is defined in accordance with section 92.525, F.S.

(14) “Verified” is defined in accordance with section 92.525, F.S.

(15) “Virtual” means any real-time interaction through a video and/or audio system.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.192(1), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, 10-31-12, 11-10-14, 02-14-22, _____.

60Q-6.106 CONSOLIDATION AND VENUE

(1) No Change.

(2) Any motion to consolidate cases shall be filed in only the lowest-numbered case sought to be consolidated and shall be resolved by the judge to whom that case is assigned. Any consolidation of two or more cases shall thereafter be designated as consolidated under the lowest case number of those consolidated, unless another number is ordered by the assigned judge, and shall be assigned to the judge then assigned to that lowest case number.

(3) Proceedings in any venue may be conducted virtually, in the discretion of the assigned judge.

(4) ~~(3)~~ A motion to change venue shall be filed with the judge and shall contain the signature of the moving party, or, if represented, the party's attorney of record.

(5) ~~(4)~~ When a judge assigned to a case determines that the case is proceeding in an improper incorrect venue, the judge may transfer the case to the proper venue, and the Deputy Chief Judge, upon request by that judge, shall reassign to a judge in the district where venue is proper. Alternatively, the assigned judge transferring the case may retain jurisdiction and conduct proceedings virtually or live in the proper venue. When transfer of venue occurs, the Deputy Chief Judge shall assign the case.

(6) ~~(5)~~ For accidents occurring outside of the state, the Deputy Chief Judge's initial determination of venue may be changed by order of the assigned judge.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(d), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, 10-31-12, 11-10-14, _____.

60Q-6.110 MEDIATION, GENERALLY

(1) All petitions and claims pending at the time a mediation conference is held are deemed consolidated and shall ~~will~~ be mediated at that conference.

(2) No Change.

(a) The Deputy Chief Judge shall assign a mediator and mediation date for each petition filed. The state mediation conference may be rescheduled, within the 130-day statutory period, upon mutual request of the parties and agreement of the assigned mediator. The parties shall jointly review the mediator's calendar online to identify potential alternative dates and times before contacting the mediator with a request to reschedule. Within 40 days after the filing of the earliest petition for benefits awaiting mediation, the parties may agree to coordinate with the assigned judge an alternate state mediation date which meets the 130 day statutory deadline. Any such change in date shall be considered a rescheduling re-scheduling and not a continuance of the mediation. Upon

agreement of the parties, and approval by an alternate state mediator, mediation for the case may be transferred to the alternate state mediator provided any pending mediation is held within the 130-day statutory period. Permission of the mediator from whom it is transferred is not necessary. The alternate state mediator shall be responsible for placing the mediation on the alternate state mediator's calendar.

~~(b) After the state mediation has been noticed on the 40th day following the filing of the earliest petition for benefits awaiting mediation, the state mediation shall not be continued, or transferred by the parties to an alternate state mediator, for a mediation beyond the 130-day statutory period, meaning moved to a date beyond the 130 day statutory period, unless first granted by the judge upon agreement of the parties or upon proper motion demonstrating that the basis for the continuance, or transfer, arises from circumstances beyond the movant's control or for other good cause shown. The motion shall be filed no later than 30 days before the date of the scheduled state mediation absent an emergency, unless the mediation notice is sent to the parties less than 30 days prior to the noticed mediation.~~

(c) Any party that moves for, or stipulates to, reassignment to an alternate mediator for the purpose of effectuating a live mediation shall attend that mediation live or the party's attorney shall attend live. No mediator shall allow telephonic attendance for any lawyer or party that has stipulated or moved for reassignment on the basis of facilitating a live mediation.

~~(e) The state mediation conference may be re-scheduled, within the 130 day statutory period, upon mutual request of the parties and agreement of the assigned mediator.~~

(d) Digital signature software may be used to execute mediation documents, including mediation conference reports and settlement agreements.

~~(e) (d)~~ Parties to a workers' compensation claim may jointly request voluntary mediation services from the OJCC. Such requests will be considered as individual state mediator calendars permit. Any voluntary mediation will be conducted only if all parties so stipulate. Any voluntary mediation will be governed by these rules. Failure to appear at a voluntary mediation shall not be a basis for the imposition of sanctions.

(3) No Change.

(4) If the parties resolve all issues, or all issues except for attorney's fees, prior to the scheduled mediation conference, the attorney or unrepresented claimant who has filed a petition for benefits shall file a pleading in order to cancel the corresponding mediation. The pleading must be filed prior to the scheduled mediation and shall indicate the manner in which each issue was resolved. The preparation and filing of this pleading are not the responsibility of the mediator.

(5) State mediations shall presumptively be conducted virtually on a video platform. The assigned mediator shall

appear by video for video mediations. Unless the notice of mediation includes the login or call in information for the mediation, the assigned mediator is responsible for providing that information to all parties or counsel. The assigned mediator may allow telephonic appearance at any video mediation. The following persons shall attend the mediation conference: the claimant; the claims representative of the carrier/servicing agent, which representative must have full authority to resolve all the issues and/or settle the case; the employer, if uninsured; the insured or self-insured employer, if the employer/servicing agent does not have full authority to settle the issues; and the attorneys for the parties. The appearance of an attorney for a party does not dispense with the required video or live attendance of the party. No party shall appear at the mediation conference by telephone, whether mediation is live or virtual, unless such appearance is approved in advance by the mediator. Any party appearing by telephone has stipulated to be bound by that party's attorney of record's signature on the mediation report.

(a) The adjuster, if represented by counsel, may attend the live or virtual mediation by phone unless an objection is filed with the mediator on the basis of good cause. The parties may agree, in writing, that any party may appear telephonically. In the absence of such agreement, the mediator shall have discretion to allow any party and/or that party's attorney of record to appear at the live or virtual mediation conference by telephone, except as provided in (2)(c). The party requesting an appearance by telephone must furnish a written request upon the party's written request furnished to the mediator and the opposing party or, if represented, the party's attorney of record no fewer than five days prior to the mediation conference. The expense of telephonic attendance shall be borne by the person or party attending by telephone. Each party and attorney attending a virtual mediation is responsible to have adequate computer hardware, signal strength, internet bandwidth, and premises with/from which to attend mediation.

(b) Any person attending mediation telephonically virtually shall provide an e-mail address for use in exchanging documents during the mediation unless good cause is shown to the mediator at least five days prior to the mediation. Any mediation, except when the outcome is an impasse, attended telephonically is not concluded until the signed agreement report is returned to the mediator. The signed agreement report shall be returned within 72 hours by the end of the business day unless excused by the mediator.

(c) Any party appearing virtually has stipulated to be bound by that party's attorney of record's signature on the mediation report. The parties may not object to the enforceability of a mediation agreement on the ground that communication technology was used for participation in the mediation.

(6) No Change.

(7) Immediately following the conclusion of a mediation conference in an open OJCC case, the mediator, whether state, adjunct, or private, shall prepare a mediation agreement report stating which issues or claims in dispute are resolved and which remain unresolved. The mediation agreement report shall identify by filing date each petition mediated. In the case of private mediation, the claimant shall file with the judge within five business days of the mediation conference the mediator's mediation agreement report ~~and mediation settlement agreement, if any.~~ Signatures of the parties on the signed mediation report may be an original, electronic signature by means approved by the Deputy Chief Judge, or facsimile and signatures may be on different copies of the agreement report. Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(1)-(4), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, 10-31-12, 11-10-14, 02-14-22, _____.

60Q-6.111 AUTHORITY AND DUTIES OF MEDIATOR

(1) Authority of Mediator.

(a) No Change.

(b) The mediation shall be virtual unless the parties have received approval for a live mediation. Any party seeking a live mediation in a district office may request same from the assigned mediator no later than 30 days before the date of the scheduled state mediation. The mediator's decision to hold a live mediation may result in reassignment to a different mediator. Any request for non-virtual mediation in a location other than a district office shall be by motion directed to the Deputy Chief Judge.

(c) ~~(b)~~ The mediator may meet and consult privately with any party or parties or their counsel during the mediation.

(d) ~~(c)~~ Upon written request of any mediator, or upon a motion filed in the case and directed to the Deputy Chief Judge, the Deputy Chief Judge may reassign any mediation to accommodate conflict of interest or potential appearance of impropriety. Any party may also seek such reassignment through motion.

(2) through (4) No Change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(1)-(4), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, 11-10-14, _____.

60Q-6.116 PROSECUTION OF CLAIMS AND PETITIONS FOR BENEFITS

(1) through (3) No Change.

(4) The judge may conduct any proceedings using video teleconference equipment, platforms, or applications approved by the Deputy Chief Judge OJCC. In the event that testimony is taken by video teleconference, administration of the oath by the judge during the proceeding is as binding as if the judge and witness were physically present in the same room. A motion for an in-person hearing or mediation, instead of a video

teleconference proceeding, may be granted upon a showing of good cause.

(5) No Change.

(6) Any attorney or unrepresented claimant who has filed a petition for benefits must file a pleading with the judge in order to cancel the corresponding final hearing. The pleading must be filed prior to the scheduled final hearing and shall indicate the manner in which each issue was resolved. Upon receipt of such cancellation pleading, the judge shall change the status of the affected petition or petitions in the OJCC database. Cases with no currently pending issues scheduled for mediation or hearing shall be reflected in the OJCC database as “inactive.” Upon changing a case status from active to inactive, the OJCC central clerk shall issue an order documenting such status change. In the event such a change to “inactive” is erroneous, the assigned judge may issue an order vacating the prior order and restoring the case to “active.”

(7) through (12) No Change.

Rulemaking Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4), 440.29(2), 440.33(1), 440.45(1)(a), (4) FS. History—New 2-23-03, Amended 11-1-06, 10-31-10, 10-31-12, 11-10-14, 02-14-22, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Langham, Deputy Chief Judge of Compensation Claims.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Brian Newman, Acting Director and Chief Judge.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 28, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2022; September 30, 2022.

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-62.021
 RULE TITLE: Minimum Requirements for a Firefighter Employer Comprehensive Safety and Health Program

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. 48 No. 111, June 8, 2022 issue of the Florida Administrative Register.

69A-62.021 Minimum Requirements for a Firefighter Employer Comprehensive Safety and Health Program.

(1) through (6) No change.

(7) Policy for enforcement of safety rules and regulations.

(a) No change.

(b) Incident Reporting. Each firefighter employer shall use the United States Fire Administration’s National Fire Incident Reporting System Fire Service Casualty Module (NFIRS-5), <http://www.flrules.org/Gateway/reference.asp?No=Ref-08856>, to report all firefighter employee injuries, deaths, or exposures, including casualties that occur in conjunction both with incident responses and with non-incident events such as station duties or training. The Fire Service Casualty Module (NFIRS-5) (January 2015) is hereby incorporated by reference; however, the Division shall accept earlier versions of the Fire Service Casualty Module (NFIRS-5). The NFIRS software is available as free desktop and web-based applications from the United States Fire Administration at <https://www.nfirs.fema.gov/> or as NFIRS standard-compliant products that can be purchased from software vendors at ~~https://www.usfa.fema.gov/data/nfirs/vendors/active_vendors.html~~ https://www.usfa.fema.gov/nfirs/vendors/active_vendors.html. A firefighter employer that does not have internet access may print out the NFIRS-5 form, complete it with ink, and mail it to 11655 Northwest Gainesville Road, Ocala, Florida 34482-1486.

(c) The Fire Service Casualty Module (NFIRS-5) shall record all injuries, including type of accident, agencies, nature or type of injury, body location, the specific activity at the time of the injury or occurrence, cause of injury, and contributing causes of injury. Such reports shall also contain any event, injury, or occurrence enumerated in ~~sections~~ section 112.181, 112.1815, or 112.1816, F.S., to which the presumptions or benefits therein are applicable.

(d) Each firefighter employer must document occupational injuries, disease diagnoses, including cancer, illnesses, mental health injuries, post-traumatic stress disorder, and fatalities using the “Fire Service Log and Summary of Occupational Injuries, Disease Diagnoses, Illnesses, and Fatalities,” DFS-K4-1568, effective (MM/YY), https://www.flrules.org/Gateway/reference.asp?No=Ref-___, which is incorporated by reference (sometimes referred to as the “log and summary”). A copy of the DFS-K4-1568 may be obtained by writing the Bureau of Fire Standards and Training, 11655 Northwest Gainesville Road, Ocala, Florida 34482-1486 or by downloading the document from the Bureau’s website at <https://www.myfloridacfo.com/division/sfm/bfst/bfstforms.htm>. The firefighter employer or person who supervises the preparation of the log and summary shall sign the log and summary. Instructions for completing the log and summary are available on the Directions for Completing Fire Service Casualty Report, DFS-K4-1569, effective ____, http://www.flrules.org/Gateway/reference.asp?No=Ref-___,

which is incorporated by reference. A copy of the DFS-K4-1569 may be obtained by writing to the Division of State Fire Marshal, Department of Financials Services, 200 East Gaines Street, Tallahassee, Florida 32399-0340, or by downloading the document from the Bureau's website: <https://www.myfloridacfo.com/division/sfm/bfst/bfstforms.htm>.

(e) through (g) No change.

Rulemaking Authority 633.508, 633.518 FS. Law Implemented 633.508, 633.518, 633.520, 633.522 FS. History—New 9-6-04, Amended 6-6-07, 1-1-09, 5-22-11, 12-12-17, _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-62.033 Recordkeeping Responsibilities of Firefighter Employers
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. 48 No. 111, June 8, 2022 issue of the Florida Administrative Register.

69A-62.033 Recordkeeping Responsibilities of Firefighter Employers.

(1) All records required by Rule Chapters 69A-62, 69A-37, 69L-56, F.A.C., or statutory Chapters 633 or 440, F.S., must be maintained for five (5) ~~three (3)~~ calendar years following the end of the calendar year during which they were created.

(2) No change.

Rulemaking Authority 633.508 FS. Law Implemented 633.508 FS. History—New 9-6-04, Amended _____.

**Section IV
Emergency Rules**

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12DER22-13 Hurricane Ian or Hurricane Nicole Tax Refund

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 3, Chapter 2022-272, L.O.F., provides for a refund of property taxes to property owners whose residential improvements were rendered uninhabitable by Hurricane Ian or Hurricane Nicole in 2022. This new provision requires the creation of an application form to be used by taxpayers seeking such tax refund. This application for refund form must be filed beginning January 1, 2023, and not later than April 3, 2023. Section 7, Chapter 2022-272, L.O.F., authorizes the Department of Revenue, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida

Statutes, for the purpose of administering the refund provisions. Given the application period set out in the law, an emergency rule is the most appropriate and expedient means to provide taxpayers with the necessary refund application. This emergency rule incorporates, by reference, Form DR-5001, Application for Hurricane Ian or Hurricane Nicole Tax Refund, to become effective January 1, 2023.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized in Section 7, Chapter 2022-272, L.O.F., the promulgation of an emergency rule by the Department to prescribe a form to seek a refund of property taxes paid for 2022. The promulgation of this emergency rule, incorporating by reference the form used to apply for the refund, ensures that the public is notified by the most appropriate and expedient means regarding the process to apply for a refund.

SUMMARY: Emergency Rule 12DER22-13 incorporates, by reference, Form DR-5001, Application for Hurricane Ian or Hurricane Nicole Tax Refund, to allow taxpayers to seek a refund of property taxes paid for 2022 if their residential improvement was rendered uninhabitable by Hurricane Ian or Hurricane Nicole.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Mike Cotton at DORPTO@FloridaRevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER22-13 Hurricane Ian or Hurricane Nicole Tax Refund.

(1) Form DR-5001, Application for Hurricane Ian or Hurricane Nicole Tax Refund (N. 1/23), is hereby adopted and incorporated by reference.

(2) Copies of the form are available, without cost, by downloading from the Department's website at floridarevenue.com/property/forms. Persons with hearing or speech impairments may call the Department's TDD at (800) 367-8331.

PROPOSED EFFECTIVE DATE: JANUARY 1, 2023.
Rulemaking Authority s. 7, Ch. 2022-272, L.O.F. Law Implemented s. 3, Ch. 2022-272, L.O.F. History—New 1-1-23.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 01/01/2023

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on December 12, 2022, the Board of Accountancy, received a petition for variance or waiver filed by Brittany Tillar. Petitioner seeks a permanent variance or waiver of paragraph 61H1-28.0052(1)(b), F.A.C., regarding the timeframes with respect to the CPA Examination, which requires that candidates must pass all four sections of the CPA Examination within a rolling eighteen-month period. Petitioner is seeking a permanent waiver to extend the eighteen-month period. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email, Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: RULE TITLE:

62B-33.0051 Coastal Armoring and Related Structures

The Department of Environmental Protection hereby gives notice: The Department issued a final order on December 14, 2022, granting 195 Phesten Associates Palm Beach, LLC's Petition for a Variance. The Petition was received on November 9, 2022. Notice of receipt of this Petition was published in the Florida Administrative Register on November 14, 2022. The petition requested a variance from rule subparagraph 62B-33.0051(1)(a)3., F.A.C., which authorizes armoring where a gap exists that does not exceed 250 feet, between a line of rigid coastal armoring that is continuous on both sides of an unarmored property. No public comment was received. The Order, OGC file number 22-2821, granted the Petition based on a showing that Petitioner demonstrated that a strict application of the rule would result in substantial hardship to Petitioner or would affect Petitioner differently than other similarly situated applicants and because Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Derek Bellamy, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3522, Tallahassee, Florida 32399-2400; telephone (850)245-8419, e-mail Derek.Bellamy@floridadep.gov, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

DEPARTMENT OF HEALTH

Board of Psychology

NOTICE IS HEREBY GIVEN that on December 16, 2022, the Board of Psychology, received a petition for Variance or Waiver filed by Ted Liberty, PhD. Petitioner is seeking a variance or waiver of subsection 64B19-11.0075(2), F.A.C., which states that the Board may grant an additional twelve (12) months to comply with the requirements of subsection (1), above, of up to 36 months, to any applicant who files a written request for extension and demonstrates that the applicant has made a good faith effort to comply but has failed to comply because of illness or unusual hardship.

Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, or by electronic mail-Allen.Hall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-2.003 Provisional Licensure; Requirements

NOTICE IS HEREBY GIVEN that on December 19, 2022, the Board of Speech Language Pathology, and Audiology, received a petition for variance and waiver filed by Sarah Heaton. Petitioner seeks a variance or waiver of subsection 64B20-2.003(5), F.A.C., which requires a provisional license shall be valid for a period of 21 months from the date of issuance or until a license to practice Speech-Language Pathology or Audiology pursuant to Section 468.1185, F.S. is issued, whichever occurs first and Rule 64B20-5.005, F.A.C., which requires renewal of a provisional license. Comments on this petition should be filed with the Board of Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Danielle Terrell, Executive Director, Board of Speech Language Pathology, and Audiology, 4052 Bald

Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257,
 Danielle.Terrell@flhealth.gov.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 4, 2023, 11:00 a.m. – 12:00 Noon EST

PLACE: Microsoft Teams Meeting:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjFiYWQ5OGYtNmIyYy00MzA2LTlmYmItYTM4NjA5MDFjNWRk%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22ff20305e-97fb-4f10-a505-94abc8fda30c%22%7d, Meeting ID: 259 608 490 967, Passcode: xWcHkT

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Coordinate Materials to Present to the Florida Rehabilitation Council on the National Coalition of State Rehabilitation Council's Conference.

A copy of the agenda may be obtained by contacting: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397.

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: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397. 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: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 4, 2023, 11:00 a.m. – 12:00 Noon EST

PLACE: Please navigate to the following address:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzQ0ZGYwZWUtNzQ3My00ZTcxLWJhYTQtZTAwMmJjOTc4MzQ2%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%2261f02920-7175-4b3f-8c98-31c02c8b6ef9%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Florida Rehabilitation Council - Planning what materials and feedback to provide to FRC members from the National Coalition of State Rehabilitation Councils conference.

A copy of the agenda may be obtained by contacting: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397.

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: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397. 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: FRC staff at FRCCustomers@vr.fldoe.org or (850)245-3397.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Specific Youth Survey Workgroup announces a public meeting to which all persons are invited.

DATES AND TIMES: January 4, 2023, 3:00 p.m. – 4:00 p.m. EST (or until business is concluded, whichever is earlier); January 17, 2023, 11:00 a.m. – 5:00 p.m. EST (or until business is concluded, whichever is earlier).

PLACE: January 4, 2023:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWl3ZTMzZDAOTdjYS00NjNkLWlzMtctNjA5YzQzZGZjNzFm%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%2276e1b7c2-4072-49ea-8c71-8394c3016fc4%22%7d, Meeting ID: 268 667 045 094, Passcode: UMoWsc

January 17, 2023: 325 West Gaines Street, Tallahassee, FL 32399. All attendees must check in at the security desk and provide identification for security purposes.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Provide recommendations to inform a Florida-specific youth survey.

A copy of the agenda may be obtained by contacting: StudentSupportServices1@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 five days before the workshop/meeting by contacting: StudentSupportServices1@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: StudentSupportServices1@fldoe.org.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, Freight and Rail Office announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2023, 9:30 a.m.

PLACE: Virtual or In-Person. Florida Department of Transportation, 605 Suwannee St, Tallahassee, FL 32399 (Photo ID will be required to enter building)

Meeting will be GoToWebinar and In-Person. You will need to register at link below to participate and receive information on connecting.

<https://attendee.gotowebinar.com/register/2545047688424658956>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FLFAC advises the Florida Department of Transportation by providing insight on freight-related priorities, issues, projects, and funding needs.

A copy of the agenda may be obtained by contacting: Stephano Miranda at stephano.miranda@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Stephano Miranda at stephano.miranda@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).

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: Contact the organizer for more information: diana.elsner@dot.state.fl.us.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

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

DATE AND TIMES: January 5, 2023, 9:00 a.m. Personnel, Budget & Finance Committee meeting; 10:00 a.m. Board of Directors meeting; 12:00 Noon Regional Awards Ceremony

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202 and Virtually via Zoom. Visit www.nefrc.org for more information

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting & Regional Awards Ceremony.

A copy of the agenda may be obtained by contacting: (904)279-0880.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 23, 2023, 8:30 a.m. EST or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson Street, Orlando, FL 32801. You may attend in person or via LiveStream by visiting <https://attendee.gotowebinar.com/register/2399430560657090573> or GoToWebinar App, ID 667-378-115

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will conduct a private meeting to review cases to determine probable cause and a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel and its counsel.

A copy of the agenda may be obtained by contacting: DREFREC@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: DREFREC@myfloridalicense.com or (407)481-5662. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 20, 2023, 8:30 a.m. EST or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson Street, Orlando, FL 32801. You may attend in person or via LiveStream by visiting <https://attendee.gotowebinar.com/register/2399430560657090573> or GoToWebinar App, ID 667-378-115

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will conduct a private meeting to review cases to determine probable cause and a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel and its counsel.

A copy of the agenda may be obtained by contacting: DREFREC@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: DREFREC@myfloridalicense.com or (407)481-5662. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, January 24, 2023, 8:30 a.m., reconvene Wednesday, January 25, 2023, 8:30 a.m. EST or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson Street, Orlando, FL 32801, LiveStream at

<https://attendee.gotowebinar.com/register/2399430560657090573> or GoToWebinar App, ID 667-378-115.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics include, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2, F.A.C., budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: DREFREC@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: DREFREC@myfloridalicense.com or (407)481-5662. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, February 21, 2023, 8:30 a.m., reconvene Wednesday, February 22, 2022, 8:30 a.m. EST or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson Street, Orlando, FL 32801, LiveStream at

<https://attendee.gotowebinar.com/register/2399430560657090573> or GoToWebinar App, ID 667-378-115.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics include, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2, F.A.C., budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: DREFREC@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: DREFREC@myfloridalicense.com or (407)481-5662. 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.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Department of Health, Board of Respiratory Care announces a public meeting to which all persons are invited.

DATE AND TIME: July 14, 2023, 8:30 a.m. ET

PLACE: AC Hotel Tampa Airport, 4020 West Boy Scout Road, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: The Board of Respiratory Care, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridasrespiratorycare.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 Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATES AND TIMES: July 27, 2023, 9:00 a.m.; July 28, 2023, 9:00 a.m.

PLACE: Holiday Inn Disney Springs, 1805 Hotel Plaza Blvd., Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: the Board office at info@floridasmassagetherapy.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 office at info@floridasmassagetherapy.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the Board office at info@floridasmassagetherapy.gov.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Coordinating Council for the Deaf and Hard of Hearing announces a public meeting to which all persons are invited.

DATE AND TIME: December 29, 2022, 2:00 p.m. – 5:00 p.m.

PLACE: Conference Call number: 1(888)585-9008, code 828-532-954

or

Join Zoom Meeting:

<https://us02web.zoom.us/j/84570981544?pwd=Y2ZpeG1ZcVFpa05PVkZvV0pZRUXUUT09>, Meeting ID: 845 7098 1544, Passcode: 561129

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Coordinating Council for the Deaf and Hard of Hearing will serve as an advisory and coordinating body to recommend policies that address the needs of Florida's community who are deaf, hard of hearing, late deafened, or have combined hearing and vision loss. The purpose of the meeting is to edit the article for the biennial report.

A copy of the agenda may be obtained by contacting: Angie Green, (850)558-9645.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 days before the workshop/meeting by contacting: Angie Green, (850)558-9645. 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: Angie Green, (850)558-9645.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Wednesday, January 11, 2023, 1:30 p.m. – 3:30 p.m.

PLACE: Meeting will take place via the Microsoft Teams platform. Use the below link to connect to the meeting:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTNjZjZjY2QtOWZjYS00ZWJmLTkwMTMtYTFiMmI5ZjVjMWM3%40thread.v2/0?context=%7b%22id%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: David Draper at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David Draper at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David Draper at (407)317-7335.

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 Robert Gombosh, In Re: Douglas Place (Miami) Condominium Association, Inc., Docket No. 2022054270, filed on November 10, 2022. The petition seeks the agency's opinion as to the

applicability of Section 718.112(2)(d) as it applies to the petitioner.

Are Robert M. Gombosh and Patricia A. Gombosh eligible to be members of the Douglas Place (Miami) Condominium Association Board of Directors?

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: Jerry B. Hosey, II, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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 Steven Krupnick, In Re: Nine Island Avenue Condominium Association, Inc., Docket No. 2022052579, filed on November 1, 2022. The petition seeks the agency's opinion as to the applicability of 718.113(5)(a), Florida Statutes as it applies to the petitioner.

Petitioner requests a declaratory statement as to: Whether or not the Nine Island Avenue Condominium Association can mandate hurricane resistant impact sliding glass doors and windows in every unit of the building.

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: Jerry B. Hosey, II, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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 Zach Miller, Esq., In Re: The Greenleaf Building Condominium Association, Inc., Docket No. 2022046359, filed on September 23, 2022. The petition seeks the agency's opinion as to the applicability of 718.117, Florida Statutes as it applies to the petitioner.

Petitioner requests a declaratory statement as to: Whether or not the notice of termination executed by the sole owner of all units in the condominium is sufficient to terminate the condominium association.

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: Jerry B. Hosey, II, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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 Dr. Thomas Verhoeven, In Re: Decoplage Condominium Association, Inc., Docket No. 2022045506, filed on September 16, 2022. The petition seeks the agency's opinion as to the applicability of 718.112 and 718.123, Florida Statutes as it applies to the petitioner.

Petitioner requests a declaratory statement as to: Whether or not the association's rules and regulations regarding guests of unit owners is reasonable. Whether or not the association's rules and regulations regarding records requests is reasonable.

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: Jerry B. Hosey, II, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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 Brian H. Strickland, In Re: Deerwood Place V Condominium Association, Inc., Docket No. 2022042440, filed on August 19, 2022. The petition seeks the agency's opinion as to the applicability of 718.112(2)(d)(2), Florida Statutes and Agency Order in Case Number 2022-01-9517 as it applies to the petitioner.

Petitioner requests a declaratory statement as to: Whether or not an order of removal by an arbiter of the Department of Business and Professional Regulation, Division of Condominiums, Timeshares, and Mobile Homes, in a board recall certification case prevents a removed person from being placed on a ballot for sitting on the board in the future in the same association.

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: Jerry B. Hosey, II, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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 James A. Kosmas, Esq., In Re: Marine Terrace Condominium Association, Inc., Docket No. 2022058590, filed on December 9, 2022. The petition seeks the agency's opinion as to the applicability of 718.113(1) and 718.113(2)(b), Florida Statutes, as it applies to the petitioner.

Petitioner requests a declaratory statement as to: Is a decision not to repair or close an existing hot tub in a common element, but replace it with a similar hot tub in a different location a material alteration or substantial addition to the common elements of the condominium association, triggering a 75% affirmative vote of the unit owners? If the answer is yes, is there any minimum vote required for approval of a material alteration or substantial addition to the common elements of the association, in the event the declaration can be amended for less than a 75% affirmative vote of the unit owners? Is the proposal to close the existing hot tub and replace it with the new hot tub considered "maintenance" such that that board has the authority to do so without unit owner approval?

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: Jerry B. Hosey, II, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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

NONE

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., Wednesday, December 14, 2022 and 3:00 p.m., Tuesday, December 20, 2022.

Rule No.	File Date	Effective Date
12DER22-13	12/20/2022	1/1/2023
29J-2.002	12/20/2022	1/9/2023
29J-2.003	12/20/2022	1/9/2023
29J-3.001	12/20/2022	1/9/2023
29J-3.013	12/20/2022	1/9/2023
61G19-7.004	12/20/2022	1/9/2023
61G20-1.001	12/14/2022	1/3/2023
64B3-5.007	12/16/2022	1/5/2022
64B10-14.006	12/16/2022	1/5/2022
64ER22-9	12/16/2022	12/16/2022
64ER22-10	12/16/2022	12/16/2022
65C-42.001	12/14/2022	1/3/2023
65C-42.002	12/14/2022	1/3/2023

65C-42.003	12/14/2022	1/3/2023
65G-4.0213	12/14/2022	1/3/2023
65G-4.0215	12/14/2022	1/3/2023
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
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-6.001	5/10/2022	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Golf Car Outlet, LLC, line-make EEVL

Notice of Publication for a New Point

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

Pursuant to section 320.642, Florida Statutes, notice is given that Elite Electric Vehicles LLC, intends to allow the establishment of Golf Car Outlet, LLC, as a dealership for the sale of low-speed vehicles manufactured by Elite Electric Vehicles LLC (line-make EEVL) at 5707 19th Street East, Ellenton, (Manatee County), Florida 34222, on or after January 20, 2023.

The name and address of the dealer operator(s) and principal investor(s) of Golf Car Outlet, LLC are dealer operator(s): Yoaly Miller, 5707 19th Street E, Ellenton, Florida 34222; principal investor(s): Yoaly Miller, 5707 19th Street East, Ellenton, Florida 34222.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Danny Dodd, Elite Electric Vehicles LLC, 3125 Northeast 37th Place, Wildwood, Florida 34785.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

FAR Notice for the Public Web Board Review of Chapter 2B: Water and Climate Resilience Metrics of the draft 2023 South Florida Environmental Report (SFER) – Volume I

Date and Time: The web board will be available for public comment on the draft Chapter 2B from December 21, 2022, through January 20, 2023. The SFER web board will also be available for public viewing through March 15, 2023.

Place: <https://www.sfwmd.gov/science-data/scientific-publications-sfer>

General Subject Matter to be Considered:

The South Florida Water Management District (SFWMD) announces the web posting of Chapter 2B: Water and Climate Resilience Metrics of the draft 2023 South Florida Environmental Report (SFER) – Volume I to which all persons are invited to view and encouraged to comment. The public review is being conducted on a dedicated web board, which is accessible from SFWMD’s website at <https://www.sfwmd.gov/science-data/scientific-publications-sfer>.

Beginning on December 21, 2022, through March 15, 2023, interested parties may access the SFER web board and review Chapter 2B. Public comments and recommendations will be posted on the web board, and the public can access this information via the website. The public may comment directly on the web board at any time between December 21, 2022, through January 20, 2023.

A copy of the agenda may be obtained by contacting: Not applicable.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this event is asked to advise the agency at least 5 days before the event by contacting: Rosie Byrd, District Clerk,

at rbyrd@sfwmd.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 about the meeting, contact:

For information regarding this review, please write to the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, or contact Kim Richer (561)682-2425, kricher@sfwmd.gov.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

DEO Final Order No. DEO-22-067

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2022-40

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by Lake County, Florida, Ordinance No. 2022-40 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. Lake County is a local government within the Green Swamp Area.

2. The Ordinance was adopted by Lake County on October 11, 2022, and rendered to the Department on October 21, 2022.

3. The Ordinance amends section 14.11.02 of the County’s Code (Code) by making changes to the applicant and standard requirements for the Family Density Exception. The Ordinance further revises the Family Density Exception by prohibiting the Family Density Exception in the following future land use categories: Rural, Rural Transition, Wekiva River Protection Area A-1-20 District, and Wekiva River Protection Area Overlay A-1-40 District.

4. The Ordinance also revises sections 14.11.01, 14.11.02, and 14.01.03 to clarify that once a lot split is completed further subdivision of the property must be done by plat. The Ordinance further clarifies that a sketch description is required instead of a boundary survey if the proposed lot split contains parcels greater than twenty (20) acres in size.

CONCLUSIONS OF LAW

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

See section 380.05(6), Florida Statutes.

6. “Land development regulations” include “local zoning, subdivision, building, and other regulations controlling the development of land.” Section 380.031(8), Florida Statutes.

The regulations adopted by the Ordinance are land development regulations.

7. The Ordinance is consistent with the Lake County Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically is consistent with Policy I-1.1.8, Adopt Land Development Regulations and Policy I-1.2.10 Creation of Parcels for Family Members.

8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003(1), Florida Administrative Code.

9. The Ordinance is consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern as a whole, and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake County Ordinance No. 2022-40 is consistent with the Lake County Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED this 20th day of December, 2022, in Tallahassee, Florida.

/s/

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 BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230,

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 BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

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 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 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 20th day of December, 2022.

/s/

Karis De Gannes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128, Telephone: (850)245-7151, Facsimile: (850)921-3230, Agency.clerk@deo.myflorida.com

By U.S. Mail:

Kirby Smith, Chairman, Lake County Board of County Commissioners, P.O. Box 7800, Tavares, FL 32778
The Honorable Gary J. Cooney, Clerk of the Circuit Court and Comptroller, Lake County, P.O. Box 7800, Tavares, FL 32778

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
DEO Final Order No. DEO-22-069

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 015-2022

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by Monroe County, Florida (the “County”), Ordinance No. 015-2022 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the County on August 17, 2022 and rendered to the Department on September 14, 2022.
3. The Ordinance amends section 118-12 of the County’s Land Development Code (the “Code”) to permit certain accessory structures in the shoreline setback that were inadvertently prohibited by the adoption of Ordinance 006-2016.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* §§ 380.05(6) and 380.0552(9), 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 adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and specifically, with Goals 101 and 101.5.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically complies with the following:
 - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
 - (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 015-2022 is consistent with the Monroe County Comprehensive Plan and Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby **APPROVED**.

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

/s/ _____
James D. Stansbury, 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 BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230,

AGENCY.CLERK@DEO.MYFLORIDA.COM
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By U.S. Mail:

The Honorable Craig Cates, Mayor, Monroe County, 1100 Simonton Street, Key West, Florida 33040
Kevin Madok, Clerk, Monroe County, Board of County Commissioners, 500 Whitehead Street, Key West, Florida 33040

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.
