

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

1S-2.039 FVRS Voter Registration Procedures

PURPOSE AND EFFECT: The purpose of these amendments are to update changes in voter registration procedures, in accordance with chapter 2016-23, Laws of Florida. Amendments will reflect that when a voter registration application does not include information necessary to differentiate one residence from another, the supervisor shall make all reasonable efforts to obtain such information in order to maintain the list of valid residential street addresses. An applicant's failure to include a distinguishing apartment, suite, lot, room, or dormitory room does not impact a voter's eligibility to register to vote or cast a ballot.

SUBJECT AREA TO BE ADDRESSED: Voter registration

RULEMAKING AUTHORITY: 97.012(1)-(2), 98.035(5), 98.045(5) FS.

LAW IMPLEMENTED: 97.052, 97.053, 98.015, 98.035, 98.045, 98.075(2) 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Lydia Atkinson at (850)245-6536 or Lydia.Atkinson@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Atkinson, Assistant General Counsel, at (850)245-6536, or Lydia.Atkinson@dos.myflorida.com

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

5J-12.002 Registration

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend a form incorporated by reference and to provide guidance to applicants seeking a veteran military fee waiver in compliance with 2016 legislative changes and the Florida Motor Vehicle Repair Act.

SUBJECT AREA TO BE ADDRESSED: Update FDACS-10900, Motor Vehicle Repair Registration Application and provide guidance to applicants seeking a military veteran's waiver of an initial registration fee.

RULEMAKING AUTHORITY: 559.92201, 570.07(23) FS.

LAW IMPLEMENTED: 559.904, 559.916 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: Matthew D. Curran, Ph.D., Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, (850)410-3800

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

5J-15.001 Registration

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend a form incorporated by reference and to provide guidance to applicants seeking a veteran military fee waiver in compliance with 2016 legislative changes and the household moving services law.

SUBJECT AREA TO BE ADDRESSED: Updated FDACS-10960, Household Moving Services Registration Application and initial registration fee waiver for an honorably discharged veteran or their spouse.

RULEMAKING AUTHORITY: 507.09(3), 570.07(23) FS.

LAW IMPLEMENTED: 507.03 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: Matthew D. Curran, Ph.D., Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, phone: (850)410-3800

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

Section II Proposed Rules

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: 19B-4.001
RULE TITLE: Application

PURPOSE AND EFFECT: The purpose and effect of this rule revision is to update and reflect changes to the Master Contract for the Florida Prepaid College Plan.

SUMMARY: This rule is amended to incorporate changes to the Master Contract for the Florida Prepaid College Plan to include the Gardiner Scholarship Program Account, among other items related to Section 1002.385, Fla. Stat., along with clarifying revisions to the Master Contract to align with guidance regarding Section 529 of the Internal Revenue Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: 1009.971(1), (4), (6). FS.

LAW IMPLEMENTED: 1009.971, 1009.981(1)(c), and 1009.981(2) 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 5 days before the workshop/meeting by contacting: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, brandon.goeke@myfloridaprepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, brandon.goeke@myfloridaprepaid.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-4.001 Application.

(1)(a) Rule Chapters 19B-4 through 19B-13 and 19B-15, F.A.C., apply to advance payment contracts for the prepayment of the Registration Fee, Local Fees, Tuition Differential Fees and/or Dormitory Fees under the Stanley G. Tate Florida Prepaid College Program. See the Master Contract, which is incorporated by reference in subsection (2), for defined terms.

(b) Applications for advance payment contracts purchased through the Board's direct support organization, The Florida Prepaid College Foundation, Inc., for Purchasers participating in employer participation programs or by Purchasers pursuant to a court order will be accepted by the Board at any time. The Board may permit other Purchasers of advance payment contracts to submit an Application to the Board outside the Open Enrollment Period to be processed for data collection and administrative purposes, but the Application will not be accepted by the Board until the beginning of the next succeeding open enrollment period.

(c) The Plan prices associated with Applications submitted to the Board during the Open Enrollment Period shall be the Plan prices applicable to advance payment contracts for the Open Enrollment Period. The Plan prices associated with Applications received by the Board outside the

Open Enrollment Period, except for those purchased through the Board’s direct support organization, The Florida Prepaid College Foundation, Inc., for Purchasers participating in employer participation programs or by Purchasers pursuant to a court order, shall be the Plan prices applicable to advance payment contracts for the next succeeding Open Enrollment Period.

(2) The Florida Prepaid College Plan Master Contract, Form No. FPCB ~~2016~~ ~~2015~~ a-02, [Insert DoS Reference Website Link], <https://www.flrules.org/gateway/reference.asp?No=Ref-04374> is hereby incorporated by reference.

(3) The Board may only require that applicants provide the following information to enroll in the Program:

- (a) For the Account Owner, Survivor, Parent and Beneficiary: 1.Full legal name and salutation;
- 2. Social Security Number;
- 3. Date of birth;
- 4. Full mailing address;
- 5. Two telephone numbers;
- 6. Two e-mail addresses.

(b) Age, grade, and projected enrollment year of the Beneficiary.

(c) The Plan type and payment option of Florida Prepaid College Plan(s) selected for enrollment.

(d) Proof of, or information used to verify proof of the Parent’s or Beneficiary’s Florida residency as defined in the Master Contract, which is incorporated by reference in subsection (2).

- (e) Marketing information:
 - 1. How did you hear about the Program?
 - 2. Annual Family Income;
 - 3. Purchaser’s relationship to the Beneficiary;
 - 4. Beneficiary gender;
 - 5. Beneficiary race.

(f) A Florida 529 Savings Plan Account Number for the same Beneficiary to apply a discount on the Application Fee, if offered and applicable.

(g) Information required for the processing of a one-time and recurring automatic withdrawal authorization.

(4) A copy of the Master Contract and Application may be obtained from the Board by submitting a request to: P. O. Box 6448, Tallahassee, Florida 32314-6448.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G- 4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01,11-27-02, 10-1-03, 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 12-17-07, 11-18-08, 1-28-09, 4-5-09, 10-26-09, 10-18-10, 12-5-11, 11-5-12, 10-7-13, 8-24-14, 6-23-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Prepaid College Board
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2016

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:

19B-16.003 Participation Agreement

PURPOSE AND EFFECT: The purpose and effect of this rule revision is to reflect modifications to the Terms and Conditions for the Florida College Savings Program.

SUMMARY: This rule is amended to amend the Terms and Conditions for the Florida College Savings Program to include the Gardiner Scholarship Program Account as a defined terms, among other items related to Section 1002.385, Fla. Stat., along with revisions to the Terms and Conditions to align with 529 industry standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: 1009.971(1), (4), (6). FS.

LAW IMPLEMENTED: 1009.971, 1009.981(1)(c), and 1009.981(2) 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 5 days before the workshop/meeting by contacting: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, brandon.goeke@myfloridaprepaid.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, brandon.goeke@myfloridaprepaid.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.003 Participation Agreement.

The Participation Agreement, Form No. FPCB 2016-05, [Insert DoS Reference Website Link], <http://www.flrules.org/Gateway/reference.asp?No=Ref-02640> is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2016-06a, [Insert DoS Reference Website Link], <http://www.flrules.org/Gateway/reference.asp?No=Ref-03229> is hereby incorporated by reference.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.981 FS. History--New 11-27-02, Amended 12-28-04, 6-2-05, 7- 13-06, 12-4-07, 5-29-08, 6-3-09, 6-22-10, 10-24-12, 5-8-13, 10-7-13, 6-23-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Prepaid College Board
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 11, 2016

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:

19B-18.003 Participation Agreement

PURPOSE AND EFFECT: The purpose and effect of this proposed amendment is to clarify language in the ABLE Terms and Conditions.

SUMMARY: This proposed rule amends language in the ABLE Terms and Conditions to clarify recent guidance relating to Section 529A of the Internal Revenue Code and state law pertaining to contribution limits, disposition of expired and unclaimed funds and processing time references.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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: 1009.971(1), (4) and 1009.986(10) FS.

LAW IMPLEMENTED: 1009.986 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 5 days before the workshop/meeting by contacting: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL 32308, (850)488-8514, brandon.goeke@myfloridaprepaid.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL 32308, (850)488-8514, brandon.goeke@myfloridaprepaid.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-18.003 Participation Agreement.

The Participation Agreement, Form No. FPCB 2015-07, [Insert DoS Reference Website Link], is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2016 2015-08(a),

[Insert DoS Reference Website Link], is hereby incorporated by reference.

Rulemaking Authority 1009.971(1) and (4) FS; 1009.986(10) FS. Law Implemented 1009.986 FS. History—New 6-23-16, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Prepaid College Board
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 11, 2016

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:
 60S-4.008 Benefits Payable Upon Death
 PURPOSE AND EFFECT: To amend forms and rule language in relation to SB 7012.

SUMMARY: To amend forms, including forms SVF-2, FRS Pension Plan Affidavit Attesting to Eligibility, SRF-2, FRS Pension Plan Student Report Form, and SRF-3, FRS Pension Plan Authorization for Release of Information in regards to the passing of SB 7012. To update rule language, including language pertinent to SB 7012 which provides death benefits to the surviving spouse or children at 100% of the member’s salary.

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: 121.031 FS.
 LAW IMPLEMENTED: 61.1301, 112.18, 112.181, 121.021(14), 121.052(5), 121.055, 121.091(7) 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:

DATE AND TIME: November 18, 2016 at 10:00 a.m.
 PLACE: 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Member Communications, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, (850)414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-4.008 Benefits Payable Upon Death.

(1)(a) Through (b) No change.

(c)1. If the death of a Teachers’ Retirement System member occurs prior to the member obtaining 10 years of creditable service, the member’s designated beneficiary shall receive a refund of the member’s accumulated contributions as provided in Section 238.07, F.S., and shall make application to the Division for such refund on Form FST-11g, Florida Retirement System Pension Plan Application of Beneficiary for Benefit Payment as adopted in paragraph (a).

2. In addition, survivor benefits may be payable in accordance with Section 238.07(18), F.S. Survivors meeting the eligibility criteria for such benefits as provided in Section 238.07(18), F.S., shall make application to the Division on Form TR-11c (Rev. 12/02), <https://www.flrules.org/Gateway/reference.asp?No=Ref-00383>, Teachers’ Retirement System Application for Survivor Benefits herein incorporated by reference, which may be obtained by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area, or locally at (850) 907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771. An unmarried surviving dependent child of the deceased member over 18 years of age but not over 22 years of age and enrolled as a student in an accredited education institution meeting the eligibility criteria for survivor benefits under Section 238.07(18), F.S., shall also be required to submit the information in (d) following to the Division for survivor benefit eligibility determination.±

(d) An unmarried dependent child of a deceased member who is over the age 18 must submit the following documents:

a. An acceptance letter from an accredited educational institution or Form SRF-2, effective 07/16 (Rev. 07/99), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00379>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00379>, Florida Teachers’ Retirement System Student Report Form, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division

via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771, completed by the accredited educational institution; and

b. A completed Form SRF-3, effective 07/16 (Rev. 07/99), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00380>, Florida Teachers' Retirement System Authorization for Release of Information, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771; and

c. A completed Form SVF-2, effective 07/16 (Rev. 07/99), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00381>, Florida Teachers' Retirement System Affidavit Attesting to Eligibility for Monthly Retirement Benefits, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area, or locally at (850)907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771.

(2) through (3) No change.

(4) If an FRS Pension Plan member is killed in the line of duty, except as provided in (5) for certain Special Risk Class members, the following shall apply:

(a) For Pension Plan members except Special Risk Class members killed in the line of duty before July 1, 2013, regardless of the member's length of service, the surviving spouse may elect a benefit equal to one-half of the member's monthly salary, excluding overtime and lump sum payments, at time of death for the spouse's lifetime; or if the member had completed ten or more years of creditable service, or eight or more years of creditable service as a member of the Elected Officers' Class, or seven or more years of creditable service as a member of the Senior Management Service Class the surviving spouse may elect to receive a benefit as provided in paragraph 60S-4.008(2)(b), F.A.C.

(b) through (f) No change.

(5) If an FRS Pension Plan or Investment Plan Special Risk Class member is killed in the line of duty on or after July 1, 2013, the following shall apply to benefit payments beginning on or after July 1, 2016:

(a) Regardless of the member's length of service, the surviving spouse may elect a benefit equal to 100 percent of the member's monthly salary, excluding overtime and lump sum payments, at time of death for the spouse's lifetime.

(b) If the member had any children under 18 years of age at the time of his or her death, the surviving spouse shall not be permitted to receive a refund of the member's contributions

in lieu of the benefits provided in paragraph 60S-4.008(4)(a), F.A.C.

(c) If the surviving spouse is receiving a benefit as provided in paragraph 60S-4.008(5)(a), F.A.C., and dies, the benefits which would have been payable to the surviving spouse shall be paid for the use and benefit of such member's child or children until the member's youngest child reaches 18 years of age.

(d) If the member leaves no surviving spouse but is survived by a child or children under 18 years of age, the benefits shall be paid for the use and benefit of such member's child or children until the member's youngest child reaches 18 years of age.

(e) If the surviving child or children remains unmarried and a full time student, benefit may be paid after age 18 and until the youngest child reaches 25 year of age.

(f) The distribution of benefits as provided by this subsection shall supersede any other distribution that may have been provided for by the member's designated beneficiaries.

(5) through (9) renumbered as (6) through (10) No change.

Rulemaking Authority 121.031 FS. Law Implemented 61.1301, 112.18, 112.181, 121.021(14), 121.052(5), 121.055, 121.091(7) FS. History—New 1-1-72, Amended 10-20-72, 12-31-74, 7-21-75, 8-26-81, Formerly 22B-4.08, Amended 2-6-84, 1-12-87, 2-7-89, 9-5-90, 5-15-91, 11-14-91, Formerly 22B-4.008, Amended 3-18-93, 1-25-94, 8-4-94, 12-12-96, 5-10-99, 8-13-03, 4-5-12, 1-20-14, 5-12-16,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elizabeth Stevens, Director
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 26, 2016

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 26, 2016, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from The Henderson, filed October 4, 2016, and advertised on October 7, 2016, in Vol. 42, No.196, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4.6, A.S.M.E. A17.1b, 2009 edition, and Rule 2.8.1, A.S.M.E. A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires minimum headroom and from having foreign equipment in the machine room because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2016-229).

A copy of the Order or additional information may be obtained by contacting:

Michelle Comingore, Division of Hotels and Restaurants,
Bureau of Elevator Safety, 2601 Blair Stone Road,
Tallahassee, Florida 32399-1013.
dhr.elevators@myfloridalicense.com

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES

Division of Food Safety

The Florida Food Safety and Food Defense Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 9, 2016, 10:00 a.m. – 12:00 Noon

PLACE: Eyster Auditorium, The Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A general meeting of the Florida Food Safety and Food Defense Advisory Council will be held to discuss topics including: Leveraging Collaboration Awards, RRT Hurricane Response Overview, Emergency Response and Lessons Learned discussion, and general organizational matters of the Advisory Council.

A copy of the agenda may be obtained by contacting: Darcy Poole at (850)245-5595 or darcy.poole@freshfromflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 36 hours before the workshop/meeting by contacting: Darcy Poole at (850)245-5595 or darcy.poole@freshfromflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Darcy Poole at (850)245-5595 or darcy.poole@freshfromflorida.com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Executive Office of the Governor, Office of Policy and Budget announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 10, 2016, 9:00 a.m.

PLACE: Senate Office Building, Room 110 and 401, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Representatives from the departments listed below will present an overview of the Agency's Legislative Budget Request for Fiscal Year 2017-2018 and Long-Range Program Plan for Fiscal Year 2017-2018 through Fiscal Year 2021-2022, and will be available for public questions and comments.

The times and locations are provided below for each policy area/agency:

General Government – Department of Business and Professional Regulation, Department of Financial Services, Office of Financial Regulation, Office of Insurance Regulation, Department of Lottery, Department of Management Services, Division of Administrative Hearings, Agency for State Technology, Department of Military Affairs, and Department of Revenue, Commission on Human Relations, Public Employees Relations Commission, 9:00 a.m. – 11:30 a.m. in Senate Office Building, Room 110.

Public Safety - Department of Corrections, Department of Juvenile Justice, Department of Law Enforcement, Department of Legal Affairs, Justice Administrative Commission, and Florida Commission on Offender Review, 9:00 a.m. – 11:30 a.m. in Senate Office Building, Room 401.

Health and Human Services - Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elder Affairs, Department of Health, and Department of Veterans' Affairs, 12:00 p.m. – 1:30 p.m. in Senate Office Building, Room 110.

Transportation and Economic Development - Department of Economic Opportunity, Department of Highway Safety and Motor Vehicles, Department of State, Department of Transportation, and Division of Emergency Management, 12:00 p.m. – 1:30 p.m. in Senate Office Building, Room 401.

Environment - Department of Agriculture and Consumer Services, Department of Citrus, Department of Environmental Protection, Fish and Wildlife Conservation Commission, and Public Service Commission, 2:00 p.m. – 4:30 p.m. in Senate Office Building, Room 110.

Education - Department of Education, Office of Early Learning, and Board of Governors, 2:00 p.m. – 4:30 p.m. in Senate Office Building, Room 401.

A copy of the agenda may be obtained by contacting: Office of Policy and Budget, (850)717-9431.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Office of Policy and Budget, (850)717-9506. 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: Office of Policy and Budget, (850)717-9506.

Written comments may be submitted to the representatives of the Office of Policy and Budget at the proceedings or mailed to the Executive Office of the Governor, Office of Policy and Budget, 1702 The Capitol, Tallahassee, Florida 32399-0001, and received by close of business Wednesday, November 9, 2016.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: November 7, 2016, 2:00 p.m.

PLACE: Southwest Florida Regional Planning Council 1400 Colonial Boulevard, Suite 1 in Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Water Quality & Water Resource Management Committee will be meeting to discuss the region's water quality and quantity issues.

A copy of the agenda may be obtained by contacting: Margaret Wuerstle at mwuerstle@swfrpc.org or (239)938-1813, #222.

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: SWFRPC at (239)938-1813. 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: Visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Monday, November 14, 2016, 10:30 a.m.

PLACE: South Florida Regional Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business.

A copy of the agenda may be obtained by contacting: South Florida Regional Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

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: South Florida Regional Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021. 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: South Florida Regional Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

The Northwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIMES: November 10, 2016, 11:45 a.m., Administration, Budget and Finance Committee Meeting; 12:00 p.m., Lands Committee Meeting; 1:00 p.m., Governing Board Meeting; 1:05 p.m., Public Hearing on Consideration of Regulatory Matters

PLACE: District Headquarters, 81 Water Management Drive, Havana, Florida 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: District business. Amendment No. 5 requests realignment of the FY 2015-2016 budget with no increase or decrease to the total District budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999 or online at <http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: : Wendy Dugan, (850)539-2600. 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.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River and the St. Johns River Water Management Districts announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 3, 2016, 1:00 p.m. (date change from previous notice)

PLACE: Suwannee River Water Management District Headquarters, 9225, CR 49, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss the draft North Florida Regional Water Supply Plan (NFRWSP) and to conduct a workshop for

the public on the draft NFRWSP. The workshop will have an open session where the public can interact with staff to learn more about the NFRWSP and water supply planning. Then staff will conduct a presentation on the NFRWSP with a follow up period for public comment pertaining to the NFRWSP.

NOTE: One or more members of the Governing board from each Water Management Districts named above may attend and participate in the workshop.

A copy of the agenda may be obtained by contacting: Kristi Cushman, 4049 Reid Street, Palatka, FL 32177, (386)329-4308, email: kcushman@sjrwm.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Amy Brown, Suwannee River Water Management District, (386)362-1001. 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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, November 15, 2016, 9:00 a.m.

PLACE: Tampa Office, 7601 US Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4606(Ad Order EXE0520).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

The Building Code Administrators and Inspectors Board announces a public meeting to which all persons are invited.

DATES AND TIMES: December 14, 15, and 16, 2016, 9:00 a.m.

PLACE: One Ocean Resort & Spa, 1 Ocean Boulevard, Atlantic Beach, FL 32233, Telephone Number: 1(904)249-7402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions of which may be closed to the public), general board business.

A copy of the agenda may be obtained by contacting: Board's website: MyFloridaLicense.com - Our Businesses and Professionals - Building Code Administrators and Inspectors.

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: the Board office. 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: Department of Business and Professional Regulation, Building Code Administrators and Inspectors, 2701 Blair Stone Road, Tallahassee FL 32399 or by calling (850)717-1980.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health, Division of Children's Medical Services, Early Steps Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 9, 2016, 2:00 p.m.

PLACE: 1(888)670-3525, Passcode: 6272156732#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Early Steps Best Practices Workgroup is convening to review the draft Individualized Family Support Plan.

A copy of the agenda may be obtained by contacting: Kelly.Rogers@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 2 days before the workshop/meeting by contacting: Kelly.Rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kelly.Rogers@flhealth.gov.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 7, 2016, 1:00 p.m.

PLACE: Toll-free-dial-in: 1(877)826-6967; Conference ID Number: 2867636526#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The ad hoc Vendor Review Committee will review submitted proposals for Policy Administration for the FAJUA; prepare final recommendations for the Board of Governors and any other matters that may come before the Committee.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive, East, Suite 201-A, Tallahassee, Florida 32308, (850)681-2003, sneal@fajua.org.

AMERICAN GUARANTY FUND GROUP, INC

The American Guaranty Fund Group announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2016, 10:00 a.m.

PLACE: Grand Hyatt Tampa Bay Hotel

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss the general business of the Association. The agenda will include, but not limited to: Minutes, Financial Report, AGFG Management Agreement, Operations Report and Executive Director Evaluation.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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).

**Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements**

AGENCY FOR HEALTH CARE ADMINISTRATION
NOTICE IS HEREBY GIVEN that Agency for Health Care Administration has received the petition for declaratory statement from Serenity Community Mental Health LLC (the "Petitioner") on October 10, 2016. The petition seeks the agency's opinion as to the applicability of Section 817.505(1)(a)-(d), Florida Statutes, as it applies to the petitioner.

The Petitioner, a licensed health care clinic and an enrolled Florida Medicaid provider, seeks a declaratory statement as to whether it may assist Medicaid recipients enrolled in a Managed Medical Assistance program health plan in disenrolling or switching from a given health plan to allow Petitioner to provide community behavioral health services to these Medicaid recipients and bill Medicaid directly on a fee-for-service basis without violating section 817.505(1)(a)-(d), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: A copy of the Petition for Declaratory Statement may be obtained by writing to: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308, (850)412-3689.

Responses, motions to intervene, or requests for an agency hearing must be filed within 21 days of this Notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that The Division of Drugs, Devices and Cosmetics, has received the petition for declaratory statement from Mary Ellen Kleiman, of National Association of Chain Drug Stores (NACDS). (Petitioner), on October 17, 2016. The petition seeks the agency's opinion as to the applicability of 499.0121, 499.0051, F.S., as it applies to the petitioner.

The Petition seeks a formal opinion from the Department as to whether NACDS members operating in Florida: (a) are subject to felony criminal liability and penalties in instances when the transaction history, transaction information, or transaction statement (3Ts) they may receive and maintain from manufacturer and wholesalers does not completely nor accurately reflect what is actually received by the pharmacy but is otherwise in compliance with federal law and (b) are required to maintain records beyond those mandated by federal law for the purpose of product tracking and tracing.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Dinah Greene, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, Dinah.Greene@myfloridalicense.com, (850)717-1802.

Please refer all comments to: Reggie Dixon, Director, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, Reggie.Dixon@myfloridalicense.com; website: http://interredesignalpha/dbpr/ddc/ddc_division_notices.html. Except for good cause shown, motions for leave to intervene or petitions for administrative hearing by persons whose substantial interests may be affected must be filed within 21 days after the publication of this notice.

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

NONE

**Section XII
Miscellaneous**

STATE BOARD OF ADMINISTRATION

Estimated Capacity

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida (the "Board") of the estimated borrowing capacity, estimated claims-paying capacity, and projected balance of the Florida Hurricane Catastrophe Fund (the "Fund") as of December 31, 2016, in compliance with the requirements of Section 215.555(4)(c)2., Florida Statutes. These estimates relate to the 2016-2017 Reimbursement Contract Year. For October 2016, based on an estimated borrowing capacity of \$7.7 billion, \$13.8 billion projected year-end cash balance, \$1 billion of reinsurance, and \$2.7 billion of Series 2013A and Series 2016A pre-event bonds, the Fund's total estimated claims-paying capacity over the next 12 months is \$25.2 billion, which amount exceeds the \$17 billion limit on the Fund's single-season obligations as specified by Section 215.555(4)(c)1., Florida Statutes, for the contract year. The borrowing capacity estimate is dependent on many factors, such as the credit rating of the debt, the amount of emergency assessments available for funding the debt, the limitations or constraints of the financial markets to absorb potential debt issuances, the time necessary to access such markets, and the existing level of interest rates at the time of issuance. The projected year-end balance available for reimbursement of participating insurers on December 31, 2016, is estimated to be \$13.8 billion, which represents the amount of assets available to pay claims resulting from Covered Events which may occur during the June 1, 2016 through May 31, 2017 Contract Year, not including any bond proceeds. The estimated claims-paying capacity consists of the estimated borrowing capacity, the projected year-end cash balance, reinsurance, and pre-event bonds which can be used for liquidity. The estimates above do not take into account any potential losses from Hurricanes Hermine and Matthew, which affected Florida in September and October, 2016. Greater detail may be obtained in the October 18, 2016, Claims-Paying Capacity Estimates Report, which can be found on the Fund's website at www.sbafla.com/fhcf/ under "Bonding Program." The Board recognizes that its good faith estimates are being made while volatile global financial market

conditions exist, and therefore, changing market conditions can dramatically impact the Fund's actual claims-paying capacity either positively or negatively. Current conditions may or may not be the same if and when the Board determines that it is necessary to issue revenue bonds. Participating insurers who rely on these estimates should recognize the potential impact the financial market can have on the Board's claims-paying ability and plan accordingly.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

State Plan Amendment

The Agency for Health Care Administration (Agency) is requesting an amendment to the Medicaid State Plan for School-Based Nursing, Psychological, Social Work, and Therapy services. This amendment will include technical and editorial updates, and will address legislative changes that allow the Agency to reimburse Medicaid enrolled private and charter schools for services rendered in the school setting for children under the age of 21 years. This amendment to the State Plan will have a federal fiscal impact of \$6,259,041 in federal funds for federal fiscal year (FFY) 2016-17 and \$6,286,740 in federal funds for FFY 2017-18. Interested parties may contact the following staff for further information: Derica Smith, Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4239 or by e-mail at: Derica.Smith@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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, Chapter 403.501 et seq., Florida Statutes, concerning: Manatee Electric Power Generation Facility Unit 3, Power Plant Siting Application No. PA 02-44D, OGC Case No. 16-1216. On August 1, 2016, the Department received a petition to modify the Conditions of Certification for Manatee Electric Power Generation Facility Unit 3 from Florida Power & Light Company pursuant to Section 403.516(1)(c), Florida Statutes, to construct a power plant technician building and to submit Dam Inspection Reports to Manatee County annually instead of semi-annually consistent with requirements of the Florida Industrial Wastewater Facility Permit. The Department is also modifying the Conditions of Certification to incorporate a uniform set of general conditions consistent with recent site certifications. A copy of the proposed modification may be obtained by contacting Ann Seiler, Department of

Environmental Protection, 2600 Blair Stone Rd., M.S. 5500, Tallahassee, Florida 32399-2400, (850)717-9000. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of 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) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000, (850)245-2242, 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.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

Emergency Action

On October 25, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Harold J. Pompey, D.C., License # CH 4549. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On October 25, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Toinette D. English, C.N.A., License # CNA 175086. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On October 25, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Cassandra Renee Morrison, C.N.A., License # CNA 320834. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On October 25, 2016, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the certification of Lannette Thompson, C.N.A., License # CNA 165217. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On October 25, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Connie L. Woods, C.N.A., License # CNA 230745. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
