

**Section I**  
**Notice of Development of Proposed Rules  
and Negotiated Rulemaking**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.:       RULE TITLE:

61D-11.002      Cardroom Games

**PURPOSE AND EFFECT:** To update and clarify existing language existing language.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rulemaking seeks to update and clarify existing language in Rule 61D-11.002, F.A.C.

**RULEMAKING AUTHORITY:** 550.0251(12), 849.086(4), F.S.

**LAW IMPLEMENTED:** 550.0251(6), 849.086(4), F.S.

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

**DATE AND TIME:** January 4, 2018, 9:00 a.m. - 5:00 p.m. (Recess 12:00 - 1:30 p.m.)

**PLACE:** Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 W. Commercial Blvd., Suite 165—Room 195, Ft. Lauderdale, FL 33309

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bryan Barber, Rules Coordinator for the Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Bryan Barber, Rules Coordinator for the Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761.

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

**Section II**  
**Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.:       RULE TITLE:

5J-18.004       Nondestructive Testing of Amusement Rides

**PURPOSE AND EFFECT:** The purpose of developing changes to this rule is to require nonvisual metal fatigue testing of sealed tubular components on specified claw style amusement rides. Nonvisual testing will help to ensure that the components meet specifications for wall thickness.

**SUMMARY:** The proposed rule requires nonvisual metal fatigue testing on the sealed tubular components of specific claw style amusement rides listed. Following the death of a fair ride patron in Ohio, investigators determined that the fatal accident was caused by the deterioration of sealed tubular components. Specifically, the components had rusted from the inside, making the corrosion impossible to detect through mere visual inspection of the ride’s exterior. Historically, manufacturers had not recommended or required nonvisual nondestructive metal fatigue testing for the specified rides, and such testing had not been performed. This rule will require that the rides listed undergo testing prior to operating in Florida and on a 5-year schedule after initial tests are completed.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a),

Florida Statutes. As part of this analysis, the department relied upon information in the Fair Rides database to determine the approximate number of rides impacted by the rule, as well as the average cost of nonvisual nondestructive testing. The department also considered the approximate number of impacted rides for which manufacturers have not provided appropriate specifications and the reported costs of consulting a licensed professional engineer to determine such specifications.

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: 616.165, 616.242, (4), (6) FS.

LAW IMPLEMENTED: 616.242, (4), (6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Faulk, 2005 Apalachee Parkway, Tallahassee, Florida 32399; (850)410-3838.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-18.004 Nondestructive Testing of Amusement Rides

(1) through (2) No change.

(3) Additional, nonvisual nondestructive testing of specified amusement rides shall be conducted in accordance with the provisions set forth in this subsection.

(a) Notwithstanding any other provision adopted by rule and in addition to all other testing required pursuant to section 616.242, Florida Statutes, the amusement rides listed below must undergo nonvisual nondestructive metal fatigue testing of wall thickness of all sealed tubular components upon initial entry into the state and prior to undergoing a department inspection. Additional nonvisual nondestructive metal fatigue testing shall occur every 5 years thereafter.

1. If all sealed tubular components of an amusement ride are replaced with newly manufactured components purchased directly from the amusement ride manufacturer after August 1, 2017, nonvisual nondestructive metal fatigue testing of the sealed tubular components shall be conducted 5 years after the purchase date of the components and every 5 years thereafter.

2. If an amusement ride has a manufacture date after August 1, 2017, nonvisual nondestructive metal fatigue testing of the sealed tubular components shall be conducted 5 years after the manufacture date of the amusement ride and every 5 years thereafter.

3. Notwithstanding the requirements of subparagraphs (3)(a)1. and 2., if the manufacturer of an amusement ride establishes a schedule for nonvisual nondestructive metal

fatigue testing of sealed tubular components, the amusement ride shall undergo such testing in accordance with the manufacturer's published schedule.

(b) The owner or manager shall consult with the manufacturer of the amusement ride to determine specifications for acceptable wall thickness of all sealed tubular components for the amusement ride. If the manufacturer of the amusement ride is no longer in business or refuses to provide such specifications, the owner or manager shall consult a licensed professional engineer to determine specifications for acceptable wall thickness of all sealed tubular components of the amusement ride.

(c) If nonvisual nondestructive metal fatigue testing demonstrates that all sealed tubular components meet wall thickness specifications, the owner or manager of the amusement ride shall provide the nondestructive testing documentation in English to the Bureau of Fair Rides Inspection. Such documentation shall be from the manufacturer of the amusement ride or from the ASNT level II or III certified technician certifying that the wall thickness specifications have been met.

1. All such documentation shall be based upon nonvisual nondestructive metal fatigue testing conducted on or after August 1, 2017.

2. Amusement rides for which no such documentation has been provided to the Bureau of Fair Rides Inspection shall not be operated in Florida.

(d) The following amusement rides are subject to the requirements set forth in this subsection:

1. Confolding – Extreme;

2. KMG – Fireball, Afterburner, Freakout, Fuerball, Wildclaw, Beach Party, Speed, Tango;

3. Technical Park – Chaos, Streetfighter, Dreamcatcher, High Energy, Pegasus, Delusion, Sky Fighter, Stinger, Extreme;

4. Tivoli – Spin Out; and

5. Zamperla – Discovery, Nitro, Powersurge.

Rulemaking Authority 616.165, 616.242, (4), (6) FS. Law Implemented 616.242, (4), (6) FS. History—New 9-15-92, Amended 9-21-93, 2-23-94, 2-14-99, 5-30-05, Formerly 5F-8.004, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Allan Harrison, Chief of Fair Rides Inspection

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 11/29/2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 12/1/2017

Section III
Notice of Changes, Corrections and
Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-35.090 Background Screening; Prohibited Offenses.
NOTICE OF CHANGE

Notice is hereby given that the following changes have been
made to the proposed rule in accordance with subparagraph
120.54(3)(d)1., F.S., published in Vol. 43 No. 131, July 7, 2017
issue of the Florida Administrative Register.

A change was made to the Attestation of Compliance with
Background Screening Requirements, AHCA Form 3100-
0008, January 2017, incorporated by reference. On page 1 in
the Authority section of the form, the word "may" will be
changed to "shall."

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:
61G10-18.006 Approval of Continuing Education Courses
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43
No. 41, March 1, 2017 issue of the Florida Administrative
Register has been withdrawn.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby
gives notice:

That on December 8, 2017, it has issued an order granting a
variance.

Petitioner's Name: Edward Cass – File Tracking No. 18-4271

Date Petition Filed: November 13, 2017

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought:
Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register:
November 17, 2017

General Basis for Agency Decision: Petitioner demonstrated
substantial hardship and proposed an alternative means of
achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained
by contacting Lois Sorensen, 7601 US Highway 301, Tampa,
Florida 33637, (813)985-7481, ext. 2298,
water.variances@watermatters.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:
59C-1.044: Organ Transplantation

NOTICE IS HEREBY GIVEN that on December 7, 2017, the
Agency for Health Care Administration received a petition for
an Emergency Variance from Rule 59C-1.044, F.A.C., from the
Public Health Trust of Miami-Dade County Florida. The
petition has been assigned Agency case number 2017014945.
The petition seeks a variance from Rule 59C-1.044, F.A.C.
requesting a variance to perform a bone marrow transplant
procedure upon a minor. Interested persons or other agencies
may submit written comments on the petition for emergency
variance within five days after publication of the notice by
forwarding an email to Marisol.Fitch@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained
by contacting: Marisol Fitch, Agency for Health Care
Administration, Division of Health Quality Assurance, Bureau
of Health Facility Regulation, 2727 Mahan Drive, Building 1,
Mail Stop 28 Tallahassee, Florida 32308 or by email to
Marisol.fitch@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NO.: RULE TITLE:
60H-1.017 Turnkey Lease

The Department of Management Services hereby gives notice:
On December 7, 2017, the Department issued an Order. The
Order was in response to a Petition for Waiver of paragraph
60H-1.017(1)(a), filed by the Department of Children and
Families on November 27, 2017. Notice of the Petition was
published in the Florida Administrative Register on November
27, 2017 in Vol. 43, No. 227. The Order on the Petition grants
a waiver of paragraph 60H-1.017(1)(a), F.A.C., which requires
the agency to have one unsuccessful competitive procurement
of existing space pursuant to Rule 60H-1.015, F.A.C., before
conducting a procurement for a build-to-suit or Turnkey Lease.
Petitioner demonstrated that it would suffer a substantial
financial hardship in the form of substantial costs if required to
comply with this rule and that granting the waiver would

achieve the underlying purpose of the statute by serving the best interest of the state.

A copy of the Order or additional information may be obtained by contacting: Diane Wint, Agency Clerk at [diane.wint@dms.myflorida.com](mailto:diane.wint@dms.myflorida.com), 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399.

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Facilities Management

RULE NO.: RULE TITLE:

60H-1.017 Turnkey Lease

The Department of Management Services hereby gives notice: On December 7, 2017, the Department issued an Order. The Order was in response to a Petition for Waiver of paragraph 60H-1.017(1)(a), filed by the Department of Transportation on November 21, 2017. Notice of the Petition was published in the Florida Administrative Register on November 22, 2017 in Vol. 43, No. 226. The Order on the Petition grants a waiver of paragraph 60H-1.017(1)(a), F.A.C., which requires the commission to have one unsuccessful competitive procurement of existing space pursuant to Rule 60H-1.015, F.A.C., before conducting a procurement for a build-to-suit or Turnkey Lease. Petitioner demonstrated that it would suffer a substantial financial hardship in the form of substantial costs if required to comply with this rule and that granting the waiver would achieve the underlying purpose of the statute by serving the best interest of the state.

A copy of the Order or additional information may be obtained by contacting: Diane Wint, Agency Clerk at [diane.wint@dms.myflorida.com](mailto:diane.wint@dms.myflorida.com), 4050 Esplanade Way, Suite 160, Tallahassee, FL 32399.

**DEPARTMENT OF HEALTH**

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.002 Supervisor

NOTICE IS HEREBY GIVEN that on December 5, 2017, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Alisha Mughal. Petitioner is seeking a variance or waiver of paragraph 64B3-5.002(3)(a), Florida Administrative Code, which sets forth the education, training/experience and examination requirements for licensure as a supervisor.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

**DEPARTMENT OF HEALTH**

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-16.004 Termination of Apprenticeship

NOTICE IS HEREBY GIVEN that on December 7, 2017, the Board of Opticianry, received a petition for Variance or Waiver filed by Jasmine Cox. Petitioner seeks a variance or waiver of Rule 64B12-16.004, F.A.C., regarding termination of apprenticeship. Comments on this petition should be filed with the Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258, [Jennifer.Wenhold@flhealth.gov](mailto:Jennifer.Wenhold@flhealth.gov), within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jennifer Wenhold, Executive Director, Board of Opticianry, at the above address.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

Division of Library and Information Services

The Division of Library and Information Services announces a public meeting to which all persons are invited.

DATE and TIME: January 16, 2018, 9:00 a.m. – 4:30 p.m. Eastern

PLACE: R.A. Gray Building, Gallery for Innovation and the Arts, 500 South Bronough Street, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Representatives from each Multitype Library Cooperative will provide an overview of their organization and updates pertaining to current projects. Division of Library and Information Services staff will provide an organizational overview and updates of ongoing statewide initiatives.

A copy of the agenda may be found on the DLIS website (<http://dos.myflorida.com/library-archives/meetings-and-notices/upcoming-meetings/>).

For more information, contact David Beach at (850)245-6630 or [david.beach@dos.myflorida.com](mailto:david.beach@dos.myflorida.com).

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at least five days prior to the meeting by contacting David Beach at (850)245-6630 or [david.beach@dos.myflorida.com](mailto:david.beach@dos.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service at 800.955.8771 (TDD) or 800.955.8770 (Voice).

DEPARTMENT OF STATE

Division of Elections

The Elections Canvassing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 19, 2017, 9:00 a.m.

PLACE: Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elections Canvassing Commission will meet to certify the official results for the December 5, 2017 Special Primary Election for State House District 72 per sections 100.191 and 102.111, Florida Statutes.

A copy of the agenda may be obtained by contacting: Kristi Willis, Department of State, (850)245-6240, Kristi.Willis@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ashley Black at (850)245-6536 or Ashley.Black@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kristi Willis at (850)245-6240 or Kristi.Willis@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Division of Cultural Affairs and Citizens for Florida Arts, Inc. announce a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2017, 11:30 a.m.

PLACE: This meeting will take place via teleconference; for participation instructions call (850)245-6470

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review, and take action on funding and any other business that may appropriately come before the board.

A copy of the agenda may be obtained by contacting the Division of Cultural Affairs, (850)245-6470.

For more information, you may contact: Rachele Ashmore, Rachele.Ashmore@dos.myflorida.com or (850)245-6470.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Office of Early Learning - Child Care Executive Partnership Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 19, 2017, 1:00 p.m. until business concludes

PLACE: Conference call: 1(888)670-3525, pass code 780-145-2766-#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board action items relating to the Child Care Executive Partnership (CCEP) Program.

A copy of the agenda may be obtained by contacting Ashley.Mitchell@oel.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Ashley Mitchell. 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 Ashley.Mitchell@oel.myflorida.com.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Comprehensive Development Strategy (CEDS) Steering Committee Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 18, 2:30 p.m.

PLACE: West Florida Regional Planning Council, 4081 E. Olive Rd., Suite A, Pensacola, FL 35214

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to review public comment on the CEDS and approve the economic development strategy for the seven-county region of Holmes, Washington, Escambia, Santa Rosa, Okaloosa, Walton, and Bay.

A copy of the agenda may be obtained by contacting Caitlin Cerame, (850)332-7976, ext. 203, caitlin.cerame@wfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Brittany Ellers, (850)332-7976, ext. 220, brittany.ellers@wfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact Caitlin Cerame, (850)332-7976, ext. 203, caitlin.cerame@wfrpc.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The Medicaid Drug Utilization Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 18, 2018, 2:00 p.m. – 5:00 p.m.

PLACE: Holiday Inn Tampa Westshore/Airport, 700 N. Westshore Blvd., Tampa, FL 33609, (813)289-8200

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting involves review and approval of drug use criteria and standards for both prospective and retrospective drug use reviews; application of criteria and standards in DUR activities; review and report results of drug use reviews; recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting Vern.Hamilton@ahca.myflorida.com.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

The Medicaid Pharmaceutical & Therapeutics Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, January 19, 2018, 8:30 a.m. – 12:30 p.m.

**PLACE:** Holiday Inn Tampa Westshore/Airport, 700 N. Westshore Blvd., Tampa, FL 33609, (813)289-8200

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com The number of speakers is limited and will be accommodated in the order of notification to Mr. Hamilton. Because unforeseen events may cause changes, interested parties are encouraged to monitor the website at: [http://www.ahca.myflorida.com/Medicaid/Prescribed\\_Drug/meetings.shtml](http://www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml).

A copy of the agenda may be obtained by contacting Vern.Hamilton@ahca.myflorida.com.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Facilities Management**

The Department of Management Services announces a public meeting to which all persons are invited.

**DATE AND TIME:** December 19, 2017, 3:00 p.m. ET

**PLACE:** Governor's Mansion, 700 N. Adams Street, Tallahassee, Florida 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: The Department of Management Services, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 315, Tallahassee, Florida 32399-0950, (850)413-8417.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 11, 2018, 10:00 a.m. ET

**PLACE:** Dial 1(888)670-3525; when prompted enter participant code 1760507820, then # key

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

**ACCESS POINT:** The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

For more information, you may contact: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

**RULE NO.:** **RULE TITLE:**

61D-11.002: Cardroom Games

The Division of Pari-Mutuel Wagering announces a workshop to which all persons are invited.

**DATE AND TIME:** January 4, 2018, 9:00 a.m. – 5:00 p.m. (Recess 12:00 Noon – 1:30 p.m.)

**PLACE:** Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 W. Commercial Blvd., Suite 165—Room 195, Ft. Lauderdale, FL 33309

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public Workshop regarding public input on Rule 61D-11.002, F.A.C.

A copy of the agenda may be obtained by contacting: Bryan Barber, Rules Coordinator for the Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bryan Barber, Rules Coordinator for the Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761. 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: Bryan Barber, Rules Coordinator for the Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761.

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DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Division of Community Health Promotion, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 18, 2017, 1:00 p.m. Eastern

PLACE: Call 1(888)670-3525, enter participant code 5720848571 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of Policy Subcommittee of the Tobacco Advisory Council, an Advisory Council required by section 381.84 Florida Statutes. The council provides advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program.

A copy of the agenda may be obtained by contacting: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

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DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Division of Community Health Promotion, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 5, 2018, 1:00 p.m. ET

PLACE: Call 1(888)670-3525, enter participant code 5720848571 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of Policy Subcommittee of the Tobacco Advisory Council, an Advisory Council required by section 381.84 Florida Statutes. The council provides advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program.

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For more information, you may contact: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

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DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Division of Community Health Promotion, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 12, 2018, 1:00 p.m. ET

PLACE: Call 1(888)670-3525, enter participant code 5720848571 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of Policy Subcommittee of the Tobacco Advisory Council, an Advisory Council required by section 381.84 Florida Statutes. The council provides advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program.

A copy of the agenda may be obtained by contacting: Ronald Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ronald Davis at (850)203-6241, Ronald.Davis@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Ronald Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE  
The Florida Cancer Control & Research Advisory Council (CCRAB) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Each Wednesday at 2:00 p.m.; all conference calls will be held until conclusion of business

PLACE: Telephone conference number 1(800)206-6032; participant code 7451520#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Standing CCRAB weekly teleconference to discuss CCRAB business.

A copy of the agenda may be obtained by contacting: [bobbie.mckee@moffitt.org](mailto:bobbie.mckee@moffitt.org).

For more information, you may contact: [www.ccrab.org](http://www.ccrab.org).

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THE VALERIN GROUP, INC.

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

DATE AND TIME: Tuesday, December 19, 2017, 5:00 p.m. – 7:00 p.m.

PLACE: FDOT Urban Office, 133 South Semoran Boulevard, Orlando, FL, 32807

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing is being held regarding plans to improve safety in the area of State Road (S.R.) 436/South Semoran Boulevard just south of S.R. 552/Curry Ford Road at the Ross entrance driveway.

The project addresses operational and safety concerns in the area by converting the full median opening to a bi-directional median opening with a new signal providing a protected left turn phase for left turns from S.R. 436. This modification reduces traffic conflict points at the intersection, improving safety.

The public hearing will be from 5:00 p.m. to 7:00 p.m. Tuesday, December 19, 2017, at the FDOT Urban Office, 133 South Semoran Boulevard, Orlando, FL, 32807. There will be an open house at 5:00 p.m. during which staff will be available to discuss the project and answer questions, followed by the formal hearing presentation at 6:00 p.m., after which participants may provide their verbal comments to all present.

Participants may provide verbal comments directly to a court reporter before and after the formal presentation. Written comments can be submitted at the hearing, sent by mail to Dave Mixon, Florida Department of Transportation, District Five Traffic Operations, 719 S. Woodland Boulevard, M.S. 562, DeLand, FL 32720, or emailed to [Dave.Mixon@dot.state.fl.us](mailto:Dave.Mixon@dot.state.fl.us), no later than January 2, 2018. All comments written and oral will become part of the project's public record.

The draft project documents and other information will be available for public review from November 28, 2017 to January 2, 2018 at the FDOT Urban Office, 133 South Semoran

Boulevard, Orlando, FL, 32807, Monday through Friday 8:00 a.m. to 5:00 p.m.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator at [Jennifer.Smith2@dot.state.fl.us](mailto:Jennifer.Smith2@dot.state.fl.us).

A copy of the agenda may be obtained by contacting: There is no agenda.

Persons with disabilities who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Kelly Hiden, Public Involvement Coordinator by phone at (407)508-0839, or via email at [kelly@valerin-group.com](mailto:kelly@valerin-group.com) at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Dave Mixon, (386)943-5DOT, [Dave.Mixon@dot.state.fl.us](mailto:Dave.Mixon@dot.state.fl.us).

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from Pilot Travel Centers LLC; DS #2017-076. The petition seeks the agency's opinion as to the applicability of Section 561.22, F.S. as it applies to the petitioner.

Petitioner seeks a Declaratory Statement from the Division as to whether the recent purchase of an interest in Pilot Travel Centers LLC by Berkshire Hathaway, Inc. adversely affects Pilot Travel Centers LLC's ability to qualify for licensure by the Division as an alcoholic beverage vendor.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; (850)717-1183; [AGC.Filing@MyFloridaLicense.com](mailto:AGC.Filing@MyFloridaLicense.com).

Please refer all comments to: Daniel McGinn, Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; DS 2017-076; DBPR Ref # 2017-057732.



Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by Lennar Corporation on July 31, 2017. The following is a summary of the agency's disposition of the petition:

The original Notice of Petition for Declaratory Statement was published August 4, 2017 in Vol. 43, No. 151, of the Florida Administrative Register. The Petitioner sought the Commission's interpretation of Chapter 475, Fla. Stat., and Chapter 61J2, FAC, with regard to compensation and payment of referral fees between sibling entities. The Commission denied the Petition for Declaratory Statement. The Order was filed on November 30, 2017.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, N801, Orlando, FL 32801, (850)487-1395, lori.crawford@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by Karen Stauber on March 15, 2017. The following is a summary of the agency's disposition of the petition:

The original Notice of Petition for Declaratory Statement was published August 2, 2017 in Vol. 43, No. 149, of the Florida Administrative Register. The Petitioner sought the Commission's interpretation of Sections 475.15 and 475.161, Florida Statutes, with regard to the sales commissions paid to her. The Commission denied the Petition for Declaratory Statement. The Order was filed on November 30, 2017.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: : Lori Crawford, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, N801, Orlando, FL 32801, (850)487-1395, lori.crawford@myfloridalicense.com.

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

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

NONE

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

Florida Automobile Dealers Association vs. Florida Department of Highway Safety and Motor Vehicles; Case No.: 17-3894RX; Rule No.: 15c-16.012(5); Pursuant to a final order entered on November 6, 2017, in the above-styled cause, Rule 15C-16.012(5) was deemed to be an invalid exercise of delegated legislative authority as defined in Section 120.52(8), Florida Statutes. Based on the foregoing, Rule 15C-16.012(5) is void effective December 7, 2017.

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Monday, December 4, 2017 and 3:00 p.m., Friday, December 8, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
6M-4.700	12/8/2017	12/28/2017
6M-8.602	12/8/2017	12/28/2017
6M-8.605	12/8/2017	12/28/2017
59G-4.250	12/4/2017	12/24/2017
60D-3.001	12/7/2017	12/27/2017
60D-4.001	12/7/2017	12/27/2017
60D-13.001	12/7/2017	12/27/2017
60D-14.005	12/7/2017	12/27/2017
61E14-6.001	12/7/2017	12/27/2017
61G3-21.021	12/7/2017	12/27/2017
61G5-24.019	12/4/2017	12/24/2017
61G7-5.006	12/8/2017	12/28/2017
61J2-1.015	12/6/2017	12/26/2017
61J2-2.031	12/6/2017	12/26/2017
61J2-3.012	12/4/2017	12/24/2017
61J2-17.009	12/6/2017	12/26/2017
61J2-20.049	12/4/2017	12/24/2017
61J2-20.052	12/4/2017	12/24/2017
65C-14.117	12/4/2017	12/24/2017
65C-14.118	12/4/2017	12/24/2017
65C-29.003	12/4/2017	12/24/2017

65C-30.018	12/4/2017	12/24/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

**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.