

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.: RULE TITLES:

- 61G15-20.0010 Application for Licensure by Examination
- 61G15-20.0015 Application for Licensure by Endorsement
- 61G15-20.002 Experience

PURPOSE AND EFFECT: The purpose of the amendments is to update and clarify the rules' requirements regarding the processing of incomplete or deficient applications and clarify creditable experience following licensure in another jurisdiction.

SUBJECT AREA TO BE ADDRESSED: Incomplete or deficient applications and creditable experience from another jurisdiction.

RULEMAKING AUTHORITY: 471.008, 471.013, 471.015 FS.

LAW IMPLEMENTED: 471.005(6), 471.013, 471.015 FS 471.008, 471.033(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.

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

Board of Landscape Architecture

RULE NO.: RULE TITLE:

- 61G10-12.002 Fees

PURPOSE AND EFFECT: The proposed rule amendment will update the language with the initial licensure fee and remove unnecessary language.

SUMMARY: Update the fees 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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.219(6), 455.271, 481.306, 481.307 FS.

LAW IMPLEMENTED: 455.219(6), 455.271, 481.307 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-12.002 Fees.

(1) through (2) No change.

~~(3) Individuals licensed during the first year of the biennium shall pay an initial licensure fee equal to the renewal fee.~~

(3) The fee for initial licensure is one hundred and twelve dollars and fifty cents (\$112.50).

~~(4) Individuals licensed in the second year of the biennium shall pay an initial licensure fee equal to one half of the renewal fee except during a renewal period at which time the individual shall pay the full amount of the renewal fee.~~

(5) through (13) renumbered (4) through (12) No change.
 Rulemaking Authority 455.219(6), 455.271, ~~481.306~~, 481.307 FS.
 Law Implemented 455.219(6), 455.271, 481.307 FS. History—New 2-4-80, Formerly 21K-12.02, Amended 8-19-86, 11-12-89, 2-13-92, Formerly 21K-12.002, Amended 5-3-99, 4-3-06, 11-27-14, 11-6-17,

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Landscape Architecture
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 4, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: RULE TITLE:
 61G16-1.0071 Notice to the Department of Mailing Address, Email Address, Place of Practice and Primary Place of Practice

PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language.

SUMMARY: Delete 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: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

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

RULEMAKING AUTHORITY: 455.275, 492.104 FS.

LAW IMPLEMENTED: 455.275, 492.109 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Professional Geologists, 2601 Blair Stone Road, Tallahassee, FL 32399-0767, N11, or by electronic mail - Richard.Morrison@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-1.0071 Notice to the Department of Mailing Address, Email Address, Place of Practice and Primary Place of Practice.

(1) It shall be the duty and sole responsibility of each licensee and each firm, corporation, partnership, association, or person holding a certificate of authorization to provide written notification to the Department of the licensee’s or certificate of authorization holder’s current mailing address, email address and all places of practice. Each licensee and certificate of authorization holder shall also provide written notification to the Department of any changes to the mailing address, email address or any additions to or deletion from the reported places of practice within thirty (30) days after the occurrence of the change, addition, or deletion. ~~Beginning October 1, 2012, all licensees must provide an electronic mail address at the time of initial licensure or during the first biennial licensure renewal date following October 1, 2012.~~

(2) through (5) No change.

Rulemaking Authority 455.275, 492.104 FS. Law Implemented 455.275, 492.109 FS. History—New 5-4-97, Amended 3-2-00, 11-13-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Professional Geologists
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Geologists
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: RULE TITLE:

61G16-2.001 Seals Acceptable to the Board

PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language.

SUMMARY: Delete 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: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 492.104, 492.107 FS.

LAW IMPLEMENTED: 492.107 FS.

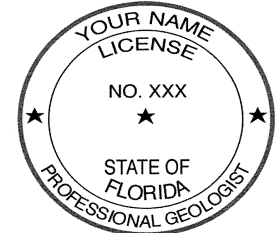
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Professional Geologists, 2601 Blair Stone Road, Tallahassee, FL 32399-0767, N11, or by electronic mail - Richard.Morrison@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-2.001 Seals Acceptable to the Board.

(1) Pursuant to section 492.107, F.S. ~~and chapter 94-119, Laws of Florida~~, the Board hereby establishes as indicated below the forms of metal-type impression or stamped ink seals which are acceptable to the Board:



(2) The above referenced seals shall be no less than 15/8 inches in diameter.

Rulemaking Authority 492.104, 492.107 FS. Law Implemented 492.107 FS. History—New 5-23-88, Formerly 21DD-2.001, Amended 1-11-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Professional Geologists

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Professional Geologists

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 12, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: August 30, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: RULE TITLE:

61G16-8.001 License and Certification Renewal and Reinstatement

PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language.

SUMMARY: Delete 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: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.02(2), 455.27(6)(b), (9) FS.

LAW IMPLEMENTED: 455.02(2), 455.27(6)(b), (9) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Professional Geologists, 2601 Blair Stone Road, Tallahassee, FL 32399-0767, N11, or by electronic mail - Richard.Morrison@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-8.001 License and Certification Renewal and Reinstatement.

Licenses and Certificates are renewed biennially on July 31 of even numbered years.

(1) through (2) No change.

(3) ~~A revoked or null and void license may not be renewed, however, it may be reinstated as provided in Rule 61G16-4.004, F.A.C.~~ Anyone with a revoked or null and void license who wishes to provide professional geological services shall obtain a current, active status license prior to practicing or be subject to discipline by the Department of Business and Professional Regulation.

(4) No change.

~~Rulemaking Specific~~ Authority 455.02(2), 455.271(6)(b), (9) FS. Law Implemented 455.02(2), 455.271(6)(b), (9) FS. History—New 10-3-04, Amended 11-29-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Geologists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Geologists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 12, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2018

DEPARTMENT OF HEALTH

RULE NO.: 64-4.027
RULE TITLE: Pigford Class Application for Registration of Medical Marijuana Treatment Center

PURPOSE AND EFFECT: This rulemaking provides a process and application for those qualified individuals or entities under section 381.986(8)(a)2.b., Florida Statutes to apply for registration as a medical marijuana treatment center.

SUMMARY: Rule 64-4.027, F.A.C., provides the application requirements, forms, and process necessary to apply for registration as a medical marijuana treatment center under section 381.986(a)2.b., Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The 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: Pursuant to section 381.986(17), Florida Statutes, rules adopted before July 1, 2019 are not subject to section 120.541(3), Florida Statutes.

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: 381.986(8)(b) FS.

LAW IMPLEMENTED: 381.986(8)(a)2.b., 381.986(8)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Courtney Coppola at Courtney.Coppola@FLHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64-4.027 Pigford Class Application for Registration of Medical Marijuana Treatment Center.

Pursuant to section 381.986, F.S., applicants seeking registration as a medical marijuana treatment center pursuant to sections 381.986(8)(a)2.b., F.S. (“Pigford Class applicant”), shall comply with the process detailed below.

(1) Each individual or entity that meets the requirements of section 381.986(8)(b), F.S., desiring to be registered as a medical marijuana treatment center pursuant to section 381.986(8)(a)2.b., F.S., shall submit an application to the department using Form DH8020-OMMU-09/2018, “Pigford Application for Medical Marijuana Treatment Center Registration,” incorporated by reference herein and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The application must comply with the page limits, blind grading, format, and organization instructions detailed in the application. The applicant must include with the application at the time of submission the following:

(a) An application fee of \$60,830.00. This fee is non-refundable once the department begins its review for compliance with the requirements of this rule.

(b) Evidence that it is an individual or an entity that is majority-owned by individual(s) who is a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999) ("*Pigford*") or *In re Black Farmers Discrimination Litigation*, 856 F. Supp. 2d 1 (D.D.C. 2011) ("*BFDL*").

1. Examples of acceptable evidence include:

a. Documentation from Poorman-Douglass Corporation (now Epiq Systems Inc.) that the applicant received a consent decree case number in *Pigford*;

b. Documentation that the applicant was granted class status by the *Pigford* adjudicator;

c. Court documents or United States Department of Agriculture (USDA) documents showing that the applicant received judgment discharging debt, providing a cash payment, or providing injunctive relief in *Pigford*;

d. Documentation that the applicant was determined to be a class member by Epiq Systems Inc. in *BFDL*;

e. Documentation that the applicant received a settlement award in *BFDL*; or

f. Other court documents or USDA documents demonstrating that the applicant was granted class member status in either *Pigford* or *BFDL*.

(c) Written documentation from the Department of State or the Department of Revenue, as applicable under Florida law, demonstrating that the applicant has been registered to do business in Florida for the prior five (5) consecutive years. The name of the applicant as submitted to the department must match the name on any documents provided in accordance with this paragraph.

(d) A list of all owners, officers, board members, and managers indicating the date of each individual's most recent Level-2 background screening pursuant to section 381.986(9), F.S., within the calendar year prior to application. Each owner, officer, board member, and manager shall go to the Florida Department of Law Enforcement (FDLE) or one of its approved vendors for fingerprinting and, at such time, shall give to FDLE or the FDLE-approved vendor the entity ORI number FL924890Z (DOH – OFFICE OF MEDICAL MARIJUANA USE). The report will be sent directly to the Office of Medical Marijuana Use. The provision of this list is required as part of a complete application prior to review and scoring by the subject matter experts. The list does not indicate passage of any background screening and to be eligible for registration as a medical marijuana treatment center, all of the applicant's owners, officers, board members, and managers must have successfully passed a Level-2 background screening.

(2) If the applicant intends to claim any exemption from public records disclosure under section 119.07, F.S., or any

other exemption from public records disclosure provided by law for any part of its application, it shall indicate on the application the specific sections for which it claims an exemption and the statutory basis for the exemption. The applicant shall submit a redacted copy of the application redacting those items identified as exempt concurrent with the submission of the application under subsection (5) below. Failure to provide a redacted copy of the application at the time of submission or failure to identify and redact information claimed as trade secret will result in the release of all application information in response to a public records request, unless the information falls under another public records exemption. All identified trade secrets are subject to the department review in accordance with section 381.83, F.S.

(3) The department will conduct a review of the application in accordance with section 120.60(1), F.S., limited to the items in paragraphs (1)(a)-(1)(d) above within 15 days of receipt. If any item listed in (1)(a) through (1)(d) above is determined to be missing or incomplete, the applicant will be provided written notice of the deficiency and will have five (5) business days following receipt of the notice to provide the missing information or document to complete its application. Applications containing all of the items in paragraphs (1)(a) through (1)(d) will be considered complete once all requested information, including submission of items for which applicant received notice to be missing or incomplete, and the department's review is completed. Once determined to be complete, the application will be provided to subject matter experts for review and scoring. An applicant may not add, remove, or change information in its application once it is determined to be complete.

(4) Failure to provide the following, after the notice period and during the cure period set forth in subsection (3) above, shall result in the application being denied prior to any scoring as contemplated in subsection (6) of this rule:

(a) The \$60,830.00 application fee;

(b) Documentation required under paragraph (1)(b);

(c) Documentation required under paragraph (1)(c); or

(d) The list of owners, officers, board members, and managers required under paragraph (1)(d).

(5) Applications and all required exhibits and supporting documents shall be hand delivered to the Department of Health, ATTN: Office of Medical Marijuana Use, at 4052 Bald Cypress Way, Tallahassee, Florida, during normal business hours, but no earlier than 10:00 a.m. (Eastern Time), 21 days after the effective date of this rule and no later than 5:00 p.m. (Eastern Time) 42 days after the effective date of this rule. Applications submitted after 5:00 p.m. Eastern Time on the final day of the application period will be denied.

(6) Subject matter experts will substantively and comparatively review, evaluate, and score Part II, Sections 1

through 16 of the application using Form DH8014-OMMU-04/2018, “Evaluation Rubric and Scorecard for Medical Marijuana Treatment Center Selection,” incorporated by reference herein and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(a) The subject matter experts shall have the following qualifications:

1. Subject matter experts reviewing Sections 1-3 of the application, the cultivation components, shall have at least two (2) years of professional experience or post graduate degree in one of the following areas: agriculture, horticulture, or agronomy, or comparable field.

2. Subject matter experts reviewing Sections 4-5 of the application, the processing components, shall have at least two (2) years of professional experience or a post graduate degree in chemistry, biology, or biochemistry.

3. Subject matter experts reviewing Sections 6-8 of the application, the dispensing components, shall have at least two (2) years of professional experience or a post graduate degree in industrial engineering, supply chain management, or strategic management.

4. Subject matter experts reviewing Sections 9, 10, 12, and 16 of the application, the compliance components, shall have at least two (2) years of professional experience or a post graduate degree related to operating a business in a highly regulated environment.

5. Subject matter experts reviewing Section 13 of the application shall have at least two (2) years of management experience within a business operating in a regulated industry or at least two (2) years of experience working in human resources.

6. Subject matter experts reviewing Section 11 of the application shall have at least two (2) years of management experience within a business operating in the health care industry or an active, unrestricted license as a medical doctor or doctor of osteopathic medicine.

7. Subject matter experts reviewing Sections 14-15 of the application, the legal and financial components, shall have an active CPA license or an active license to practice law and experience in business structuring.

8. Subject matter experts will certify that they do not have a conflict of interest and will evaluate and score each assigned section of the application according to the rubric set forth in DH8014-OMMU-04/2018.

(b) Scores for each section of the application will be combined to create an applicant’s total score. The department shall generate a final ranking of the applicants in order of highest to lowest scores. Any application which demonstrates a failure to pass background screening as required by section 381.986(8)(b)8., F.S., and to comply with the minimum

statutory requirements for cultivation, processing, dispensing, security, or general operations, as identified in DH8014-OMMU-04/2018, shall be denied and will not be considered in the final ranking of applications.

(7) Registration will be awarded to the highest scoring applicant.

(8) In the event of a tie that will determine the awarding of a registration, the following tiebreakers will be applied:

(a) The first tiebreaker shall be the score for Section 14 – Financials: Certified Financial Documents. The applicant with the highest score in Section 14 shall be awarded a registration. In the event that this does not resolve the tie, then

(b) The second tiebreaker shall be the score for Section 15 – Financials: Business Structure. The applicant with the highest score in Section 15 shall be awarded a registration. In the event that this does not resolve the tie, then

(c) The third tiebreaker shall be the score for Section 13 – Diversity Plan. The applicant with the highest score in Section 13 shall be awarded a registration. In the event that this does not resolve the tie, then

(d) The final tiebreaker shall be the score for Section 10 – Accountability: Operations.

(9) Upon notification that it has been awarded registration as a medical marijuana treatment center, the applicant shall have 10 business days to:

(a) Post a performance bond, provide an irrevocable letter of credit payable to the department or provide cash to the department in the amount of \$5 million (collectively “financial assurance”) pursuant to section 381.986(8)(b)7., F.S. If a bond is provided, the bond shall:

1. Be payable to the department in the event the medical marijuana treatment center’s registration is revoked;

2. Be written by an authorized surety company rated in one of the three (3) highest rating categories by a nationally recognized rating service; and

3. Be written so that the individual or entity name on the bond corresponds exactly with the applicant name.

4. The surety company can use any form it prefers for the performance bond as long as it complies with this rule. For convenience, the surety company may use Form DH8015-OMMU-04/2018, “Florida Medical Marijuana Performance Bond,” incorporated by reference herein and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Provide documentation supporting representations related to property ownership and/or leases made in the application.

(11) If a financial assurance is canceled or revoked in any manner and the medical marijuana treatment center fails to provide new financial assurance to the department in the required amount on or before the effective date of cancellation

or revocation or the applicant fails to provide property ownership and/or use documents within the required timeframes, the medical marijuana treatment center's registration shall be revoked.

(12) If a selected applicant fails to post the financial assurance or supporting property ownership and/or use documents within the required timeframe resulting in the revocation of its registration, the applicant with the next highest score shall be awarded a registration.

Rulemaking Authority 381.986(8)(b), FS. Law Implemented 381.986(8)(a)2.b., 381.986(8)(b), FS. History—New .

NAME OF PERSON ORIGINATING PROPOSED RULE:

Courtney Coppola

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 17, 2018

AGENCY FOR STATE TECHNOLOGY

RULE NOS.: RULE TITLES:
 74-2.001 Purpose and Applicability; Definitions
 74-2.002 Identify
 74-2.003 Protect
 74-2.004 Detect
 74-2.005 Respond
 74-2.006 Recover

PURPOSE AND EFFECT: These rules are amended to update and clarify existing language consistent with generally accepted practices for cybersecurity standards for information technology resources.

SUMMARY: Management and operation of state information technology resources.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact on regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S.

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: 282.318(6), FS

LAW IMPLEMENTED: 282.318, FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melonie White at (850)412-6050, or at Melonie.White@ast.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

74-2.001 Purpose and Applicability; Definitions

(1) Purpose and Applicability.

(a) No change.

(b) This rule establishes cybersecurity standards for information technology (IT) resources. These standards are documented in rules 74-2.001 through 74-2.006, F.A.C. State Agencies must comply with these standards in the management and operation of state IT resources. This rule is modeled after the National Institute of Standards and Technology (NIST) Framework for Improving Critical Infrastructure Cybersecurity, Version 1.1 February 12, 2014, and the Federal Information Security Management Act of 2002 (44 U.S.C. §3541, et seq.). For the convenience of the reader cross-references to these documents and Special Publications issued by the NIST are provided throughout the FCS as they may be helpful to agencies when drafting their security procedures. The Florida Cybersecurity Standards:

1. No change.

Function Unique Identifier	Function	Category Unique Identifier	Category
ID	Identify	ID.AM	Asset Management
		ID.BE	Business Environment
		ID.GV	Governance
		ID.RA	Risk Assessment
		ID.RM	Risk Management Strategy
		<u>ID.SC</u>	<u>Supply Chain Risk Management</u>
PR	Protect	PR.AC	<u>Identity Management and Access Control</u>

		PR.AT	Awareness & Training
		PR.DS	Data Security
		PR.IP	Information Protection Processes & Procedures
		PR.MA	Maintenance
		PR.PT	Protective Technology
DE	Detect	DE.AE	Anomalies & Events
		DE.CM	Security Continuous Monitoring
		DE.DP	Detection Processes
RS	Respond	RS.RP	Response Planning
		RS.CO	Communications
		RS.AN	Analysis
		RS.MI	Mitigation
		RS.IM	Improvements
RC	Recover	RC.RP	Recovery Planning
		RC.IM	Improvements
		RC.CO	Communications

Category Unique Identifier subcategory references are detailed in rules 74-2.002 – 74-2.006, F.A.C., and are used throughout the FCS as applicable.

2. No change.

3. Allow authorizing officials to employ compensating security controls or deviate from minimum standards when the agency is unable to implement a security standard, or the standard is not cost-effective due to the specific nature of a system or its environment. The agency shall document the reasons why the minimum standards cannot be satisfied and the compensating controls to be employed. After the agency analyzes the issue and related risk a compensating security control or deviation may be employed if the agency documents the analysis and risk steering workgroup accepts the associated risk. This documentation is exempt from section 119.07(1), F.S., pursuant to sections 282.318 (4)(d); and (4)(f), F.S., and, shall be securely submitted to AST upon acceptance.

(2) Each agency shall:

(a) No change.

(b) ~~Document the result of Submit~~ the assessment ~~within to~~ AST with the agency’s strategic and operational plan- (ASOP). Annually submit the ASOP to AST via the submission process established and maintained by AST.

(c) Reassess annually and Annually update the ASOP assessment to reflect progress toward compliance with this rule.

(3) Definitions.

(a) The following terms are defined:

1. No change.

2. No change.

3. Authentication – A process of determining the validity of one or more credentials used to claim a digital identity.
~~Breach— see section 282.0041(2), F.S.~~

4. Authentication protocol – See Rule 74-5.001, F.A.C. Compensating security controls – a management, operational, and/or technical control (i.e., safeguard or countermeasure) employed by an organization in lieu of a required security control in the low, moderate, or high baselines that provides equivalent or comparable protection for an IT resource.

5. Buyer – refers to the downstream people or organizations that consume a given product or service from an organization, including both for-profit and not-for-profit organizations.

6. Compensating security controls – See Rule 74-5.001, F.A.C.

7. Complex password – a password sufficiently difficult to correctly guess, which enhances protection of data from unauthorized access. Complexity requires at least eight characters that are a combination of at least three of the following character types: uppercase letters, lowercase letters, numbers, and special characters (@, #, \$, %, etc.).

~~8.5.~~ Confidential information – records that, pursuant to Florida’s public records laws or other controlling law, are exempt from public disclosure.

~~9.6.~~ Critical infrastructure – the systems and assets, whether physical or virtual, and cyber systems and assets so vital to the U.S. Florida that the their incapacity or destruction of such systems and assets would have a debilitating impact effect on security, national state economic security, national state public health or safety, or any combination of those matters thereof.

~~10.7.~~ Critical process – a process that is susceptible to fraud, cyberattack, unauthorized activity, or seriously impacting an agency’s mission.

~~11.8.~~ Customer – an entity in receipt of services or information rendered by a state agency. This term does not include state agencies with regard to information sharing activities.

12. Cybersecurity event – within the context of 74-2.001-74-2.006, a cybersecurity event is a cybersecurity change that may have an impact on agency operations (including mission, capabilities, or reputation).

~~13.9.~~ Data-at-rest – stationary data which is stored physically in any digital form.

~~14.10.~~ External partners – non-state agency entities doing business with a state agency, including other governmental

entities, third parties, contractors, vendors, suppliers and partners. External partners ~~do~~ does not include customers.

~~15.44.~~ Information Security Manager (ISM) – the person appointed pursuant to section 282.318(4)(a), F.S.

~~16.42.~~ Information system owner – the agency official responsible for the overall procurement, development, integration, modification, or operation and maintenance of the information system.

~~17.43.~~ Industry sector(s) – the following major program areas of state government: Health and Human Services, Education, Government Operations, Criminal and Civil Justice, Agriculture and Natural Resources, and Transportation and Economic Development.

~~18.44.~~ Information technology resources (IT resources) – see section 282.0041(13), F.S.

~~19.45.~~ Legacy applications – programs or applications inherited from languages, platforms, and techniques earlier than current technology. These applications may be at or near the end of their useful life, but are still required to meet mission objectives or fulfill program area requirements.

20. Mobile Device – any computing device that can be conveniently relocated from one network to another.

21. Multi-Factor Authentication – See Rule 74-5.001, F.A.C.

~~22. 46.~~ Personal information – see sections 501.171(1)(g)1., and 817.568, F.S.

23. Privileged user – a user that is authorized (and, therefore trusted) to perform security-relevant functions that ordinary users are not authorized to perform.

24. Privileged accounts – an information system account with authorizations of a privileged user.

25. Remote access – access by users (or information systems) communicating external to an information security perimeter.

26. Removable Media – any data storage medium or device sufficiently portable to allow for convenient relocation from one network to another.

~~27.47.~~ Separation of ~~d~~Duties – an internal control concept of having more than one person required to complete a critical process. This is an internal control intended to prevent fraud, abuse, and errors.

~~28.48.~~ Stakeholder – a person, group, organization, or state agency involved in or affected by a course of action related to state agency-owned IT resources.

29. Supplier (commonly referred to as “vendor”) – encompasses upstream product and service providers used for an organization’s internal purposes (e.g., IT infrastructure) or integrated into the products or services provided to the Buyer. These terms are applicable for both technology-based and non-technology-based products and services.

30. Token control – See Rule 74-5.001, F.A.C.

~~31.49.~~ User – a worker or non-worker who has been provided access to a system or data.

~~32.20.~~ Workforce – employees, contractors, volunteers, trainees, and other persons whose conduct, in the performance of work for the agency, is under the direct control of the agency, whether or not they are paid by the agency (see User; Worker).

~~33.24.~~ Worker – a member of the workforce. A worker may or may not use IT resources. This includes employees, contractors, volunteers, trainees, and other persons whose conduct, in the performance of work for the agency, is under the direct control of the agency, whether or not they are paid by the agency.

(b) With the exception of the terms identified in subparagraphs 1.-4., the NIST Glossary of Key Information Security Terms, Revision 2, National Institute of Standards and Technology, U.S. Department of Commerce (May 2013), maintained at: <http://nvlpubs.nist.gov/nistpubs/ir/2013/NIST.IR.7298r2.pdf>, is hereby incorporated by reference into this rule: <http://www.flrules.org/Gateway/reference.asp?No=Ref-06494>.

1. No change.
2. Continuity of Operations Plan (COOP) – disaster-preparedness plans created pursuant to section 252.365(3), F.S.
3. No change.
4. No change.

Rulemaking Authority 282.318(5) FS. Law Implemented 282.318(3) FS. History–New 3-10-16, Amended.

74-2.002 Identify.

The identify function of the FCS is visually represented as such:

Function	Category	Subcategory
Identify (ID)	Asset Management (AM)	ID.AM-1: Inventory agency physical devices and systems
		ID.AM-2: Inventory agency software platforms and applications
		ID.AM-3: Map agency communication and data flows
		ID.AM-4: Catalog interdependent external information systems
		ID.AM-5: Prioritize IT resources based on classification, criticality, and business value
		ID.AM-6: Establish cybersecurity roles and responsibilities for the entire workforce and third-party stakeholders

	Business Environment (BE)	ID.BE-1: Identify and communicate the agency's role in the business mission/processes		from information sharing forums and sources
		ID.BE-2: Identify and communicate the agency's place in critical infrastructure and its industry sector to workers		ID.RA-3: Identify and document threats, both internal and external
		ID.BE-3: Establish and communicate priorities for agency mission, objectives, and activities		ID.RA-4: Identify potential business impacts and likelihoods
		ID.BE-4: Identify dependencies and critical functions for delivery of critical services		ID.RA-5: Use threats, vulnerabilities, likelihoods, and impacts to determine risk
		ID.BE-5: Implement resiliency requirements to support the delivery of critical services for all operating states (e.g., normal operations, under duress, during recovery)		ID.RA-6: Identify and prioritize risk responses
	Governance (GV)	ID.GV-1: Establish <u>and communicate</u> an organizational <u>cyber information security</u> policy	Risk Management Strategy (RM)	ID.RM-1: Establish, manage, and ensure organizational stakeholders understand the approach to be employed via the risk management processes
		ID.GV-2: Coordinate and align <u>cybersecurity information security</u> roles <u>and</u> & responsibilities with internal roles and external partners		ID.RM-2: Determine and clearly express organizational risk tolerance
		ID.GV-3: Understand and manage legal and regulatory requirements regarding cybersecurity, including privacy and civil liberties obligations		ID.RM-3: Ensure that the organization's determination of risk tolerance is informed by its role in critical infrastructure and sector specific risk analysis
		ID.GV-4: Ensure that governance and risk management processes address cybersecurity risks		
	Risk Assessment (RA)	ID.RA-1: Identify and document asset vulnerabilities	<u>Supply Chain Risk Management (SC)</u>	<u>ID.SC-1: Establish management processes to identify, establish, assess, and manage cyber supply chain risk which are agreed to by organizational stakeholders</u>
		ID.RA-2: Receive <u>cyber threat intelligence</u> <u>and vulnerability information</u>		<u>ID.SC-2: Identify, prioritize, and assess suppliers and third-party providers of information systems, components, and services using a cyber supply chain risk assessment process</u>
				<u>ID.SC-3: Require suppliers and third-party providers (by contractual requirement when necessary) to implement appropriate measures designed to meet the objectives of the organization's information security program or cyber</u>

	<u>supply chain risk management plan</u>
	<u>ID.SC-4: Routinely assess suppliers and third-party providers to confirm that they are meeting their contractual obligations by conducting reviews of audits, summaries of test results, or other equivalent evaluations of suppliers/providers</u>
	<u>ID.SC-5: Conduct response and recovery planning and testing with suppliers and third-party providers</u>

(1) Asset Management. Each agency shall ensure that IT resources are identified and managed. Identification and management shall be consistent with the IT resource’s relative importance to agency business objectives and the organization’s risk strategy. Specifically, each agency shall:

(a) through (c), No change.

(d) Each agency shall ensure that interdependent external information systems are catalogued (ID.AM-4). Agencies shall: 1. through 5. No change.

6. Require that (e.g., contractually) external service providers adhere to agency security policies.

7. No change.

(e) Each agency shall ensure that IT resources (hardware, data, personnel, devices and software) are categorized, prioritized, and documented based on their classification, criticality, and business value (ID.AM-5). Agencies shall:

1. through 3. No change.

4. Identify and maintain a reference list of exempt, and confidential and exempt, agency information or software and the associated applicable state and federal statutes and rules.

(f) Establish cybersecurity roles and responsibilities for the entire workforce and third-party stakeholders (ID.AM-6). Each agency is responsible for:

1. through 2. No change.

3. Informing workers that use, or oversee or manage workers that use, IT equipment that they shall ~~immediately~~ report suspected unauthorized activity, in accordance with agency-established incident reporting procedures.

4. through 7. No change.

8. Appointing an Information Security Manager (ISM). Agency responsibilities related to the ISMs include:

a. No change.

b. Specifying ISM responsibilities in the ISM’s position description.

c. through d. No change.

9. No change.

(2) Business Environment. Each agency’s cybersecurity roles, responsibilities, and IT risk management decisions shall align with the agency’s mission, objectives, and activities. To accomplish this, agencies shall:

(a) through (d), No change.

(e) Implement information resilience requirements to support the delivery of critical services for all operating states (ID.BE-5).

(3) Governance. Each agency shall establish policies, procedures, and processes to manage and monitor the agency’s ~~regulatory, legal, risk, environmental, and~~ operational IT requirements based on the agency’s assessment of risk. Procedures shall address providing timely notification to management of cybersecurity risks. Agencies shall also:

(a) Establish and communicate ~~or adopt~~ a comprehensive ~~information security~~ cybersecurity policy (ID.GV-1).

(b) Coordinate and align cybersecurity ~~information security~~ roles and responsibilities with internal roles and external partners (ID.GV-2).

(c) through (d), No change.

(4) Risk Assessment.

(a) Approach. Each agency shall identify and manage the cybersecurity risk to agency operations (including mission, functions, image, or reputation), agency assets, and individuals using the following approach, that derives from the NIST Risk Management Framework (RMF) which is hereby incorporated by reference and may be found at: <http://csrc.nist.gov/groups/SMA/fisma/framework.html> The Risk Assessment steps provided in the table below must be followed; however, agencies may identify and, based on the risk to be managed, consider other risk assessment security control requirements and frequency of activities necessary to manage the risk at issue.

Risk Assessments Table -No change.

Potential Impact Table – No change.

In accordance with section 282.318(4)(c), F.S., each agency shall complete and submit to AST no later than July 31, 2017, and every three years thereafter, a completed Florida Cybersecurity Standard (FCS) Risk Assessment Tool. In completing the FCS Assessment Tool, the Florida Enterprise Information Security Risk Assessment Survey (Form #AST-100), which is hereby incorporated by reference and maintained at: <https://www.flrules.org/Gateway/reference.asp?No=Ref-06533>. In completing the AST 100 form, agencies shall follow the six-step process (“Conducting the Risk Assessment”) outlined in Section 3.2 of NIST Special Publication 800-30, utilizing the exemplary tables provided therein as applicable to address that ~~the~~ particular agency’s threat situation. NIST Special Publication 800-30, Guide for Conducting Risk Assessments, Revision 1 (September 2012) is hereby incorporated by reference and may be found at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06499>. When establishing risk management processes, it may be helpful for agencies to review NIST Risk Management Framework ~~RFM~~ Special Publications – they can be downloaded from the following website: <http://csrc.nist.gov/publications/PubsSPs.html>. When assessing risk, agencies shall estimate the magnitude of harm resulting from unauthorized access, unauthorized modification or destruction, or loss of availability of a resource. Estimates shall be documented as low-impact, moderate-impact, or high-impact relative to the security objectives of confidentiality, integrity, and availability.

(b) Other agency risk management activities that agencies shall perform:

1. No change.

2. Receive and manage cyber threat intelligence and vulnerability information from information sharing forums and sources that contain information relevant to the risks or threats (ID.RA-2).

3. through 6., No change.

(5) Risk Management. Each agency shall ensure that the organization’s priorities, constraints, risk tolerances, and assumptions are established and used to support operational risk decisions. Each agency shall:

(a) Establish risk management processes that are managed and agreed to by agency stakeholders and the agency head (ID.RM-1).

1. Establish a risk steering workgroup management team that ensures ~~that~~ risk management processes are authorized by agency stakeholders. The risk steering workgroup management team must include a member of the agency IT unit, and shall determine the appropriate meeting frequency and agency stakeholders.

(b) No change.

(c) Determine risk tolerance as necessary, based upon: ~~their~~ analysis of sector specific risks; the agency’s industry sector; agency-specific risks (e.g., Health Information Portability Accountability Act of 1996 compliance for agencies that maintain this information); and the agency’s role in the state’s mission (ID.RM-3).

(d) through (g), No change.

(6) Supply Chain Risk Management. Each agency shall establish priorities, constraints, risk tolerances, and assumptions to support risk decisions associated with managing supply chain risk. Each agency shall:

(a) Establish management processes to identify, establish, assess, and manage cyber supply chain risks which are agreed to by organizational stakeholders (ID.SC-1).

(b) Identify, prioritize, and assess suppliers and third-party providers of information systems, components, and services using a cyber supply chain risk assessment process (ID.SC-2).

(c) Require suppliers and third-party providers (by contractual agreement when necessary) to implement appropriate measures designed to meet the objectives of the organization’s information security program or cyber supply chain risk management plan (ID.SC-3).

(d) Routinely assess suppliers and third-party providers to confirm that they are meeting their contractual obligations by conducting reviews of audits, summaries of test results, or other equivalent evaluations of suppliers/providers (ID.SC-4).

(e). Conduct response and recovery planning and testing with suppliers and third-party providers (ID.SC-5).

Rulemaking Authority 282.318(5) FS. Law Implemented 282.318(3) FS. History–New 3-16-16, Amended, _____.

74-2.003 Protect.

The protect function of the FCS is visually represented as such:

Function	Category	Subcategory
Protect (PR)	Identity Management, Authentication, and Access Control (AC)	PR.AC-1: <u>Issue, manage, verify, revoke, and audit</u> Manage identities and credentials for authorized devices, <u>processes</u> , and users
		PR.AC-2: Manage and protect physical access to assets
		PR.AC-3: Manage remote access
		PR.AC-4: Manage access permissions <u>and authorizations</u> , incorporate the principles of least privilege and separation of duties
		PR.AC-5: Protect network integrity, <u>by incorporating</u> incorporate network segregation <u>and segmentation</u> where appropriate
		PR.AC-6: <u>Proof and bond identities to credentials, asserting in interactions when appropriate (see token control definition)</u>
		PR.AC-7: <u>Authenticate credentials assigned to users, devices, and other assets commensurate with the risk of the transaction.</u>

	Awareness and Training (AT)	PR.AT-1: Inform and train all users		technology/industrial control systems	
		PR.AT-2: Ensure that privileged users understand roles and responsibilities		PR.IP-2: Implement a System Development Life Cycle (SDLC) to manage systems	
		PR.AT-3: Ensure that third-party stakeholders understand roles and responsibilities		PR.IP-3: Establish configuration change control processes	
		PR.AT-4: Ensure that senior executives understand roles and responsibilities		PR.IP-4: Conduct, maintain, and periodically test backups of information	
		PR.AT-5: Ensure that physical and <u>cybersecurity information</u> security personnel understand <u>their</u> roles <u>and</u> & responsibilities		PR.IP-5: Meet policy and regulatory requirements that are relevant to the physical operating environment for organizational assets	
	Data Security (DS)	PR.DS-1: Protect data-at-rest		PR.IP-6: Destroy data according to policy	PR.IP-7: Continuously improve protection processes
		PR.DS-2: Protect data-in-transit		PR.IP-8: Share effectiveness of protection technologies with stakeholders that should or must receive this information	PR.IP-9: Establish and manage response plans (Incident Response and Business Continuity) and recovery plans (Incident Recovery and Disaster Recovery)
		PR.DS-3: Formally manage assets managed throughout removal, transfers, and disposition		PR.IP-10: Test response and recovery plans	PR.IP-11: Include cybersecurity in human resources practices (e.g., deprovisioning, personnel screening)
		PR.DS-4: Ensure that adequate capacity is maintained to support availability needs		PR.IP-12: Develop and implement a vulnerability management plan	Maintenance (MA)
		PR.DS-5: Implement data leak protection measures		PR.MA-1: Perform and log maintenance and repair of organizational assets in a <u>timely</u> manner , with	
		PR.DS-6: Use integrity checking mechanisms to verify software, firmware, and information integrity			
		PR.DS-7: Logically or physically separate the development and testing environment(s) from the production environment			
Information Protection Processes and Procedures		PR.IP-1: Create and maintain a baseline configuration <u>that</u> <u>incorporates all security principles</u> <u>for</u> of information			

Protective Technology (PT)	approved and controlled tools
	PR.MA-2: Approve, log, and perform remote maintenance of agency assets in a manner that prevents unauthorized access
	PR.PT-1: Determine, document, implement, and review audit/log records in accordance with policy
	PR.PT-2: Protect and restrict removable media usage according to policy
	PR.PT-3: Control access to systems and assets, Incorporate the principle of least functionality <u>by configuring systems to provide only essential capabilities.</u>
	PR.PT-4: Protect communications and control networks
PR.PT-5: <u>Implement mechanisms (e.g., failsafe, load balancing, hot swap) to achieve resilience requirements in normal and adverse situations</u>	

(1) Access Control. Each agency shall ensure that access to IT resources is limited to authorized users, processes, or devices, and to authorized activities and transactions. Specifically:

(a) Each agency shall manage identities and credentials for authorized devices and users (PR.AC-1). Control measures shall, at a minimum include authentication token(s) unique to the individual.

Agencies shall:

1. through 2. No change.

3. Require inactivity timeouts that log off terminate or lock workstations or secure sessions with a complex password.

4. Locked workstations or sessions must be locked in a way that requires user authentication with an authentication token(s) unique to the individual user to disengage.

4. ~~Secure workstations with a password-protected screensaver, set at no more than 15 minutes.~~

5. When Force users to change their passwords are used as the sole authentication token, require users to use complex

~~passwords that are changed at least every 30-90 days, based on assessed risk of the system.~~

6. through 8. No change.

9. Require Consider the use of multi factor authentication (MFA) for access to networks or applications any application that have has a categorization of moderate, high, or contain contains exempt, or confidential and exempt, information. This excludes externally hosted systems designed to deliver services to agency customers, where the agency documents the analysis and the risk steering workgroup accepts the associated risk MFA is not necessary or viable.

10. Require MFA for Require MFA for any application that has a categorization of high or is administered by remote connection to the internal network.

11. ~~Require MFA for network access to privileged accounts.~~

(b) Each agency shall manage and protect physical access to assets (PR.AC-2). In doing so, agency security procedures or controls shall:

1. Address protection of IT resources from environmental hazards (e.g., temperature, humidity, air movement, dust, and faulty power) in accordance with manufacturer manufacturers' specifications.

2. through 3. No change.

4. Specify physical access to ~~central~~ information resource facilities and/or equipment that is restricted to authorized personnel.

5. Detail visitor access protocols, including recordation procedures, and in locations housing systems categorized as moderate-impact or high-impact, require that visitors be supervised by authorized personnel.

6. No change.

(c)) Each agency shall manage remote access (PR.AC-3). In doing so, agencies shall:

1. No change.

2. Specify that only secure, agency-managed, secure remote access methods may be used to remotely connect computing devices to the agency internal network.

3. No change.

(d) Each agency shall ensure that access permissions and authorizations are managed, incorporating the principles of least privilege and separation of duties (PR.AC-4). In doing so, agencies shall:

1. through 4. No change.

(e) Each agency shall ensure that network integrity is protected, incorporating network segregation and segmentation where appropriate (PR.AC-5).

(f) Proof and bond identities to credentials and assert in interactions when appropriate (PR.AC-6).

(g) Authenticate users, devices, and other assets commensurate with the risk of the transaction (PR.AC-7).

(2) Awareness and Training. Agencies shall provide all their workers cybersecurity awareness education and training so as to ensure they perform their ~~cybersecurity information security~~-related duties and responsibilities consistent with agency policies and procedures. In doing so, each agency shall:

(a) through (d) No change.

(e) Ensure that physical and ~~cybersecurity information security~~ personnel understand their roles and responsibilities (PR.AT-5).

(3) For each of the above subsections the following shall also be addressed:

(a) through (c) No change.

(d) Include security policy adherence expectations for the following, at a minimum: disciplinary procedures and implications, acceptable use restrictions, data handling (procedures for handling exempt and confidential and exempt information), telework and ~~cybersecurity computer security~~ incident reporting procedures.- Incident reporting procedures shall:

1. No change.

(e) through (g), No change.

(h) Inform workers of what constitutes inappropriate use of IT resources. Inappropriate use shall include, but may not be limited to, the following:

1. through 3. No change.

~~4. Propagating “chain” letters.~~

~~4.5.~~ Political campaigning or unauthorized fundraising.

~~5.6.~~ Use for personal profit, benefit or gain.

~~6.7.~~ Offensive, indecent, or obscene access or activities, unless required by job duties.

~~7.8.~~ Harassing, threatening, or abusive activity.

~~8.9.~~ Any activity that leads to performance degradation.

~~9.10.~~ Auto-forwarding to external e-mail addresses.

~~10.11.~~ Unauthorized, non-work-related access to: chat rooms, political groups, singles clubs or dating services; peer-to-peer file sharing; material relating to gambling, weapons, illegal drugs, illegal drug paraphernalia, hate-speech, or violence; hacker web-site/software; and pornography and sites containing obscene materials.

(4) Data Security. Each agency shall manage and protect records and data, including data-at-rest, consistent with the organization’s risk strategy to protect the confidentiality, integrity, and availability of information. Agencies shall establish procedures, and develop and maintain agency cryptographic implementations. Key management processes and procedures for cryptographic keys used for encryption of data will be fully documented and will cover key generation, distribution, storage, periodic changes, compromised key processes, and prevention of unauthorized substitution. Also, key management processes must be in place and verified prior

to encrypting data at rest, to prevent data loss and support availability. In protecting data security, agencies shall:

(a) No change.

(b) No change.

(c) Formally manage assets throughout removal, transfer, and disposition (PR.DS-3).

1. ~~Ensure any records stored on storage media to be Before equipment is disposed of or released for reuse, are sanitized or destroyed sanitize or destroy media~~ in accordance with ~~organization-developed procedures and~~ the State of Florida General Records Schedule GS1-SL for State and Local Government Agencies.

2. through 4. No change.

(d) No change.

(e) No change.

1. Appropriate handling and protection of exempt, and confidential and exempt, information. Policies shall be reviewed and acknowledged by all workers.

2. through 5., no change.

(f) no change.

(g) No change.

(h) Use integrity checking mechanisms to verify hardware integrity (PR.DS-8). In doing so, agencies shall establish processes to protect against and/or detect unauthorized changes to hardware used to support systems with a categorization of high-impact.

(5) Information Protection Processes and Procedures. Each agency shall ensure that security policies, processes and procedures are maintained and used to manage protection of information systems and assets. Such policies, processes and procedures shall:

(a) Include a current baseline configuration of information systems which incorporate security principles (PR.IP-1). Baselines shall:

1. No change.

2. Include documented firewall and router configuration standards, and include a current network diagram.

3. through d 4. No change.

(b) through (c) No change.

(d) Ensure backups of information are conducted, maintained, and tested ~~periodically~~ (PR.IP-4).

(e) through (j), No change.

(k) Include cybersecurity in human resources practices (e.g., ~~deprovisioning de provisioning~~, personnel screening) (PR.IP-11).

(l) No change.

(6) Maintenance. Each agency shall perform maintenance and repairs of information systems and components consistent with agency-developed policies and procedures. Each agency shall:

(a) Perform and log maintenance and repair of IT resources ~~in a timely manner~~, with tools that have been approved and are administered by the agency to be used for such activities (PR.MA-1).

(b) through (c), No change.

(7) Protective Technology. Each agency shall ensure that technical security solutions are managed to ensure the security and resilience of systems and assets, consistent with related policies, procedures, and agreements. Specifically, each agency shall:

(a) through (b) No change.

(c) ~~Incorporate Control access to systems and assets, utilizing~~ the principle of least functionality by configuring systems to only provide essential capabilities trust (PR.PT-3).

(d) No change.

(e) Implement mechanisms (e.g., failsafe, load balancing across duplicated systems, hot swap) to achieve resilience requirements in normal and adverse situations (PR.PT-5).

Rulemaking Authority 282.318(5) FS. Law Implemented 282.318(3) FS. History—New 3-10-16, Amended.

74-2.004 Detect.

The detect function of the FCS is visually represented as such:

Function	Category	Subcategory
Detect (DE)	Anomalies and Events (AE)	DE.AE-1: Establish and manage a baseline of network operations and expected data flows for users and systems
		DE.AE-2: Analyze detected <u>cybersecurity</u> events to understand attack targets and methods
		DE.AE-3: Collect Aggregate and correlate <u>cybersecurity</u> event data from multiple sources and sensors
		DE.AE-4: Determine the impact of <u>cybersecurity</u> events
		DE.AE-5: Establish incident alert thresholds
	Security Continuous Monitoring (CM)	DE.CM-1: Monitor the network to detect potential cybersecurity events
		DE.CM-2: Monitor the physical environment to detect potential cybersecurity events
		DE.CM-3: Monitor personnel activity to detect potential cybersecurity events
		DE.CM-4: Detect malicious code
		DE.CM-5: Detect unauthorized mobile code

Detection Processes (DP)	DE.CM-5: Detect unauthorized mobile code
	DE.CM-6: Monitor external service provider activity to detect potential cybersecurity events
	DE.CM-7: Monitor for unauthorized personnel, connections, devices, and software
	DE.CM-8: Perform vulnerability scans
	DE.DP-1: Define roles and responsibilities for detection to ensure accountability
	DE.DP-2: Ensure that detection activities comply with all applicable requirements
	DE.DP-3: Test detection processes
	DE.DP-4: Communicate event detection information to stakeholders that should or must receive this information
	DE.DP-5: Continuously improve detection processes

(1) Anomalies and Events. Each agency shall develop policies and procedures that will facilitate detection of anomalous activity ~~in a timely manner~~ and that ~~will~~ allow the agency to understand the potential impact of events. Such policies and procedures shall:

(a) No change.

(b) Detect and analyze anomalous cybersecurity events to determine attack targets and methods (DE.AE-2).

1. Monitor for unauthorized wireless access points ~~when~~ connected to the agency internal network, and immediately remove them upon detection.

2. Implement procedures to establish accountability for accessing and modifying exempt, or confidential and exempt, data stores to ensure inappropriate access or modification is detectable.

(c) ~~Collect Aggregate~~ and correlate cybersecurity event data from multiple sources and sensors (DE.AE-3).

(d) Determine the impact of cybersecurity events (DE.AE-4).

(e) Establish incident alert thresholds (DE.AE-5).

(2) Security Continuous Monitoring. Each agency shall determine the appropriate level of monitoring that will occur regarding IT resources necessary to identify cybersecurity

events and verify the effectiveness of protective measures. Such activities shall include:

(a) through (h), No change.

(i) Performing vulnerability scans (DE.CM-8). These shall be a part of the System Development Life Cycle (SDLC).

(3) Detection Processes. Each agency shall maintain and test detection processes and procedures to ensure ~~timely and adequate~~ awareness of anomalous events. These procedures shall be based on assigned risk and include the following:

(a) through (e), No change.

Rulemaking Authority 282.318(5) FS. Law Implemented 282.318(3) FS. History—New 3-10-16, amended.

74-2.005 Respond.

The respond function of the FCS is visually represented as such:

Function	Category	Subcategory
Respond (RS)	Response Planning (RP)	RS.RP-1: Execute response plan during or after an <u>incident event</u>
	Communications (CO)	RS.CO-1: Ensure that personnel know their roles and order of operations when a response is needed
		RS.CO-2: Report <u>incidents events</u> consistent with established criteria
		RS.CO-3: Share information consistent with response plans
		RS.CO-4: Coordinate with stakeholders consistent with response plans
		RS.CO-5: Engage in voluntary information sharing with external stakeholders to achieve broader cybersecurity situational awareness
	Analysis (AN)	RS.AN-1: Investigate notifications from detection systems
		RS.AN-2: Understand the impact of incidents
		RS.AN-3: Perform forensic analysis
		RS.AN-4: Categorize incidents consistent with response plans

		RS.AN-5: Establish <u>processes to receive, analyze, and respond to vulnerabilities disclosed to the agency from internal and external sources</u>
Mitigation (MI)		RS.MI-1: Contain incidents
		RS.MI-2: Mitigate incidents
		RS.MI-3: Mitigate newly identified vulnerabilities or document accepted risks
Improvements (IM)		RS.IM-1: Incorporate lessons learned in response plans
		RS.IM-2: Periodically update response strategies

(1) Response Planning. Each agency shall establish and maintain response processes and procedures and validate execution capability to ensure ~~timely~~ agency response for detected cybersecurity incidents events. Each agency shall execute a response plan during or after an incident event (RS.RP-1).

(a) Agencies shall establish a Computer Security Incident Response Team (CSIRT) to respond to cybersecurity suspected computer security incidents. CSIRT members shall convene immediately, upon notice of cybersecurity suspected computer security incidents. Responsibilities of CSIRT members include:

1. Convening a simple majority of CSIRT members at least quarterly to review, at a minimum, established processes and escalation protocols.

2. Receiving incident response training at least annually on cybersecurity threats, trends, and evolving practices. Training shall be coordinated as a part of the information security program.

3. CSIRT membership shall include, at a minimum, a member from the information security team, the CIO (or designee), and a member from the Inspector General's Office, ~~who shall act in an advisory capacity. For agencies that are Health Information Portability and Accountability Act (HIPAA) covered entities as defined by 45 CFR 164.103, CSIRT membership shall also include the agency's designated HIPAA privacy official or their designee.~~ The CSIRT team shall report findings to agency management.

4. The CSIRT shall determine the appropriate response required for each cybersecurity suspected computer security incident.

5. The agency security incident reporting process must include notification procedures, established pursuant to section 501.171, F.S., section 282.318, F.S., and as specified in executed agreements with external parties. For reporting incidents to AST and the Cybercrime Office (as established within the Florida Department of Law Enforcement via section 943.0415, F.S.), agencies shall report observed incident indicators via the AST Incident Reporting Portal to provide early warning and proactive response capability to other State of Florida agencies. Such indicators may include any known attacker IP addresses, malicious uniform resource locator (URL) addresses, malicious code file names and/or associated file hash values. the following reporting timeframes shall be followed:

Rating	Initial Notification	Definition of Effect Rating
Minimal	Monthly aggregate	Effect on IT resources managed by internal processes
Low	Weekly	Minimal effect on IT resources
Medium	One business day	Moderate effect on IT resources
High	Within 4 hours	Severe effect on IT resources or delivery of services
Critical	Immediately	Severe effect on IT resources, believed to impact multiple agencies or delivery of services

(2) Communications. Each agency shall coordinate response activities with internal and external stakeholders, as appropriate, to include external support from law enforcement agencies. Each agency shall:

- (a) No change.
- (b) Require that incidents events be reported consistent with established criteria and in accordance with agency incident reporting procedures. Criteria shall require immediate reporting, including instances of lost identification and authentication resources (RS.CO-2).
- (c) through (e), No change.

(3) Analysis. Each agency shall conduct analysis to adequately respond and support recovery activities. Related activities include:

- (a) Each agency shall establish notification thresholds and investigate notifications from detection systems (RS.AN-1).
- (b) Each agency shall assess and identify the impact of incidents the incident (RS.AN-2).
- (c) Each agency shall perform forensics, where deemed appropriate (RS.AN-3).
- (d) Each agency shall categorize incidents, consistent with response plans (RS.AN-4). Each incident report and analysis, including findings and corrective actions, shall be documented.

(e) Establish processes to receive, analyze and respond to vulnerabilities disclosed to the organization from internal and external sources (RS.AN-5).

(4) Mitigation. Each agency shall perform incident mitigation activities. The objective of incident mitigation activities shall be to: attempt to contain and prevent recurrence of incidents (RS.MI-1); mitigate incident effects and resolve eradicate the incident (RS.MI-2); and address vulnerabilities or document as accepted risks.

(5) No change.

Rulemaking Authority 282.318(5) FS. Law Implemented 282.318(3) FS. History—New 3-10-16, Amended _____.

74-2.006 Recover.

The recover function of the FCS is visually represented as such:

Function	Category	Subcategory
Recover (RC)	Recovery Planning (RP)	RC.RP-1: Execute recovery plan during or after <u>a cybersecurity incident an event</u>
		RC.IM-1: Incorporate lessons learned in recovery plans
	Improvements (IM)	RC.IM-2: Periodically update recovery strategies
		RC.CO-1: Manage public relations
	Communications (CO)	RC.CO-2: Repair reputation after an event
		RC.CO-3: Communicate recovery activities to internal stakeholders and executive and management teams

(1) Recovery Planning. Each agency shall execute and maintain recovery processes and procedures to ensure timely restoration of systems or assets affected by cybersecurity incidents events. Each agency shall:

- (a) Execute a recovery plan during or after an incident event (RC.RP-1).
- (b) through (e), No change.
- (2) through (3), No change.

Rulemaking Authority 282.318(5) FS. Law Implemented 282.318(3) FS. History—New 3-10-16, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas Vaughn, Chief Information Security Officer
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Eric Larson, Executive Director and State Chief Information Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 11, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 03/09/18

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE NOS.: RULE TITLES:
 14-61.0015 Prohibitions on the Turnpike System
 14-61.0017 Other Regulations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 139, July 18, 2018 issue of the Florida Administrative Register.

The authority for Rule 14-61.0015 shall read:

Rulemaking Authority 334.044(2), ~~338.2216(1)(b), 338.235~~, 338.239 FS. Law Implemented 316.083, 316.090, 316.183, 316.655, 338.234, 338.237, 338.239 FS. History—New 11-5-09, Amended.

The authority for Rule 14-61.0017 shall read:

Rulemaking Authority 316.515(12), 316.611, 334.044(2), 338.239 FS. Law Implemented 316.515(12), 316.55, 322.57, 322.61, 338.239 FS. History—New 11-5-09, Amended.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
 14-61.0016 Turnpike Tandem Access
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 139, July 18, 2018 issue of the Florida Administrative Register.

14-61.0016 Turnpike Tandem Access.

(1) through (2) No change.

(3) Original Application. To operate Turnpike Tandems on the Turnpike System, complete Form Number 800-040-01, General Certification Covering Turnpike Tandem Trailer Operations, 09/18 revised 2/18, incorporated herein by reference at

https://www.flrules.org/Gateway/reference.asp?No=Ref-09957 and available at www.fdot.gov/procedures/forms.shtm and submit to: Florida Turnpike Enterprise, Fleet Manager, Pompano Service Area, M.P. 65, Post Office Box 9828, Fort Lauderdale, Florida 33310-9828 or by email to: CO-TurnpikeTandems@dot.state.fl.us. ~~Form Number 800-040-01, rev. 2/18 is available at: www.fdot.gov/procedures/forms.shtm~~

(4) through (7) No change.

Rulemaking Authority 316.515(12), 316.611 316.550(6), 334.044(2), 334.044(14), ~~338.2216(1)(b)~~, 338.239 FS. Law Implemented 316.515,

~~316.550, 316.646, 321.05, 324.171~~, 334.044(14), 338.2216(1)(a)(b) ~~338.22, 244~~, 338.239(2) FS. History—New 11-5-09, Amended

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
 64B3-3.001 General Requirements of Clinical
 Laboratory Personnel Training Programs
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 123, June 25, 2018 issue of the Florida Administrative Register.

The change is in response to a vote by the Board at a duly noticed public meeting held on September 7, 2018. The rule shall now read as follows:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) Each clinical laboratory personnel training program, hereinafter referred to as program, shall apply to the board for initial approval on Form #DH-MQA 3007 (02/18) “Initial Application for Clinical Laboratory Personnel Training Program,”

http://www.flrules.org/Gateway/reference.asp?No=Ref-06932, which is incorporated by reference herein and pay the fee set forth in subsection 64B3-9.001(3), F.A.C. For renewal, each clinical laboratory personnel training program shall apply for renewal to the board on Form DH5030-MQA 02/2018) “Renewal Application for Clinical Laboratory Personnel Training Program, http://www.flrules.org/Gateway/reference.asp?No=____, which is incorporated by reference herein and pay the fee set forth in subsection 64B3-9.004(6), F.A.C.

~~(2) Each program and program affiliate shall be in compliance with the provisions of Chapter 483, Part I, F.S., and Chapter 59A-7, F.A.C.~~

(3) through (7) renumbered (2) through (6) No change.

Rulemaking Authority 483.805(4), 483.811(2) FS. Law Implemented 483.807, 483.809, 483.811 FS. History—New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, 9-29-02, 2-2-04, 12-5-04, 2-23-06, 4-29-13, 7-20-14, 6-7-16,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
 69O-194.010 Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 135, July 12, 2018 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE NO.: RULE TITLE:

40E-24.201 Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District (District) hereby gives notice: that on September 13, 2018, the District issued an Order Granting Modification of Variance under Section 120.542, Florida Statutes (Fla. Stat.), (Order No. 2018-037-DAO-WU) to Palm Beach County. The Petition for Modification of Variance was received by the District on July 26, 2018, and requested the modification of an existing variance to add seventeen County-owned properties that use advanced irrigation control technology. Notice of receipt of the Petition requesting the variance was published in the Florida Administrative Register, Vol. 44, No. 147, on July 30, 2018. No public comment was received. Specifically, the Order grants a Modification to an existing Variance from Rule 40E-24.201, Florida Administrative Code (Fla. Admin. Code), which states that irrigation of existing landscaping shall be conducted on specific days. Generally, the Order sets forth the basis of the District's decision to grant the Variance, as follows: 1) the Petitioner has demonstrated that the use of the advanced technology irrigation system on its specified properties will achieve the purpose of the statutes underlying Chapter 40E-24, Fla. Admin. Code; 2) the Petitioner has demonstrated that it will experience substantial technological hardship if it is required to comply; and 3) the District has reasonable assurance that the granting of this Variance will be consistent with statutory requirements.

A copy of the Order or additional information may be obtained by contacting: The South Florida Water Management District's Water Resource Regulation Department during normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406; (561)682-6911; or by e-mail to:

permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-24.201 Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District (District) hereby gives notice: that on September 13, 2018, the District issued an Order Granting Variance under Section 120.542, Florida Statutes (Fla. Stat.), (Order No. 2018-038-DAO-WU) to 2774 South Ocean, Inc. The Petition for Variance was received by the District on August 2, 2018. Notice of receipt of the Petition requesting the variance was published in the Florida Administrative Register, Vol. 44, No. 155, on August 9, 2018. No public comment was received. Specifically, the Order grants a Variance from Rule 40E-24.201, Florida Administrative Code (Fla. Admin. Code), which states that irrigation of existing landscaping shall be conducted on specific days. Generally, the Order sets forth the basis of the District's decision to grant the Variance, as follows: 1) the Petitioner has demonstrated that the use of the advanced technology irrigation system on its specified properties will achieve the purpose of the statutes underlying Chapter 40E-24, Fla. Admin. Code; 2) the Petitioner has demonstrated that it will experience substantial technological hardship if it is required to comply; and 3) the District has reasonable assurance that the granting of this Variance will be consistent with statutory requirements.

A copy of the Order or additional information may be obtained by contacting: The South Florida Water Management District's Water Resource Regulation Department during normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406; (561)682-6911; or by e-mail to: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 18, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Falcon & Marcano Services LLC. located in Orlando. The above referenced F.A.C. addresses the

requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice: that on November 27, 2017, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Rafael Garcia, on August 28, 2017, seeking a variance or waiver of Rule 61G4-16.0015, F.A.C., regarding the exemption from the business and finance test. The Notice was published in Volume 43, No. 181, of the Florida Administrative Register, on September 19, 2017.

The Board considered the Petition at a duly-noticed public meeting held on October 13, 2017, in Destin, Florida. At its meeting, the Board denied the Petition finding that the Petitioner failed to establish that the Board’s application of Rule 61G4-16.0015, F.A.C., to the Petitioner’s circumstances would violate principles of fairness or impose a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, or telephone: (850)487-1395, or by electronic mail – Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice:

that on August 31, 2018, an Order was filed on the Petition for Variance or Waiver. The Petition for Variance or Waiver was filed by Anthony S. Bono, on June 14, 2018, seeking a variance or waiver of Rule 61G4-16.005, F.A.C., which requires for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date of the most recently

passed portion of the exam. The Notice was published in Volume 44, No. 124, of the Florida Administrative Register, on June 26, 2018.

The Board considered the Petition at a duly-noticed public meeting held on August 10, 2018, in Coral Gables, Florida. At its meeting, the Board denied the Petition finding that the Petitioner failed to establish that the Board’s application of Rule 61G4-16.005, F.A.C., to the Petitioner’s circumstances would violate principles of fairness or impose a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, or telephone: (850)487-1395, or by electronic mail – Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 19, 2018, by Lisa Valdes. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 143 of the July 24, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-33.006(2)(a), F.A.C., entitled, “Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees,” which requires that each Florida certified public accountant, who became inactive or delinquent for one reporting period following their most recent current/active license, shall satisfy the requirements of their most recent biennium while active plus 40 additional CPE hours in Accounting/Auditing and Ethics/Behavioral. Petitioner also sought a variance or waiver of Rule 61H1-31.006, F.A.C., entitled “Reactivation Fee,” which requires that the application fee for reactivation of an inactive status license to active status shall be \$250.00; for reactivation of a delinquent status license to active, \$250.00.

The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board’s Order, filed on August 27, 2018, granted the petition, finding that Petitioner had established that the purpose of the underlying statutes, Sections 473.312 and 473.313, Florida Statutes, would be met by granting a variance from Rule 61H1-31.004 and paragraph 61H1-33.006(2)(a), F.A.C. The Board further found that Petitioner established that applying the

requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 13, 2018, by Elena Mocchi. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 141, of the July 20, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board’s Order, filed on August 27, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 12, 2018, by Jeremy Scott Steinlauf. The Notice of

Petition for Waiver or Variance was published in Vol. 44, No. 141, of the July 20, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board’s Order, filed on August 27, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 11, 2018, by Estefania Rodriguez. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 141, of the July 20, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board’s Order, filed on August 27, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the

aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on June 28, 2018, by Alexa Laurencio. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 132, of the July 9, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules," that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board's Order, filed on August 27, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on June 29, 2018, by Donna Holm. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 148 of the July 31, 2018, Florida Administrative Register. Petitioner

sought a waiver or variance of paragraph 61H1-33.006(2)(a), F.A.C., entitled, "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees," which requires that each Florida certified public accountant, who became inactive or delinquent for one reporting period following their most recent current/active license, shall satisfy the requirements of their most recent biennium while active plus 40 additional CPE hours in Accounting/Auditing and Ethics/Behavioral. Petitioner also sought a variance or waiver of Rule 61H1-31.006, F.A.C., entitled "Reactivation Fee," which requires that the application fee for reactivation of an inactive status license to active status shall be \$250.00; for reactivation of a delinquent status license to active, \$250.00.

The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board's Order, filed on August 27, 2018, granted the petition, finding that Petitioner established that the purpose of the underlying statutes, Sections 473.312 and 473.313, Florida Statutes, would be met by granting a variance from Rule 61H1-31.006 and paragraph 61H1-33.006(2)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-27.001 College or University Requirements

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on May 17, 2018, by Chirag Shah. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 102 of the May 24, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-27.001(5)(a), F.A.C., entitled "College or University Requirements," that provides that a graduate of a four-year degree granting institution not accredited at the time the applicant's degree was received or at the time of filing application will be deemed to be a graduate of a four-year accredited college or university course provided an accredited college or university as defined by subsections 61H1-27.001(1) and (2), F.A.C., accepts applicant's non-accredited baccalaureate degree and the applicant satisfactorily completes at least 15 semester or 22 quarter hours, or the equivalent, in post-baccalaureate education

at the accredited institution of which at least 9 semester or 13 quarter hours, including at least 3 semester or 4 quarter hours in taxation; or the equivalent, shall be in accounting.

The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board's Order, filed on August 27, 2018, denied the petition, finding that Petitioner had failed to establish that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-27.001(5)(a), F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on June 27, 2018, by Jason Alan Franzel. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 131 of the July 6, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-33.006(2)(b), F.A.C., entitled "Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees," implementing Section 473.313, F.S., which requires that Florida certified public accountants who have been inactive for no more than two reporting periods since maintaining a current/active license satisfy the specified requirements for continuing professional education. The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board's Order, filed on August 27, 2018, granted the petition with conditions, finding that Petitioner had established that the purpose of the underlying statute, Section 473.313, Florida Statutes, would be met by granting a variance from paragraph 61H1-33.006(2)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on June 29, 2018, by Halston Fernandez. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 131 of the July 6, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules," that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held August 10, 2018, in Ft. Lauderdale, Florida.

The Board's Order, filed on August 29, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

NOTICE IS HEREBY GIVEN that on September 11, 2018, the Florida Real Estate Appraisal Board, received a petition for Kathleen Marie Worth seeking a variance or waiver of subsection 61J1-10.003(1), F.A.C. regarding education requirements. Comments on this petition should be filed with Lori Crawford, Executive Director, Florida Real Estate

Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801; (850)487-1395, or by electronic mail – Lori.Crawford@myfloridalicense.com, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lori Crawford, Executive Director, at the above address.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 RULE NO.: RULE TITLE:

62-600.440 Disinfection Requirements

The Department of Environmental Protection hereby gives notice: that on September 14, 2018, the Department entered a final order granting the City of St. Petersburg’s Petition for a Variance. The Petition was filed pursuant to section 120.542, F.S., and was received on June 30, 2018. Notice of receipt of this Petition was published in the Florida Administrative Register on July 6, 2018. The petition requested a variance from the requirements of paragraph 62-600.440(6)(b), F.A.C., to allow the facility to use less than 15 minutes of contact time at the peak hourly flow with an increase to the sodium hypochlorite dosage to provide high level disinfection. No public comments were received. The Department (DEP File No. FLA128848-022-DWF/VO; OGC No. 17-0969), granted the variance because the Petitioner demonstrated that there is no practicable means known or available for the adequate control of the pollution involved and a strict application of the rule would result in substantial hardship to the Petitioner.

A copy of the Order or additional information may be obtained by contacting: Astrid Flores Thiebaud, Department of Environmental Protection, Southwest District Office, 13051 N. Telecom Parkway, Suite 101, Temple Terrace, Florida 33637, telephone: 1(813)470-5760; email: Astrid.FloresThiebaud@FloridaDEP.gov; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

FLORIDA HOUSING FINANCE CORPORATION
 RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-48.0072(4)(c) F.A.C. for Spinal Cord Living-Assistance Development, Inc., granting an extension for closing on the SAIL and ELI loans to December 14, 2018. Florida Housing determined that the Petitioner had demonstrated that it would

suffer a substantial hardship if the waiver was not granted. The petition was filed on August 21, 2018 and notice of the receipt of petition was published on August 22, 2018 in Vol. 44, Number 164, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION
 RULE NO.: RULE TITLE:

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-48.002(95) F.A.C. and Section II.K. of the 2016 QAP, for Verbenna, LLC, permitting the exchange of its 2017 credits for allocation of 2018 credits now, rather than to wait until the last quarter of 2019, effectively extending the Placed-In-Service date to September 30, 2020. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 20, 2018 and notice of the receipt of petition was published on August 22, 2018 in Vol. 44, Number 164, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION
 RULE NO.: RULE TITLE:

67-48.002 Definitions

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-48.002(95) F.A.C. and Section II.K. of the 2016 QAP, for Suwannee Pointe, LP, permitting the exchange of its 2017 credits for allocation of 2018 credits now, rather than to wait until the last quarter of 2019, effectively extending the Placed-In-Service date to September 30, 2020. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 21, 2018 and notice of the receipt of petition was published on August 23, 2018 in Vol. 44, Number 165, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-21.003(1)(b) F.A.C. for Glorieta Partners, Ltd., to waive the requirement that 15% of the total proposed equity be paid at the time of construction closing. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 17, 2018, and notice of the receipt of petition was published on August 21, 2018 in Vol. 44, Number 163, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.026 HC Credit Underwriting Procedures

The Florida Housing Finance Corporation hereby gives notice: On September 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-21.026(10) F.A.C. for Glorieta Partners, Ltd., allowing Petitioner to use its existing stipulated sum construction contract in lieu of a guaranteed maximum price contract, with the condition that the construction contract be amended to provide that there will be no cost savings billed or paid under the contract, and that the contractor's fee will be limited to the maximum amount allowed under paragraph 67-21.026(12)(b)., F.A.C. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 17, 2018 and notice of the receipt of petition was published on August 21, 2018 in Vol. 44, Number 163, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

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

PLACE: Flagler County Chamber of Commerce Visitor's Center; 20 Airport Road, Suite C; Palm Coast, FL 32164

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

A copy of the agenda may be obtained by contacting: Kara Hoblick (386)446-7630 or email at kara.hoblick@floridaagmuseum.org.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 18, 2018, 2:00 p.m.

PLACE: Orange County Convention Center, Industry Meeting Room, 9800 International Dr., Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Advisory council meeting to discuss marketing and promotional opportunities for the current year.

A copy of the agenda may be obtained by contacting: Jacqueline Moalli, (850)671-7300.

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: Jacqueline Moalli, (850)671-7300. 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: Jacqueline Moalli, (850)671-7300.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Draft 2019 South Florida Environmental Report (SFER) – Volume I Web Board Public Review. Some chapters and appendices will be available on the web board for public comment on the Draft 2019 SFER – Volume I on September 21, 2018, by 5:00 p.m. All chapters and appendices will be available by 5:00 p.m. October 8, 2018. The public comment period will end on November 30, 2018. The SFER web board will also be available for public viewing from September 21, 2018, through January 31, 2019.

PLACE: <http://www.sfwmd.gov/sfer>

For persons without access to the Internet, access to the website is available at the headquarters office of the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida, from 8:00 a.m. – 5:00 p.m. Eastern Daylight Time, Monday through Friday.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District announces the upcoming web posting of the Draft 2019 South Florida Environmental Report (SFER) – Volume I to which all persons are invited to view and encouraged to comment. The public and peer reviews will be conducted on a dedicated web board, which will be accessible from the District’s website at www.sfwmd.gov/sfer. All comments received and responses to comments will be posted on the web board.

Beginning on September 21, 2018, through January 31, 2019, interested parties may access the SFER web board and view communications among the peer review panelists, agency responses to comments, electronically stored communications, and other public records associated with the Draft 2019 SFER – Volume I that are web posted. Peer review panelists comments and recommendations will be posted on the web board, and the public can access this information via the web board. The public may comment directly on the web board at any time between September 21, 2018, through November 30, 2018, on any aspect of the Draft 2019 SFER – Volume I, particularly on relevant scientific or technical data and findings. Communications and documents from all parties can be accessed at any time once they are posted during the review period.

A copy of the agenda may be obtained by contacting: N/A
 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: Any person requiring special accommodations to participate in this review is asked to advise the agency when access to the web board is needed by contacting Kim Chuirazzi (561)682-2425; kchuiraz@sfwmd.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Please write to the SFWMD, 3301 Gun Club Road, West Palm Beach, FL 33406 or contact Kim Chuirazzi, (561)682-2425; kchuiraz@sfwmd.gov.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, A Regional Water Supply Authority, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 3, 2018, 10:00 a.m., ET

PLACE: Tampa Bay Water Infrastructure and Emergency Management Building – Magnolia Room, 8865 Pump Station Road, Land O’Lakes, FL 34639

GENERAL SUBJECT MATTER TO BE CONSIDERED: The IHM-INTB Steering Committee will conduct a public meeting to finalize their recommendations for the IHM-INTB Five Year Roadmap. The roadmap includes recommended activities over a five-year time span that support the IHM, the INTB model, and user support for both models.

A copy of the agenda may be obtained by contacting: Records Department, (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department, (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Records Department, (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: **RULE TITLE:**

61G16-8.001 License and Certification Renewal and Reinstatement

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

DATES AND TIMES: Wednesday, October 24, 2018, 9:00 a.m.; Thursday, October 25, 2018, 9:00 a.m.

PLACE: Embassy Suites, 202 North Tamiami Trail, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. 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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

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

DATE AND TIME: October 17, 2018, 9:00 a.m. – 3:30 p.m.
Conference Call Number: 1(888)670-3525, Pass code: 6272156732#

PLACE: Homewood Suites, 2455 Metrocentre Boulevard, West Palm Beach, Florida 33407

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hannah.Norcini@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida

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

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

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention, School Health Services Program announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2018, 10:00 a.m. - 12:00 Noon

PLACE: Conference Call Only: 1(888)670-3525, participant code: 833-841-1399#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To help address the growing needs of students, we are convening a School Health Services Program Ad Hoc Advisory Committee (Committee). The purpose of the Committee will be to investigate alternate school health models and make recommendations on best practices and initiatives that focus on increasing the quality and coordination of physical, mental and behavioral health care, and improved health outcomes in the public-school setting.

"This call will be recorded. By staying on the line, you are agreeing to be recorded."

A copy of the agenda may be obtained by contacting: Amy Rigger, Florida Department of Health, (850)901-6939.

For more information, you may contact: Amy Rigger, School Health Services Program Administrator, (850)901-6939.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2018, 9:00 a.m.

PLACE: Sheraton Orlando North, 600 N. Lake Destiny Drive, Maitland, FL 32751

Conference Dial In: 1(888)942-8686; Participant Code: 574 373 5657#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics to include but are not limited to Board of Governors Committee Reports.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at (850)513-3744 or Barbara.Walker@citizensfla.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: Barbara Walker, Citizens Property Insurance Corporation, 2101 Maryland Circle, Tallahassee, FL 32303; Barbara.Walker@citizensfla.com.

TOWN OF DUNDEE

The Town of Dundee announces a public meeting to which all persons are invited.

DATE AND TIME: September 25, 2018, 6:30 p.m.

PLACE: Town Hall, 202 East Main Street, Dundee, Florida 33838

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 337.401(3)(d) of the Florida Statutes, notice is hereby given that at its Regular Town Commission Meeting, the Dundee Town Commission will hold a **FIRST READING** at 6:30 p.m. on Tuesday, September 25, 2018 at Town Hall, 202 E. Main Street, Dundee, Florida 33838 regarding the ordinance below. A **SECOND READING-PUBLIC HEARING** is scheduled for Tuesday, October 9, 2018, at the same location.

ORDINANCE NO. 18-05

An ordinance of the town of Dundee, Florida amending the code of ordinances of the town of Dundee by creating chapter 55, article i (telecommunications), Sections 55-1 – 55-30, the “communications rights-of-way ordinance,” as provided herein; providing intent and purpose, applicability and authority to implement; providing definitions; providing for registration for placing or maintaining communications facilities in the public rights-of-way; providing requirement of a permit; providing application requirements and review procedures; providing for a performance construction bond; providing for construction methods; providing development and objective design standards; providing for fees and taxes; providing enforcement remedies; providing for severability; providing for conflicts; providing for codification; and providing an effective date.

A copy of the agenda may be obtained by contacting: blueth@townofdundee.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 24 hours before the workshop/meeting by contacting: Brian Lueth, Town Clerk, blueth@townofdundee.com, 1(863)438-8330. 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: Brian Lueth, Town Clerk, blueth@townofdundee.com, 1(863)438-8330.

ENTERPRISE FLORIDA, INC.

The Florida Opportunity Fund announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2018, 4:30 p.m. – 6:00 p.m.

PLACE: Enterprise Florida, 800 North Magnolia Ave., Suite 1100, Orlando, FL 32820

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Call In Number: 1(800)501-8979, Access Code: 9565613#

A copy of the agenda may be obtained by contacting: Russell Marcus, (305)808-3582.

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 day before the workshop/meeting by contacting: Russell Marcus, (305)808-3582. 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).

SUNSHINE STATE ONE CALL OF FLORIDA

The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 3, 2018, 10:00 a.m. – 12:00 Noon (Noon), ET, Legislative Ad Hoc Committee Meeting

PLACE: This meeting will be held by teleconference

To participate, call 1(888)670-3525 and enter Participant pass code: 8567463178 then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Legislative Ad Hoc Committee will meet to develop legislative amendment language for enforcement of Florida State Statute Chapter 556.

A copy of the agenda may be obtained by contacting: N/A

For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

KITTELSON & ASSOCIATES, INC.

NOTICE OF PROJECT VISIONING TEAM MEETING

The Florida Department of Transportation (FDOT) announces a Project Visioning Team (PVT) meeting as part of the State Road (SR) 507 Corridor Planning Study in Brevard County to which all persons are invited.

DATE AND TIME: Wednesday, September 26, 2018, 1:30 p.m. – 5:00 p.m.

PLACE: Florida Institute of Technology, Facilities Operations/Military Sciences Building, 3123 Psychology Place (Room 102), Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Management No.: 439858-1

Project Description: Evaluate multimodal deficiencies, needs and possible enhancements along State Road (S.R.) 507 (Babcock Street) from Palm Bay Road to U.S. 192 (New Haven Avenue).

The FDOT is conducting a corridor planning study for Babcock Street from Palm Bay Road to U.S. 192, approximately 3 miles. This project will be coordinated with local and regional agency partners with the purpose of evaluating an assessment of multimodal deficiencies, needs and potential context sensitive improvements along the corridor. This first PVT meeting will kick off the study. The project team will provide a brief overview of the purpose of the project, discuss existing conditions and lead an optional field review of the corridor.

The PVT is an advisory group (not an independent decision-making board) that will assist the FDOT and the consultant team by providing jurisdictional, policy, technical, and administrative guidance throughout the project. Your interest in this study is truly valued and appreciated. This is a working meeting with the FDOT staff and PVT members, which is open to public attendance. Comment cards will be provided for any questions or comments regarding this study by the public, otherwise the public may contact the study team before or after the meeting.

A copy of the agenda may be obtained by contacting: FDOT Project Manager Ennis Davis, AICP, at 719 S. Woodland Boulevard, DeLand, FL 32720; by phone at (386)943-5422; or, by e-mail at ennis.davis@dot.state.fl.us

Persons with disabilities who require accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the department at least seven (7) days before the PVT meeting by contacting: Ryan Cunningham, PE, at 225 East Robinson Street Suite 355, Orlando, FL 32801; by phone at (407)540-0555; or, e-mail at rcunningham@kittelson.com. If you are hearing or speech impaired, please contact us by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, jennifer.smith2@dot.state.fl.us.

FOR MORE INFORMATION, YOU MAY CONTACT: FDOT Project Manager Ennis Davis, AICP, at 719 S. Woodland Boulevard Mail Station, DeLand, FL 32720; by phone at (386)943-5422; or, by e-mail at ennis.davis@dot.state.fl.us. Or, Ryan Cunningham, PE, by phone at (407)540-0555, or via e-mail at rcunningham@kittelson.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12A-15.004 Specific Limitations

NOTICE IS HEREBY GIVEN that the Department of Revenue (“Department”) has issued an order disposing of the petition for declaratory statement filed by Calder Race Course, Inc., (“Petitioner”) on June 20, 2018. The following is a summary of the agency's disposition of the petition: The Notice of Receipt of Petition for Declaratory Statement was published in the Florida Administrative Register on June 27, 2018 at Vol. 44, No. 125. Petitioner sought the Department’s opinion as to the applicability of Florida Statute Section 212.054, Florida Statutes, and Florida Administrative Code Rule 12A-15.004 regarding the discretionary sales surtax and limitations, as it applies to three invoices (Exhibit A, Exhibit B, and Exhibit C) submitted by the Petitioner. The Department’s Final Order, issued September 18, 2018, provided the following answer: Exhibit A constitutes the lease of a “single item” pursuant to paragraph 212.054(2)(b), F.S., and subparagraph 12A-15.004(3)(b)1., F.A.C., and the \$5,000.00 limitation applies to this exhibit in its entirety; Exhibit B does not constitute the lease of a “single item” in its entirety but does contain eight identical items (lines 9-16 of the invoice) that do constitute the lease of a “single item” and may be aggregated and can utilize the \$5,000.00 limitation. The remaining items (lines 1-8) of the invoice in Exhibit B do not qualify for the limitation; and Exhibit C does not constitute the lease of a “single item” in its entirety, and neither of the two pairs identified which do constitute a “single item” would exceed the \$5,000.00 needed for use of the limitation. Accordingly, Exhibit C does not qualify for the limitation. A copy of the Petition for Declaratory Statement and Final Order On Petition for Declaratory Statement may be obtained by contacting Sarah Wachman

Chisenhall, Agency Clerk, Florida Department of Revenue, Post Office Box 6668, Tallahassee, Florida 32314-6668, Sarah.Wachman.Chisenhall@floridarevenue.com, (850)617-8347. Please refer all comments to: Agency Clerk, Florida Department of Revenue, Post Office Box 6668, Tallahassee, Florida 32314-6688, Sarah.Wachman.Chisenhall@floridarevenue.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from De Vinco Company. The petition seeks the agency's opinion as to the applicability of Florida Statutes 561.02, as it applies to the petitioner.

The petition seeks the agency's opinion as to whether Petitioner is required to be licensed by the Division in order to lawfully conduct the activities described in the petition.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rachal Johnson, rachal.johnson@myfloridalicense.com, (850)717-1254.

Please refer all comments to: Rachal Johnson, rachal.johnson@myfloridalicense.com, (850)717-1254.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that The Department of Business and Professional Regulation; Division of Florida Condominiums, Timeshares and Mobile Homes has received the petition for declaratory statement from Glenn Naslund. The petition seeks the agency's opinion as to the applicability of paragraph 718.112(2)(n) and subsection 718.116(3), Florida Statutes as it applies to the petitioner.

Petitioner seeks a Declaratory Statement from the Division as to whether, pursuant to paragraph 718.112(2)(n) and subsection 718.116(3), Florida Statutes, Petitioner was improperly removed as a Director of the Association, requiring his reinstatement. (DS 2018-068; DBPR Ref #2018-047885).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Rd., Tallahassee, Florida 32399, (850)921-0342, AGC.filing@myfloridalicense.com.

Please refer all comments to: Chevonne Christian, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares and Mobile

Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399; (DS 2018-068; DBPR Ref #2018-047885)

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Diane Moore on May 17, 2018. The following is a summary of the agency's disposition of the petition: The Notice of Petition for Declaratory Statement was published in Volume 44, No. 113, of the June 11, 2018, Florida Administrative Register. Petitioner asks the Board whether paragraph 489.105(3)(n), F.S., allows an underground utility and excavation contractor to install natural gas mains and services up to and including the customer meter. The Board considered the Petition at its meeting held on August 10, 2018, in Coral Gables, Florida. The Board's Order, filed on August 31, 2018, answers the question in the affirmative. The applicability of this Declaratory Statement is limited to the set of facts incorporated in the Order.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, telephone: (850)487-1395, or by electronic mail – Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Richard Wilkins d/b/a Thermal Tech, Inc. The petition seeks the agency's opinion as to the applicability of paragraph 489.105(3)(i), F.S., as it applies to the petitioner.

Petitioner seeks a determination from the Board regarding whether he is allowed to install, maintain, repair, fabricate, alter, extend or design liquefied petroleum gas lines and natural gas fuel lines within buildings under his Mechanical Contractor's License for installation of industrial boiler equipment. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395, or by email at: Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by J. Alejandro Arguelles on August 08, 2017. The following is a summary of the agency's disposition of the petition: The original Notice of Petition for Declaratory Statement was published in Vol. 43, No. 178, of the September 14, 2017 Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on February 16, 2018, in Orlando, Florida. At its meeting, the Petitioner requested to withdraw the Petition. The Board granted the request to withdraw and the Petition was withdrawn. The Order was filed on March 6, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395, or by email at Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Timothy J. Warren on May 25, 2018. The following is a summary of the agency's disposition of the petition: The original Notice of Petition for Declaratory Statement was published in Vol. 44, No. 113, of the June 11, 2018 Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on August 10, 2018, in Coral Gables, Florida. At its meeting, the Petitioner sought the Board's interpretation whether Petitioner, as a licensed plumbing contractor, is allowed to replace an existing back flow prevention assembly. The Board declined to issue a Declaratory Statement stating that Petitioner's petition is facially insufficient and the Fire Marshall's Office is under the Department of Financial Services and the Board has no authority in this matter. Further, the Board cites a possible problem with antitrust provisions because the question involves the scope of practice. The Order was filed on August 31, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, or telephone: (850)487-1395, or by electronic mail – Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by S. Paizes on October 27, 2017. The following is a summary of the agency's disposition of the petition: The original Notice of Petition for Declaratory Statement was published in Vol. 43, No. 215, of the November 6, 2017 Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on February 16, 2018, in Orlando, Florida. At its meeting, the Petitioner sought the Board's interpretation whether a certified building contractor can subcontract to an unlicensed subcontractor who is working under the supervision of a certified building contractor providing that the work is within the scope of the supervising contractor's license. The Board declined to issue a Declaratory Statement stating that Petitioner's request for clarification is vague and facially insufficient and Petitioner's petition appears to apply to the conduct of a third party. The Order was filed on March 6, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, or telephone: (850)487-1395, or by electronic mail – Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by S. Paizes, Florida Home Improvement Services on November 29, 2017. The following is a summary of the agency's disposition of the petition: The Florida Roofing and Sheet Metal Contractors Association, Inc. (FRSA), filed a Motion for Intervention on January 9, 2018. The following is a summary of the agency's disposition of the petition: The original Notice of Petition for Declaratory Statement filed by S. Paizes, Florida Home Improvement Services was published in Vol. 43, No. 244, of the December 20, 2017 Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on February 16, 2018, in Orlando, Florida. At its meeting, the Petitioner sought the Board's interpretation whether a licensed certified contractor can use an agency agreement/power of attorney agreement for any legally authorized representation of

the contractor. The Board declined to issue a Declaratory Statement stating that Petitioner’s petition appears to apply to the conduct of a third party. The Order was filed on March 6, 2018.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, or telephone: (850)487-1395, or by electronic mail – Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

NOTICE IS HEREBY GIVEN that the Department of Financial Services has declined to rule on the petition for declaratory statement filed by Charlotte Funeral Services, LLC on June 18, 2018. The following is a summary of the agency's declination of the petition: The petition was denied because it asked a question of general applicability, not limited to petitioner's particular set of circumstances, and declaratory statements are not appropriate when the result is an agency statement of general applicability interpreting law or policy. Additionally, the petition improperly asked the department to address the conduct of other persons, and a declaratory statement is not the appropriate means for determining the conduct of another person.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Julie Jones, Agency Clerk, at Julie.Jones@myfloridacfo.com.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

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

NONE

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

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

Responses to the Invitation to Bid (ITB) listed below will be accepted in the PURCHASING DEPARTMENT, Room 9254, by 3:00 p.m. on October 2, 2018

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

BID NUMBER: 2019-GN-11, BID TITLE: Printing of the LEAP STUDENT PUBLICATION

Direct questions regarding this Bid to: Gaby Newsome – gnewsome@mdc.edu, Purchasing Department, Miami Dade College, 11011 SW 104th Street, Miami, FL 33176, (305)237-0005.

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

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, September 12, 2018 and 3:00 p.m., Tuesday, September 18, 2018.

Rule No.	File Date	Effective Date
53ER18-46	9/13/2018	9/13/2018
53ER18-47	9/13/2018	9/13/2018
53ER18-48	9/13/2018	9/13/2018
53ER18-49	9/13/2018	9/13/2018
53ER18-50	9/13/2018	9/13/2018
53ER18-51	9/13/2018	9/13/2018
53ER18-52	9/13/2018	9/13/2018
61-35.013	9/12/2018	10/2/2018
62B-33.0085	9/14/2018	10/4/2018
62B-33.014	9/14/2018	10/4/2018
62B-33.0155	9/14/2018	10/4/2018
62B-33.024	9/14/2018	10/4/2018
62B-34.030	9/14/2018	10/4/2018
62B-34.040	9/14/2018	10/4/2018
62B-34.070	9/14/2018	10/4/2018
62B-34.085	9/14/2018	10/4/2018
63G-2.023	9/12/2018	10/2/2018
64B5-2.014	9/14/2018	10/4/2018
64B5-2.0142	9/14/2018	10/4/2018
64B5-2.0146	9/14/2018	10/4/2018
64B5-7.003	9/14/2018	10/4/2018
64B5-7.0035	9/14/2018	10/4/2018
64B5-7.005	9/14/2018	10/4/2018
64B5-7.007	9/14/2018	10/4/2018
64B13-4.001	9/12/2018	10/2/2018
64B13-4.002	9/12/2018	10/2/2018
64B13-4.004	9/12/2018	10/2/2018
64B13-5.001	9/12/2018	10/2/2018
64B13-5.002	9/12/2018	10/2/2018
64B13-15.005	9/12/2018	10/2/2018

64B13-15.006	9/12/2018	10/2/2018
64B13-15.008	9/12/2018	10/2/2018
64E-3.002	9/14/2018	10/4/2018
64E-3.0034	9/14/2018	10/4/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF MANAGEMENT SERVICES
 NOTICE IS HEREBY GIVEN that on September 18, 2018, the Public Employees Relations Commission (PERC) published its 2018-2019 Regulatory Plan in accordance with subsection 120.74(2), Florida Statutes. The Regulatory Plan is available on PERC's website at http://perc.myflorida.com/annual_regulatory_plan_2018-2019.pdf.

DEPARTMENT OF FINANCIAL SERVICES
 FSC - Financial Institution Regulation
 Office of Financial Regulation
 NOTICE OF FILINGS
 Financial Services Commission
 Office of Financial Regulation
 September 19, 2018
 Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building,
Suite 118		
Phone: (850) 410-9889		101 East Gaines Street

Fax: (850) 410-9663 Tallahassee, Florida 32399-0379

Phone: (850) 410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 118, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850) 410-9889, or by Email: agency.clerk@flofr.com.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., October 10, 2018):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: First Columbia, Bancorp, Inc. (Columbia Bank), Lake City, Florida

Proposed Purchasers: PBD Holdings, LLC, Chattanooga, Tennessee

Received: September 14, 2018

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

Michael P. Marshall, Jr.

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.
