

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-18.005 Probable Cause Determination

PURPOSE AND EFFECT: The purpose of the rule development is to update the language so that current and former board members serve on a probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Probable cause panel membership.

RULEMAKING AUTHORITY: 455.225 FS.

LAW IMPLEMENTED: 455.225 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

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 BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.: RULE TITLES:

61D-6.007 Permitted Medications for Racing Greyhounds

61D-6.012 Penalty Guidelines for Class I-V Drug Violations in Greyhounds

PURPOSE AND EFFECT: The purpose of this proposed rulemaking is to further clarify and describe the rules governing the drug and substance classification system and penalty schedule for drug violations in greyhounds as well as permitted and prohibited substances for racing greyhounds.

SUMMARY: Rules 61D-6.007 and 61D-6.012, F.A.C., are being proposed to clarify and describe Permitted and Prohibited Substances for Racing Greyhounds and the Racing Greyhound

Drug and Substance Classification System and Penalty Schedule in accordance with the Florida Statutes.

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 economic review conducted by the Agency.

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: 550.0251(3), (11); 550.2415(7),(12) FS.

LAW IMPLEMENTED: 550.0251; 550.1155; 550.2415 FS.

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

DATE AND TIME: Monday, July 8, 2019: 1:00 p.m – 5:00 p.m.

PLACE: Department of Business and Professional Regulation, Building C - Conference Room 409, 2601 Blair Stone Road, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-6.007 Permitted and Prohibited Substances for Racing Greyhounds. ~~Permitted Medications for Racing Greyhounds.~~

~~The following medications are permitted to be administered to racing greyhounds in the dosages and under the conditions listed below:~~

(1) Testing Methodologies: Methodologies used to screen for and confirm the administration of medications, drugs, and naturally occurring substances in racing greyhounds shall be limited to the following: Immunoassay, Liquid Chromatography Mass Spectrometry (LCMS), Gas Chromatography Mass Spectrometry (GCMS), and/or Specific Gravity.

(2) Permitted Medications and Environmental Contaminants in Greyhounds: The following medications, drugs, naturally occurring substances, and other substances are permitted in racing greyhounds in the concentrations and under the conditions listed below:

(a)(1) The administration of testosterone or testosterone-like substances, when used for the control of estrus in female racing greyhounds, is permitted at any prescribed concentration, subject to the following conditions:

1.(a) Track veterinarians may administer injectable testosterone on the grounds of the permitholder to female racing greyhounds for the control of estrus.

2.(b) Kennel owners may use their regular Florida licensed veterinarian or may enter into a collective agreement for the services of a Florida licensed veterinarian to administer injectable testosterone to female racing greyhounds for the control of estrus.

3.(e) The administration of oral testosterone shall be permitted provided it is validly prescribed and properly labeled.

4.(d) Veterinarians that administer injectable or oral testosterone shall be responsible for maintaining security, inventory, and a retrievable record or records/ log in accordance with the Drug Enforcement Agency (DEA) regulations pertaining to a Schedule III drug under the federal Controlled Substances Act and shall be accountable for all syringes and needles used therewith and their disposal in accordance with approved biomedical hazardous waste methods.

(b)(2) Sulfa drugs are drug(s) is/are permitted to be administered at any prescribed concentration to a racing greyhound subject to the following conditions: to a racing greyhound providing:

1.(a) The racing greyhound is under the care of a veterinarian currently licensed pursuant to Chapters 474 and 550, F.S. Florida Statutes; and

2.(b) The sulfa drugs are drug(s) is/are prescribed by a veterinarian currently licensed pursuant to Chapters 474 and 550, F.S. Florida Statutes; and

3.(e) The sulfa drugs are drug(s) is/are not administered within 24 hours prior to the officially scheduled post time of the race.

(c)(3) The following permitted substances at concentrations less than or equal to the following schedule under any condition of use shall not be a violation of Section 550.2415, F.S. In order to be considered a violation, the quantity of the substance found by the racing laboratory must exceed the specified concentration allowed plus the established measurement uncertainty value for that substance. medications shall not be reported by the racing laboratory to the division as a violation of Section 550.2415, F.S.:

1.(a) The detection of caffeine at a urinary concentration less than or equal to 200 nanograms per milliliter; the measurement uncertainty in urine shall be 30 ng/mL.

2.(b) The detection of theophylline and theobromine at a urinary concentration less than or equal to 400 nanograms per milliliter; the measurement uncertainty in urine shall be 80 ng/mL for theophylline and 90 ng/mL for theobromine.

3.(e) The detection of procaine at a urinary concentration less than or equal to 2 micrograms per milliliter; the measurement uncertainty in urine shall be 0.3 µg/mL. and

4.(d) The detection of flunixin at a urinary concentration less than or equal to 250 nanograms per milliliter; the measurement uncertainty in urine shall be 25 ng/mL.

(d) All measurement uncertainties identified in this rule are followed by the University of Florida Racing Laboratory as of May 2, 2019. If a sample is diluted for testing, the measurement uncertainty is multiplied by the factor of dilution.

(e)(4) All prescription medication, regardless of method of administration, shall be safeguarded under lock and key when not being actively administered.

(3) Therapeutic Medication for Racing Greyhounds: Any and all findings above zero, under any condition of use, for the following therapeutic medications will be considered a violation of Section 550.2415, F.S.:

(a) Acepromazine [2-(1-hydroxyethyl) promazine sulfoxide].

(b) Albuterol.

(c) Betamethasone.

(d) Butorphanol.

(e) Clenbuterol.

(f) Dantrolene (5-hydroxydantrolene).

(g) Detomidine (carboxydetomidine).

(h) Dexamethasone.

(i) Diclofenac.

(j) Dimethyl sulfoxide (DMSO).

(k) Firocoxib.

(l) Glycopyrrolate.

(m) Isoflupredone.

(n) Lidocaine.

(o) Mepivacaine (hydroxymepivacaine).

(p) Methocarbamol.

(q) Methylprednisolone.

(r) Omeprazole.

(s) Prednisolone.

(t) Triamcinolone Acetonide.

(u) Xylazine.

(4) Prohibited Substances: A prohibited drug, chemical, or other substance includes:

(a) Any stimulants, depressants, tranquilizers, local anesthetics, drugs, drug metabolites or other substances which could affect the health or performance of a racing greyhound.

however minimal, except for the drugs, chemicals or other substances permitted by Section 550.2415, F.S., or the rules promulgated thereunder.

(b) A drug or substance, regardless of how harmless or innocuous it might be, which interferes with the detection of stimulants, depressants, tranquilizers, local anesthetics, drugs, drug metabolites or other substances which could affect the health or performance of a racing greyhound, however minimal, or quantitation of drugs permitted by Section 550.2415, F.S., or the rules promulgated thereunder.

(5) Screening Limit for Prohibited Substances in Racing Greyhounds: Any and all findings above zero, under any condition of use, for prohibited substances shall be considered a violation of Section 550.2415, F.S.

Rulemaking Authority ~~420.80(4)(a)~~, 550.0251(3), (11), 550.2415(7), (12), ~~(16)~~ FS. Law Implemented ~~420.80(4)(a)~~, 550.0251, 550.2415 FS. History—New 10-20-96, Amended 6-6-00, 6-6-04, 4-12-06, 6-26-11, _____.

61D-6.012 Racing Greyhound Drug and Substance Classification System and Penalty Schedule. Penalty Guidelines for Class I-V Drug Violations in Greyhounds.

(1) The purpose of this rule is to designate and classify prohibited substances and the corresponding penalties that the Division shall impose upon a finding that a greyhound participated in a race while impermissibly medicated or with a prohibited substance present in its body. Nothing hereunder modifies the provisions promulgated under Section 550.2415, F.S. Any reference to a Commission within the incorporated document in subsection (2) of this rule is not applicable because the State of Florida has not established a Racing Commission.

(2) The Division hereby incorporates by reference the classification system for drugs and substances and corresponding penalty schedule in the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (the “Classification and Penalty Guidelines”). An electronic copy is available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06400>.

(3) The penalties corresponding to the drug or medication classification, as provided in the incorporated Classification and Penalty Guidelines, shall be imposed when an animal has been impermissibly medicated or determined to have a prohibited substance present in its body. Penalties shall be imposed against racing greyhound trainers, pursuant to Rule 61D-6.002(1), F.A.C., and Section 550.2415(2), F.S.

(1) The penalties in this rule shall be imposed when the Division finds that the following substances have been identified by the state laboratory in a urine sample or blood sample collected from a greyhound participating in a pari-mutuel event:

(a) Any drug or medication that:

1. Is not approved for veterinary use in the United States by the Food and Drug Administration;

2. Cannot be detected by the state laboratory in a urine or blood sample unless the medication was administered within 24 hours of the race; or

3. Is detected in urine or blood concentrations that indicate a level of dosage that would constitute a threat to the health and safety of the greyhound.

a. First violation of this chapter ~~\$1,000 to \$2,500 fine and suspension of license zero to one year, or revocation of license;~~

b. Any subsequent violation of this chapter ~~\$2,500 to \$5,000 fine and revocation of license.~~

(2) The penalty for any medication or drug which is not described in subsection (1) above shall be based upon the classification of the medication or drug found in the Uniform Classification Guidelines for Foreign Substances, revised December 2014, as promulgated by the Association of Racing Commissioners International, Inc., which is hereby incorporated and adopted by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-06400>. A copy of this document may be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399. The penalty schedule shall be as follows:

(a) Class I substances:

1. First violation of this chapter ~~\$500 to \$1,000 fine and suspension of license zero to one year, or revocation of license;~~

2. Any subsequent violation of this chapter ~~\$1,000 to \$5,000 fine and suspension of license no less than one year, or revocation of license.~~

(b) Class II substances:

1. First violation of this chapter ~~\$100 to \$1,000 fine and suspension of license zero to 30 days;~~

2. Second violation of this chapter ~~\$250 to \$1,000 fine and suspension of license no less than 30 days, or revocation of license;~~

3. Third violation or any subsequent violation of this chapter ~~\$500 to \$1,000 fine and suspension of license no less than 60 days, or revocation of license.~~

(c) Class III substances:

1. First violation of this chapter ~~\$50 to \$500 fine;~~

2. Second violation of this chapter ~~\$150 to \$750 fine and suspension of license zero to 30 days;~~

~~3. Third violation or any subsequent violation of this chapter~~

~~(d) Class IV or V substances:~~

~~1. First violation of this chapter \$250 to \$1,000 fine and suspension of license zero to 60 days.~~

~~2. Second violation of this chapter \$100 to \$500 fine;~~

~~3. Third or subsequent violation of this chapter \$200 to \$1,000 fine and suspension of license zero to 30 days.~~

~~(3) The Division may consider mitigation or aggravation to deviate from these penalty guidelines.~~

~~(4) The Division shall consider the following mitigating or aggravating factors to deviate from the penalties provided by the Classification and Penalty Guidelines: Circumstances which may be considered for the purposes of mitigation or aggravation of any penalty shall include the following:~~

~~(a) The impact of the offense to the integrity of the pari-mutuel industry.~~

~~(b) The danger to the public and/or racing animals.~~

~~(c) The number and date of prior violations of any penalty class in Florida and any other jurisdiction, of repetitions of offenses.~~

~~(d) The number of similar prior offenses.~~

~~(e)(d) The time periods between offenses.~~

~~(f)(e) The number of complaints filed against the licensee or permit holder, which have resulted in prior discipline.~~

~~(g)(f) The length of time the licensee has been licensed in Florida or any other jurisdiction, has practiced.~~

~~(h) Any efforts at rehabilitation.~~

~~(i) Any other mitigating or aggravating circumstances.~~

~~(5) If a penalty within the Classification and Penalty Guidelines provides for a sanction in excess of the limitation contained in Section 550.2415(3)(a), F.S., the sanction imposed shall be reduced to an amount that does not exceed the statutory maximum limit. Absent mitigating circumstances, the division judge or the division shall order the return of any purse, prize, or award from any pari-mutuel event for redistribution when a positive test for a drug or medication described in paragraphs (1)(a), (1)(b), (1)(c), (2)(a), or (2)(b) is reported by the state laboratory and confirmed through the hearing process.~~

~~(6) The judges or the division shall specify in writing the reasons for requiring the return of any purse, prize, or award for redistribution when the positive test of a drug or medication reported by the state laboratory is not described in paragraphs (1)(a), (1)(b), (1)(c), (2)(a), or (2)(b) of this rule.~~

~~(7) Nothing in this rule modifies the provisions of Rule 61D 6.008 or 61D 3.002, F.A.C., or rules promulgated under Section 550.2415, F.S.~~

~~Rulemaking Authority 550.0251(3), (11), 550.2415 (7), (12) FS. Law Implemented 550.0251, 550.1155, 550.2415 FS. History—New 6-26-11, Amended 1-10-16,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 10, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 6, 2019

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Miscellaneous Businesses and Professions - Asbestos Consultants/Asbestos Consultant Examination

RULE NOS.: RULE TITLES:

61E1-2.001 Written Examination; General Requirements

61E1-2.005 Re-examination

61E1-2.006 Asbestos Training Courses and Providers

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments are to update and revise Rules 61E1-2.001, .005, and .006, F.A.C., to clarify existing language, incorporate forms by reference, and remove unnecessary language.

SUMMARY: The proposed rulemaking amends Rules 61E1-2.001, .005, .006, F.A.C., in order to update and revise the rules to clarify existing language, incorporate forms by reference, and remove unnecessary language.

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 economic review conducted by the Agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.2035, 455.213, 455.2123, 455.217, 455.2178, 469.008, 469.011, 469.014, FS.

LAW IMPLEMENTED: 455.213, 455.217, 455.2171, 469.005, 469.007, 469.008, 469.014, FS.

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

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: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-2.001 Written Examination; General Requirements.

A written examination shall be given and passed prior to any applicant receiving a license to practice as an asbestos consultant or an asbestos contractor as provided in Chapter 469, F.S. An applicant seeking take the written asbestos examination shall submit a completed application on Form DBPR ALU 6, Asbestos Examination Application, effective April 2019, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, together with the appropriate fee as specified in Rule 61E1-3.001, F.A.C. The form can be obtained at www.myfloridalicense.com or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399. The examination shall be provided by the Department pursuant to Section 455.217, F.S., or a computer based testing vendor approved by the Department. The written examination shall consist of one day (approximately 8 hours). Examinations are closed book and, the use of notes and reference books is prohibited. All materials including pens and pencils are to be furnished by the applicant. The examination security requirements as set forth by the Department in Rule 61-11.014, F.A.C., shall be followed throughout the administration of the examination.

Rulemaking Authority 455.2035, 455.213, 455.217, 469.008, 469.011 FS. Law Implemented 455.213, 455.217, 455.2171, 469.005(6), 469.008 FS. History–New 2-15-89, Formerly 21-23.001, Amended 3-23-04,_____.

61E1-2.005 Re-examination.

An individual who fails to pass the examination may take the applicable examination two (2) additional times before having to submit an application for re-examination on Form DBPR ALU 6, Asbestos Examination Application, as incorporated by reference in Rule 61E1-2.001, F.A.C., together with the required upon payment of the proper re-examination fee as specified in Rule 61E1-3.001, F.A.C at a regularly scheduled examination date. An individual who has passed one of the two sections of the Asbestos Contractor examination shall be given credit for the part passed. ~~If an applicant fails to take or appear for an examination he shall be required to submit a new application and pay the required fee.~~

Rulemaking Authority 455.2035, 455.213, 455.217, 469.008, 469.011 FS. Law Implemented 455.213, 455.217, 469.005, 469.007, 469.008 FS. History–New 2-15-89, Amended, Formerly 21-23.005.

61E1-2.006 Asbestos Training Courses and Providers.

(1) Each training course provider must be approved by the Department as a course provider and each training course must be approved by the Department. Provider and course approvals are valid for four (4) years until May 31st of every other odd numbered year ~~years~~ and must be renewed prior to expiration. Applications for course provider and training course approval must be submitted using Form DBPR ALU 7, “Application for Education Course Provider”, effective December 2012, incorporated and adopted herein, which may be found at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02482>, together with the appropriate fee as specified in Rule 61E1-3.001, F.A.C. Applications for training course approval must be submitted using Form DBPR ALU 8, “Education Course Application”, effective December 2012, incorporated and adopted herein, which may be found at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02483>, together with the appropriate fee as specified in Rule 61E1-3.001, F.A.C. The forms ~~form~~ may be obtained by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0767 or at www.myfloridalicense.com ~~<http://www.myflorida.com/dbpr/pro/forms/asbest/>~~. Any substantial change in the course content will require the provider to reapply to the Department for approval.

(2) through (11) No change.

Rulemaking Authority 455.2035, 455.213, 455.2123, 455.2178, 469.011, 469.014 FS. Law Implemented 455.213, 455.2178, 469.008, 469.014 FS. History–New 5-12-93, Formerly 21-23.006, Amended 8-17-94, 11-24-97, 3-23-04, 12-28-05, 2-5-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 29, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 16, 2019.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Miscellaneous Businesses and Professions - Asbestos Consultants/Asbestos Consultant Examination

RULE NO.: RULE TITLE:
61E1-3.001 Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments are to update and revise Rule 61E1-3.001, F.A.C., to clarify existing language, incorporate forms by reference, and remove unnecessary language.

SUMMARY: The proposed rulemaking amends Rule 61E1-3.001, F.A.C., in order to update and revise the rules to clarify existing language, incorporate forms by reference, and remove unnecessary language.

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 economic review conducted by the Agency

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

RULEMAKING AUTHORITY: 455.2035, 455.213, 455.271, 455.273, 455.275, 469.006, 469.008, 469.011, 469.014, FS.

LAW IMPLEMENTED: 455.213, 455.2179, 455.2281, 455.271, 455.273, 455.275, 469.004, 469.005, 469.006, 469.007, 469.008, 469.014, FS.

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

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: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-3.001 Fees; License Renewal; Active, Inactive and Delinquent Licenses; Change of Status.

(1) through (4) No change.

(5) A licensee may make a written request during the renewal period to place his or her license in an inactive status and remit the biennial inactive license renewal fee. The department shall then change the status of the license to inactive status.

(a) In the event a licensee wishes to request to change the status of his or license from active to inactive status at any time other than during the renewal period, the licensee shall complete and submit Form DBPR ALU 3, License Maintenance/Status Change Form, effective April 2019, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, and remit a change of status fee. The form can be obtained at www.myfloridalicense.com or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.

~~(b)~~(a) An inactive license may be maintained during each subsequent biennium period by the department in an inactive status upon the payment of a biennial inactive license renewal fee. However, the department shall require a licensee who has been on an inactive status to meet the requirements of Sections 469.004(3) and 469.005(6), F.S.

~~(c)~~(b) If a licensee makes a written request to the department during the renewal period to activate his or her license from an inactive status to an active status, the department shall impose a reactivation fee in addition to the biennial license renewal fee.

~~(d)~~(e) If a licensee makes a written request to the department at a time other than during the renewal period to activate his or her license from an inactive status to an active status, the licensee shall complete and submit to the department Form DBPR ALU 4, Change of Status Form, effective April 2019, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, which can be obtained at www.myfloridalicense.com or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, and remit ~~shall impose~~ a reactivation fee, a change of status fee, and a biennial license renewal fee.

(e) In the event a licensee wishes to change the registered name and/or current or physical address other than that designated in the license, such licensee shall complete and submit to the Department Form DBPR ALU 3, License Maintenance/Status Change Form, together with the appropriate transfer fee as specified herein. For an address change or for an individual name change, no fee shall be imposed. For a business name change, a transfer fee shall be imposed.

~~(f)~~(d) The department shall conduct an investigation to determine whether a licensee has met the minimum qualifications for active licensure.

(6) through (7) No change.

Rulemaking Authority ~~455.2035, 455.213, 455.271, 455.273, 455.275, 469.006, 469.008, 469.011, 469.014, FS. Law Implemented 455.213, 455.2179, 455.2281, 455.271, 455.273, 455.275, 469.004, 469.005, 469.006, 469.007, 469.008, 469.014, FS. History—New 9-22-94, Amended 10-17-95, 10-29-97, 4-27-00, 3-14-04, 3-23-04, 3-8-15, 11-1-16, 1-1-18, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 29, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 31, 2019

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Miscellaneous Businesses and Professions - Asbestos Consultants/Asbestos Consultant Examination

RULE NO.: 61E1-4.001
 RULE TITLE: Licensure of Business Organizations and Qualifying Agents

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments are to update and revise Rule 61E1-4.001, F.A.C., to clarify existing language, incorporate forms by reference, and remove unnecessary language.

SUMMARY: The proposed rulemaking amends Rule 61E1-4.001, F.A.C., in order to update and revise the rules to clarify existing language, incorporate forms by reference, and remove unnecessary language.

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 economic review conducted by the Agency.

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

RULEMAKING AUTHORITY: 455.2035, 455.213, 469.008, 469.011, FS.

LAW IMPLEMENTED: 455.213, 469.004, 469.005, 469.006, 469.007, 469.008, FS.

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

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: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Izzo, Assistant General

Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-4.001 Licensure of Business Organizations and Qualifying Agents.

(1)(a) As a prerequisite to the initial issuance of a license to a qualifying agent, business organization, or a change in the status of an active business organization license, the applicant shall pay the required fee as provided for in Rule 61E1-3.001, F.A.C., of this chapter, and submit a signed, completed application on Form DBPR ALU 2, Application for Licensure as a Business, effective April 2019, incorporated herein by reference,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which can be obtained at www.myfloridalicense.com or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, a form approved by the Department. The form is entitled "Initial Licensure and Change of Status Application," DBPR ALU 4052 1, Effective Date: December 12, 2003, and incorporated herein by reference. Individuals shall also complete the following forms: DBPR 0010-2, Master Individual Application, Effective Date: December 12, 2003 and DBPR 0030-1, Attest Statement, Revised: July 31, 2002, incorporated herein by reference. Organizations shall also complete the following forms: DBPR 0020-1, Master Organization Application, Effective: December 12, 2003; DBPR 0040, Officers and Directors Form, Revised: March 5, 2003; and DBPR ALU 4053 1, Secondary Qualifier Application, Effective Date: December 12, 2003, incorporated herein by reference. Copies of the application and other forms required by this Rule can be obtained by contacting the Department at the following address: Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399 0767, or at http://www.state.fl.us/dbpr/pro/forms/asbest/initial_licensure_of_business_package.pdf. If the applicant proposes to engage in asbestos consulting or asbestos contracting as a partnership, corporation, business trust or other legal entity, or in any name other than the applicant's legal name, the legal entity must comply with Section 469.006(2), F.S. The applicant must furnish evidence of statutory compliance of Section 865.09, F.S., if a fictitious name is used.

(b) The application shall contain the information contained in Sections 469.006(2)(b)1., 2., and 3., and 4., F.S.

1. through 3. No change.

4. If the business organization has a financially responsible officer, the financially responsible officer, rather than the qualifying contractor or consultant, shall sign and complete

Form DBPR ALU 5, Application for Financially Responsible Officer, effective April 2019, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, together with the appropriate financially responsible officer fee as specified in Rule 61E1-3.001, F.A.C. The form can be obtained at www.myfloridalicense.com or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399 the application. The application shall include the requirements of Section 469.006(2)(a)2., F.S.

5. through 6. No change.

(c) In order that the department may carry out its statutory duty to investigate the financial responsibility, credit and business reputation of a new applicant for licensure or a change of status of a licensee, an applicant shall be required to forward the following, in addition to the signed, completed application for licensure, to the Department for review:

1. No change.

~~2. A comprehensive financial statement reflecting the financial condition of the business entity in its previous fiscal year, provided the statement is prepared within 12 months of the date of the filing of the application. The financial statement shall include the following: balance sheet, income statement, capital statement; and statement of changes in financial position. Unless prepared by a certified public accountant, the financial statement shall be signed, in the presence of a notary, by a responsible officer of the business entity as representing the financial condition of the business entity for the period reflected in the statement. The financial statement must indicate a positive net worth.~~

~~3.~~ A letter of bond ability, a letter of credit or a compliance bond established to reimburse the appropriate parties for diversion of funds, abandonment, and all other statutory violations. These instruments must be written in the amount of \$10,000 or more and are not to be construed as performance bonds.

~~3.4.~~ A signed statement indicating the applicant has obtained and will maintain public liability and property damage insurance in the amounts set forth herein.

5. Answers to the following questions on the application:

a. ~~Has any bonding or surety company ever completed or made a financial settlement upon any construction contract or work undertaken by any person named in sub-subparagraph i. below or any organization in which such person was a responsible person as defined in sub-subparagraph j.?~~ Yes () No ()

b. ~~Are there any unpaid past due bills or claims for labor, materials, or services, as a result of the consultant or construction operations of any person named in sub-subparagraph i. below or any organization in which any such~~

~~person was a responsible person as defined in sub-subparagraph j.? Yes () No ()~~

~~e. Are there now any liens, suits or judgments of record or pending against any person named in sub-subparagraph i. below or any organization in which such person was a responsible person as defined in sub-subparagraph j., as a result of the consultant or construction operations of such persons or organization? Yes () No ()~~

~~d. Are there now any liens of record by the U.S. Internal Revenue Service or the State of Florida Corporate Tax Division against any person named in sub-subparagraph i. below or any organization in which such a person was a responsible person as defined in sub-subparagraph j.? Yes () No ()~~

~~e. Has any person named in sub-subparagraph i. below or has any organization in which any such person was a responsible person as defined in sub-subparagraph j. been adjudicated as bankrupt, within the past five years or is any such person or organization presently in the process of bankruptcy proceedings? Yes () No ()~~

~~f. Has any person named in sub-subparagraph i. below or has any organization in which any such person was a responsible person as defined in sub-subparagraph j. ever made an assignment of assets in settlement of consultant or construction obligations for less than the total amount of indebtedness? Yes () No ()~~

~~g. Has any person named in sub-subparagraph i. below or has any business organization in which any such person was a member been convicted of acting in the capacity of a consultant or contractor without a license or if licensed as a consultant or contractor in this or any other state, has any disciplinary action (including probation, fine or reprimand) ever been taken against such license by a state, county, or municipality? Yes () No ()~~

~~h. Has any person in sub-subparagraph i. below or has any business organization in which any such person was a responsible person as defined in sub-subparagraph j. ever been convicted of any offense in this state or elsewhere, other than a traffic violation? Yes () No ()~~

~~i. Required signatures: if an individual, the qualifying consultant or contractor; if a partnership, the qualifying consultant or contractor and the partners; if a corporation, the qualifying consultant or contractor, the president, vice-president and secretary.~~

~~j. For purposes of this rule, "responsible person" includes any partner, officer, trustee, qualifying consultant or contractor, or any person having managerial or supervisory role in a business organization functioning as an asbestos consultant or asbestos contractor as defined in Section 469.001, F.S.~~

(2)(a) An applicant may have license(s) issued in his name as an individual or, where applicable, as a qualifying agent for a partnership, corporation, business trust, or other business organization.

(b) through (d) No change.

(e) For purposes of this rule, practice as an individual is considered practice as a business organization. Once a licensee qualifies one business organization, any request to qualify another business organization must be approved by the department. The licensee or the new business organization shall supply the same information to the department as is required of initial applicants under this chapter. An applicant shall complete and submit Form DBPR ALU 1, Application for Licensure as an Individual, effective April 2019, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, together with the appropriate fee as specified in Rule 61E1-3.001, F.A.C. The form can be obtained at www.myfloridalicense.com or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399.

(f) through (j) No change.

Rulemaking Authority 455.2035, 455.213, 469.008, 455.203(5), 469.011 FS. Law Implemented 455.213, 469.004, 469.005, 469.006, 469.007, 469.008 FS. History—New 10-17-95, Amended 10-29-97, 3-23-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 29, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 31, 2019.

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

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

NOTICE IS HEREBY GIVEN that on June 7, 2019, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: John O’Keefe, Rule No.: 40D-22.201

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

The Petition has been assigned tracking No. 19-4301.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michael Bench, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (T2019021).

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities Inc. d/b/a Brookdale Hermitage Boulevard, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities Inc. d/b/a Brookdale Naples, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities Inc. d/b/a Brookdale Lake Mary, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities Inc. d/b/a Brookdale North Naples, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on

1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale West Melbourne, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities Inc. d/b/a Brookdale Leesburg 1, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Brookdale Senior Living Communities Inc. d/b/a Brookdale Leesburg 2, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting CMCP-Island Lake, LLC d/b/a, Brookdale Island Lake, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Assisted Living Properties, Inc., d/b/a Brookdale Ormond Beach West, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting BKD Lake Orienta, LLC., d/b/a Brookdale Lake Orienta, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting BLC Crystal Bay, LLC., d/b/a Brookdale Destin, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/29/2019, the Department issued a Final Order granting Summerville at Ocala East, LLC., d/b/a Brookdale Paddock Hills, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 1/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/30/2019, the Department issued a Final Order granting Watermark Boca Ciega Bay, LLC, d/b/a The Inn at the Fountains, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on

03/29/2019, and noticed in FAR Volume 45, Number 73. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 4/30/2019, the Department issued a Final Order granting Bay Breeze Senior Living and Rehabilitation Center, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/04/2018, and noticed in FAR Volume 45, Number 73. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 27, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from business name MELODY PLACE. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 28, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from business name SOUTH OAKS ASSISTED LIVING HOME LLC. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 29, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from RESIDENTIAL PLAZA AT BLUE LAGOON. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 29, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from AZALEA OPCO LLC. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 29, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from THE RESIDENCE AT DANIA BEACH. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 30, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from FINNISH-AMERICAN VILLAGE. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 31, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from DISCOVERY VILLAGE AT BOYNTON BEACH AL. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 31, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from ADDINGTON PLACE OF TITUSVILLE. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 31, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from OUR DREAM ALF. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 31, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from JUNIPER VILLAGE AT NAPLES. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on May 31, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from BENTLEY VILLAGE. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting Gentle Touch Assisted Living Facility, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy

source for emergency environmental control, as requested in its petition filed on 02/05/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale West Melbourne (AHCA File No. 11964072), a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale Port Orange, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power

and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting BREA Sarasota, LLC, d/b/a Brookdale Phillippi Creek, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting American Retirement Corporation, d/b/a Brookdale Southside, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting Summerville at St. Augustine, LLC, d/b/a Brookdale St. Augustine, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting ESC-New Port Richey, LLC, d/b/a Brookdale Southpoint, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/01/2019, the Department issued a Final Order granting Summerville at Wekiwa Springs, LLC d/b/a Brookdale Wekiwa Springs, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/31/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Brookdale Altamonte Springs, LLC, d/b/a Brookdale Altamonte Springs, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 30. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale Centre Pointe Boulevard, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale Deland, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale Avondale, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on

01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Emeritus Corporation, d/b/a Brookdale Citrus, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Brookdale Management of Florida PO, LLC d/b/a Brookdale Dr. Phillips 2, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale Centre Pointe Boulevard, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Emeritus Properties NGH, LLC, d/b/a Brookdale Conway, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 05/03/2019, the Department issued a Final Order granting Emeritus Properties NGH LLC, d/b/a Brookdale Melbourne, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 01/29/2019, and noticed in FAR Volume 45, Number 32. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.003 Food Hygiene Standards

NOTICE IS HEREBY GIVEN that on May 23, 2019, the Department of Health, received a petition for Permanent Variance from subsection 64E-11.008(6) [current rule citation is paragraph 64E-11.003(6)(b), of the Florida Administrative Code, from Alethea Endicott on behalf of Wine Not Boutique, Inc. paragraph 64E-11.003(6)(b), of the Florida Administrative Code, requires in part that at least one utility sink or curbed cleaning facility with a floor drain must be provided and used for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water or similar liquid wastes. The Petitioner requests a permanent variance from the rule to allow the Petitioner to use a self-contained mopping apparatus used in accordance with the manufacturer's instructions that will be available for use at all times. Comments on this petition should be filed within 14 days of publication of this notice with Wanda D. Young, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, or by facsimile at (850)413-8743.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Naissa Julien, Bureau of Environmental Health, Facility Programs Section, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, or by calling (850)901-6507.

Section VI

Notice of Meetings, Workshops and Public Hearings

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019. The Florida Prepaid College Board Audit and Risk Committee meeting will begin at 8:00 a.m., or soon thereafter, until completion, followed by the Florida Prepaid College Board Investment Committee meeting, until completion, followed by the Florida Prepaid College Board meeting.

PLACE: The DoubleTree Hotel, Ballroom, 101 South Adams Street, Tallahassee, Florida, 32301.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business meetings of the Florida Prepaid College Board Audit and Risk Committee, the Florida Prepaid College Board Investment Committee, and the Florida Prepaid College Board.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com> or by calling (850)488-8514.

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: fax a written request to the Florida Prepaid College Board at (850)488-3555. 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).

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces a Prehearing Conference and a hearing in the following docket to which all persons are invited.

DOCKET NO. AND TITLE: Docket No. 20190072-EI - Petition for a limited proceeding to approve second solar base rate adjustment, by Duke Energy Florida, LLC.

PREHEARING CONFERENCE DATE AND TIME: Wednesday, June 26, 2019, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING:

The purpose of this Prehearing Conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and

of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING DATE AND TIME: Monday, July 9, 2019, following Internal Affairs

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits and to take final action relative to the Commission's consideration of Duke Energy Florida, LLC's petition to approve a second solar base rate adjustment and to take action on any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; (2) allow for such other purposes as the Commission may deem appropriate.

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The hearing will be governed by the provisions of Chapter 120, Florida Statutes, Chapter 366, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

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

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Water and Springs Restoration Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2019, 10:00 a.m. – 11:30 a.m.

PLACE:

<https://register.gotowebinar.com/register/82269157713750787>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public webinar which will commence at 10:00 a.m. until

not later than 11:30 a.m., with the primary purpose of providing the public with an opportunity to comment on proposed springs projects for the upcoming fiscal year. The list of proposed springs projects can be found by visiting: <https://floridadep.gov/springs/restoration-funding/documents/proposed-springs-restoration-projects-fy19-20>.

A copy of the agenda may be obtained by contacting: Sandy Waters, Water and Springs Restoration Program, 3900 Commonwealth Boulevard, Mail Station 3602, Tallahassee, Florida 32399-3000, (850)245-2815, sandra.waters@dep.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 5 days before the workshop/meeting by contacting: Sandy Waters. 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: Sandy Waters, (850)245-2815, sandra.waters@dep.state.fl.us, Water and Springs Restoration Program, 3900 Commonwealth Boulevard, Mail Station 3602, Tallahassee, Florida 32399-3000.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 2 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2019, 1:30 p.m.

PLACE: Florida Department of Health, 1515 Old Bainbridge Rd, Tallahassee, FL 32303

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

A copy of the agenda may be obtained by contacting: Holly Kirsch @ Holly.Kirsch@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: . 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: Holly Kirsch @ Holly.Kirsch@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Bureau of Emergency Medical Oversight, Trauma Section announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 20, 2019, 3:00 p.m., ET

PLACE: Florida Department of Health, 4042 Bald Cypress Way, Tallahassee FL, 32399

Conference Line: 1(888)585-9008, PIN 325-223-031

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General business of the Florida Trauma System Advisory Council. The purpose of these meetings is to facilitate informal discussion between council members pursuant to Chapter 286, Florida Statutes, and Article I, Section 24, of the Florida Constitution. The Florida Trauma System Advisory Council will not vote or take any official action during the meetings.

A copy of the agenda may be obtained by contacting: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families Office of Economic Self Sufficiency announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2019, 9:30 a.m.

PLACE: 1317 Winewood Blvd., Bldg. 3, Room 454A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Meeting of Negotiation Team to Decide How to Proceed/Develop Recommendation for Award for DCF Invitation to Negotiate (ITN) #: ITN031618FCO1 Electronic Benefits Transfer/ Electronic Funds Transfer Services; Which was advertised on the DMS Vendor Bid System Electronic Posting

Site,

http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

Meeting of Negotiation Team to Decide How to Proceed/Develop Recommendation for Award

1. Introductions
2. Purpose
3. Voting by Negotiators and Negotiation Team Decision(s) on Negotiation Process Next Steps/How to Proceed.
4. Adjournment

NOTE: Meeting will end when business is concluded

A copy of the agenda may be obtained by contacting: Ashley Davis, Procurement Manager at Ashley.davis@myflfamilies.com or (850)717-4352.

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 Davis, Procurement Manager at Ashley.davis@myflfamilies.com or (850)717-4352. 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: Ashley Davis, Procurement Manager at Ashley.davis@myflfamilies.com or (850)717-4352.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.:RULE TITLES:

690-163.009 Determination of Reasonableness of Benefits in Relation to Premium Charge

690-163.011 Credit Disability Insurance Rates

The Florida Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)413-1558 and enter conference ID# 7722361.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Office of Insurance Regulation is amending rules related to Credit Life and Credit Disability Insurance to specify the credibility factors to be applied for the calculation of deviations from prima facie rates and amend the maximum credit disability insurance premium rates.

A copy of the agenda may be obtained by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112. 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: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.:RULE TITLES:

69O-191.074Records Retention

69O-191.076Corrective Action Plans

69O-191.078Subscriber Grievance Procedure

The Florida Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019, 9:40 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)413-1558 and enter conference ID# 7722361.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Office of Insurance Regulation is amending rules related to Health Maintenance Organizations to update and delete out of date references to government agencies and programs, as well as to incorporate a form for filing a pro forma projection of an anticipated program.

A copy of the agenda may be obtained by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112. 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: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-154.202Definitions

The Florida Office of Insurance Regulation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019, 9:50 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)413-1558 and enter conference ID# 7722361.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Office of Insurance Regulation is amending this rule related to Health Insurance Policies to update the definition of Commonly Accepted Actuarial Practice.

A copy of the agenda may be obtained by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112. 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: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.:RULE TITLES:

69O-149.005Reasonableness of Benefits in Relation to Premiums

69O-149.006Actuarial Memorandum

The Florida Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, June 26, 2019, 10:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)413-1558 and enter conference ID# 7722361.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Office of Insurance Regulation is amending rules related to Filing of Forms and Rates for Life/Health Insurance to allow an exemption to paragraph 14(b) of 69O-149.005 for certain types of plans issued by an insurer, to update the Experience on the Form requirements, and to update the actuarial certification requirements.

A copy of the agenda may be obtained by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112. 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: Michael Lawrence, Jr., Assistant General Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Finance & Compensation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2019, 2:00 p.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Enterprise Florida's Finance & Compensation Committee will hold a meeting to discuss ongoing finance and compensation matters via conference call.

A copy of the agenda may be obtained by contacting: NA

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

For more information, you may contact: Kathleen Keenan at kkeenana@enterpriseflorida.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

University of Florida

Advertisement for Professional Services

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of "engineering" will be required for the project listed below:

Project: UF-644, Reitz Union Lawn Inner Road Thermal Infrastructure Improvements (Main Campus)

The project consists of replacement underground utilities in the Reitz Union Lawn area and replacement underground utility replacement and roadwork at Inner Road. Utilities consist of: Chilled Water, Heating/Steam/Condensate, Electrical, Potable Water, Sanitary Sewer, Irrigation/Reclaimed Water, Storm Water Management, Natural Gas and Fuel Systems, Telecommunications, Site Lighting, and Water Management/Surface Improvements.

The estimated construction budget is approximately \$26,000,000.00, including all work described above. The project will be delivered using the Construction Manager at Risk method and construction is scheduled to begin during the first quarter of 2020.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Blanket design professional liability insurance will be required from the mechanical, electrical, plumbing, fire protection, structural, and civil engineering consultants for this project and will be provided as a part of Basic Services. The selected applicant will also be required to provide insurance coverage for General Liability, Automotive Liability, and Workers' Compensation.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and its landscape architectural and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the PQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.
3. Resumes and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for applicant firm and all engineering and landscape architecture consultants (firms) from the appropriate governing board.
5. Proof of the applicant's and all engineering consultants' ability to be insured for the level of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific PQS forms, instructions, Project Fact Sheet, facilities program, UF Design and Commissioning Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information – can be found on the Planning Design & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Planning Design & Construction office by 3:00 p.m. local time, on Thursday, July Wednesday, July 10, 2019. Facsimile (FAX) submittals are not acceptable and will not be considered.

UF Planning Design & Construction, 245 Gale Lemerand Drive / P.O. Box 115050, Gainesville, FL 32611-5050, Telephone: (352)273-4000, Internet: www.facilities.ufl.edu.

DEPARTMENT OF EDUCATION

University of Central Florida

UCF Campus Infrastructure & Utility Production

NOTICE TO CONTRACTORS AND SUPPLIERS

PROJECT DESCRIPTION

The University of Central Florida announces that services are required of qualified speciality trade contractors and suppliers to perform corrective, predicative and preventive maintenance for production plant buildings and supporting ancillary and auxiliary equipment, as well as campus infrastructure, under \$1,000,000 in construction costs. The selected firms' minimum bonding capacity shall be \$1,000,000.

The University of Central Florida wishes to enter into an open-ended contract with multiple companies for a period of one year, with an option to renew for four additional one-year periods. The University has the right to amend the terms of the contract at each annual renewal. All firms applying must be licensed contractors in the State of Florida by the Florida Department of Business and Professional Regulation at the time of application and, if a Corporation, registered to operate in the State of Florida by the Department of State, Division of Corporations.

Projects being implemented may border or be within occupied areas, and projects will in many cases need to be phased to allow partial occupancy during construction. ALL projects will need to ensure the safety of students, faculty, and staff. Projects may be located on University of Central Florida or UCF-affiliated properties.

Carefully review the Contract posted with this advertisement at www.fp.ucf.edu. Submitting a proposal for this project constitutes complete agreement with, and acceptance of, the terms and conditions contained within these documents. NO changes will be accepted.

The Selection Committee may reject all proposals and stop the selection process at any time. The University also reserves the right to cancel the project at any time.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and Contractor's Form may be obtained on our website www.fp.ucf.edu or by

contacting: Gina Seabrook, Email: gina.seabrook@ucf.edu, Phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: <https://ucf.bonfirehub.com/opportunities/16631>

When submitting clearly state the trade you are applying for. Submittals must be received by 5:00 p.m. local time July 12, 2019. Late submissions or additional documentation will not be accepted.

Continued work from the university will be based on a periodic contractor performance evaluation. Evaluations will assess the contractor's: quality of work, ability to maintain budget, ability to stay on schedule, safety, no-change orders for same scope of work, and customer service. Contractors that do not receive satisfactory evaluations may not be given additional work, and their contracts may be terminated.

DEPARTMENT OF EDUCATION

University of Central Florida

UCF Spectrum Stadium Rust Remediation

CALL FOR BIDS

made by the University of Central Florida Board of Trustees

PROJECT NAME, NUMBER & LOCATION: Spectrum Stadium Rust Remediation, University of Central Florida, Main Campus. The scope of this project is for the remediation of all steel on the Spectrum Stadium, including:

- Evaluation by the prime contractor of the most logistically and economically efficient manner to remediate the Stadium, in accordance with the Project Documents. The Stadium is only available January 3 to August 1 of each calendar year. Contractor shall submit a proposed remediation schedule as part of its bid for the work;
- Installation of temporary environmental protection barriers to isolate people and objects from the work area; this includes temporary barriers when bleachers are removed;
- Removal and re-installation of all appurtenances (conduits, signage, railings, bleachers, etc.) as needed to properly and fully remediate all steel surfaces.
- Sandblasting the existing steel to bare metal, as described in the Project Documents; coordination of the design of structural repairs with Owner's structural engineer; Contractor will be responsible for the construction of structural repairs;
- Installation of an Inorganic Zinc coating over bare metal (including structural repairs), as described in the project documents, see Project Documents for full scope and requirements. ONLY those products listed in the Project Documents will be considered – no alternates;
- Supervision of the work and documentation of remediation (reports, photographs, etc.) in accordance with project requirements;

It is the intent of this advertisement to award a single prime contract to the coating installer for all of the work. The prime contractor may sub-contract for portions of this work if necessary, but is responsible for delivering a turn-key product to the University. Construction Managers who simply oversee other contractors doing the work will not be considered for this contract – the prime contractor must self-perform the blasting and coating work.

PROJECT DOCUMENTS: TLC Engineering Solutions will give the Bidder access to the FTP site to review the Project Documents upon execution of a Non-Disclosure Agreement (NDA) by UCF and the Bidder. The NDA can be found at <http://www.fp.ucf.edu/resources/vendor-forms/>. The contact for TLC Engineering Solutions is Brian McSweeney, email: brian.mcsweeney@tlc-eng.com, (407)841-9050.

MANDATORY PRE-BID WALK THROUGH: A mandatory pre-bid walk through for all Bidders will take place:

DATE AND TIME: Tuesday, July 2, 2019, 9:00 a.m. – 11:00 a.m.

PLACE: Spectrum Football Stadium, 4465 Knights Victory Way, Orlando FL 32816, Roth Tower first floor lobby

All bid questions must first be discussed at this pre-bid walk through, and will be responded to by the Owner or Owner's representative in writing to all qualified bidders.

QUALIFICATIONS: All Bidders must be pre-qualified at the time of bid opening, in accordance with Section 2, Instructions to Bidders. Pre-qualifications are due to TLC Engineering Solutions by Friday July 12, 2019 by 5:00 p.m. ET (see TLC contact info above). TLC Engineering Solutions will confirm with each applicant if they are qualified or not-qualified, as soon as possible following the pre-qualification deadline.

BIDS: Bids must be submitted in accordance with the requirements of the Project Documents and this Project Manual. Bids will be received and opened on July 26, 2019, 2:00 p.m. ET via Bonfire's Web Portal: <https://ucf.bonfirehub.com/opportunities/16480>. For additional information, please refer to Attachment 1. UCF shall in no way be responsible for or accept any proposals not uploaded prior to the closing date and time.

It is UCF's intent to award the project to the lowest qualified bidder whose price contains all scope items to deliver a complete, turn-key project to the university. This project is likely to span multiple years, depending on the manpower resources committed by the winning bidder to each phase of work. Bids must include all scope for all phases of work, even if work spans multiple years, including any mobilization, demobilization, and escalation costs.

PUBLIC ENTITY CRIMES: As required by University of Central Florida Regulation 7.102.22, a consultant/contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within

the past 36 months. The selected consultant/contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

BADGING AND IDENTIFICATION: Criminal background checks and E-verification will be provided or all employees and sub-contractors. Picture ID cards will be worn at all times workers are on the job.

CONTRACT: Contract award will be made subject to the availability of funds.

By submitting a bid on this project, Bidder agrees to all terms of the Agreement, posted at www.fp.ucf.edu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BDC33-18/19: Lignumvitae Key Botanical State Park - Repair and Renovate Dock

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC33-18/19, Lignumvitae Key Botanical State Park – Repair and Renovate Dock. More info at <https://tinyurl.com/y26g9n7a>.

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, June 5, 2019 and 3:00 p.m., Tuesday, June 11, 2019.

Rule No.	File Date	Effective Date
1B-2.011	6/11/2019	7/1/2019
6A-1.0014	6/5/2019	6/25/2019
6A-6.0571	6/5/2019	6/25/2019
6A-6.0573	6/5/2019	6/25/2019
6A-10.024	6/5/2019	6/25/2019
6A-10.0401	6/5/2019	6/25/2019
6A-23.002	6/5/2019	6/25/2019
6A-23.003	6/5/2019	6/25/2019
6A-23.004	6/5/2019	6/25/2019

6A-23.005	6/5/2019	6/25/2019
6A-23.006	6/5/2019	6/25/2019
6A-23.008	6/5/2019	6/25/2019
6A-23.009	6/5/2019	6/25/2019
6A-23.011	6/5/2019	6/25/2019
6M-4.630	6/5/2019	6/25/2019
12AER19-03	6/5/2019	6/5/2019
60FF1-5.003	6/6/2019	6/26/2019
61J2-10.026	6/11/2019	7/1/2019
64B5-16.0061	6/6/2019	6/26/2019
64B8-9.001	6/5/2019	6/25/2019
64B13-5.001	6/6/2019	6/26/2019
64B13-18.002	6/6/2019	8/5/2019
65A-2.036	6/10/2019	6/30/2019
65C-44.002	6/10/2019	6/30/2019
65C-44.007	6/10/2019	6/30/2019
65D-30.014	6/5/2019	6/25/2019
65G-7.001	6/11/2019	7/1/2019
65G-7.002	6/11/2019	7/1/2019
65G-7.0025	6/11/2019	7/1/2019
65G-7.003	6/11/2019	7/1/2019
65G-7.0033	6/11/2019	7/1/2019
65G-7.0035	6/11/2019	7/1/2019
65G-7.004	6/11/2019	7/1/2019
65G-7.005	6/11/2019	7/1/2019
65G-7.006	6/11/2019	7/1/2019
65G-7.007	6/11/2019	7/1/2019
65G-7.008	6/11/2019	7/1/2019
65G-7.009	6/11/2019	7/1/2019
68A-13.003	6/11/2019	7/1/2019
68A-16.003	6/5/2019	6/25/2019
68A-27.003	6/5/2019	6/25/2019

68B-14.001	6/5/2019	7/1/2019
68B-14.0035	6/5/2019	7/1/2019
68B-14.00355	6/5/2019	7/1/2019
68B-14.0036	6/5/2019	7/1/2019
68B-14.0042	6/5/2019	7/1/2019
68B-14.0045	6/5/2019	7/1/2019
68B-18.002	6/7/2019	1/1/2020
68B-18.004	6/7/2019	1/1/2020
68B-18.005	6/7/2019	1/1/2020
68B-18.008	6/7/2019	1/1/2020
68B-44.009	6/11/2019	7/1/2019
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

have 45 days from the issuance of this notice to such party’s last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) with the Department’s Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000, fax: (850)245-2298, agency_clerk@dep.state.fl.us. If no objections are received, then a Final Order approving the modification shall be issued by the Department.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Siting Coordination Office
NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION
The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, §403.501 et seq., Florida Statutes (F.S.), concerning: Indiantown Cogeneration Plant, Power Plant Siting Application No. PA90-30J, OGC Case No. 19-0262. Pursuant to §403.516(1)(c), F.S., the Department proposes to modify the Conditions of Certification for the Indiantown Cogeneration Plant to incorporate a uniform set of general conditions consistent with recent site certifications, and to update antiquated specific conditions that are no longer applicable or consistent with current regulations. A copy of the proposed modification may be obtained by contacting the Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Rd., M.S. 5500, Tallahassee, Florida 32399-2400, (850)717-9000. Pursuant to §403.516(1)(c)2., F.S., parties to the certification proceeding