

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.01411
RULE TITLE: Equivalent Credentials for the Voluntary Prekindergarten (VPK) Education Program

PURPOSE AND EFFECT: To approve criteria for an individual who is seeking approval of an equivalent credential for VPK instructors.

SUBJECT AREA TO BE ADDRESSED: The criteria and process for the Florida Department of Education to approve credential as being equivalent to or greater than the education credentials listed in Section 1002.55(4), F.S. and adopting a preapproved equivalent credential list for VPK school-year instructors.

RULEMAKING AUTHORITY: 1001.213(2), 1002.55(4)(e) FS.

LAW IMPLEMENTED: 1002.55(4)(e), 1002.63(5) FS.

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

DATE AND TIME: Wednesday, March 7, 2018, 11:00 a.m. until noon or until business is concluded, whichever is earlier.

PLACE: Via GoToWebinar link may be found at: http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx.

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: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, Telephone: (850)717-8635. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tara Huls, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8635 or email: tara.huls@oel.myflorida.com. To submit a comment on this rule, visit <https://web02.fldoe.org/rules/default.aspx> or submit in writing to Chris Emerson, Agency Clerk, Department of Education, 325

West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-4.1090
RULE TITLE: Documents, Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend Rule 40B-4.1090, F.A.C., to update Flood Insurance Studies and digital flood insurance rate maps for Gilchrist, Lafayette, Levy, Madison, and Suwannee counties.

SUBJECT AREA TO BE ADDRESSED: Revision of FEMA maps incorporated by reference

RULEMAKING AUTHORITY: 373.044 FS.

LAW IMPLEMENTED: 373.083, 373.084, 373.085, 373.086, 373.413, 373.416 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: Leroy Marshall, Chief Engineer, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40B-4.1090 Publications and Agreements Incorporated by Reference.

(1) through (3) No change.

(4) The documents below are used to establish the floodways, base flood elevations and flood zones used in the implementation of this chapter:

(a) No change.

(b) The following Flood Insurance Studies and digital flood insurance rate maps supersede paragraph 40B-4.1090(4)(a), F.A.C., for each county listed below:

1. through 5. No change

6. Gilchrist County, Florida and Incorporated Areas, [\[HYPERLINK\]http://www.flrules.org/Gateway/reference.asp?No=Ref_03029](http://www.flrules.org/Gateway/reference.asp?No=Ref_03029), Revised January 19, 2018 ~~September 29, 2006.~~

7. through .8 No change.

9. Lafayette County, Florida and Incorporated Areas, [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03039, Effective ~~October 5, 2017~~ September 29, 2006.

10. Levy County, Florida and incorporated Areas, [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03040, Effective February 3, 2017 ~~November 2, 2012~~.

11. Madison County, Florida and Incorporated Areas, [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03041, Effective February 3, 2017 ~~May 3, 2010~~.

12. No change.

13. Suwannee County, Florida and Incorporated Areas, [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03043, Effective February 3, 2017 ~~April 16, 2013~~.

14. through 15. No change.

Rulemaking Authority 373.044 FS. Law Implemented 373.083, 373.084, 373.085, 373.086, 373.413, 373.416 FS. History—New 11-21-02, Amended 5-13-07, 4-21-08, 4-30-09, 8-31-09, 3-14-11, 10-14-13, [DATE].

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:
40B-400.091 Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend Rule 40B-400.091, F.A.C., to update Flood Insurance Studies and digital flood insurance rate maps for Gilchrist, Lafayette, Levy, Madison, and Suwannee counties.

SUBJECT AREA TO BE ADDRESSED: Revision of FEMA maps incorporated by reference

RULEMAKING AUTHORITY: 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.415, 373.421(2), 373.461(3), FS.

LAW IMPLEMENTED: 373.046, 373.118, 373.413, 373.4135, 373.415, 373.416, 373.421(2)-(6), 373.426, 373.461(3), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leroy Marshall, Chief Engineer, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40B-400.091 Publications and Agreements Incorporated by Reference.

(1) through (5) No change.

(6) The following Flood Insurance Studies and digital flood insurance rate maps which supersede subsection 40B-400.091(6), F.A.C., for each of county listed below.

(a) through (e) No change.

(f) Gilchrist County, Florida [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03029 and Incorporated Areas, Revised January 19, 2018 ~~September 29, 2006~~;

(g) through (h) No change.

(i) Lafayette County, Florida [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03039 and Incorporated Areas, effective October 5, 2017 ~~September 29, 2006~~;

(j) Levy County, Florida [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03040 and incorporated Areas, effective February 3, 2017 ~~November 2, 2012~~;

(k) Madison County, Florida [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03041 and Incorporated Areas, effective February 3, 2017 ~~May 3, 2010~~;

(l) No change.

(m) Suwannee County, Florida [HYPERLINK]http://www.flrules.org/Gateway/reference.asp?No=Ref 03043 and Incorporated Areas, effective February 3, 2017 ~~April 16, 2013~~;

(n) through (o) No change.

Rulemaking Authority 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.415, 373.421(2), 373.461(3) FS. Law Implemented 373.046, 373.118, 373.413, 373.4135, 373.415, 373.416, 373.421(2)-(6), 373.426, 373.461(3) FS. History—New 10-3-95, Amended 12-3-98, 3-7-02, 5-15-02, 7-1-07, 10-14-13,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-2.001 Definitions

PURPOSE AND EFFECT: The Board proposes a rule amendment to define the term “immediate supervision” to be utilized in the Board’s probationary terms.

SUBJECT AREA TO BE ADDRESSED: Definition of the term “immediate supervision.”

RULEMAKING AUTHORITY: 456.072(2)(f), (g), 456.50(2), 458.303(1)(b), (i), 458.309, 458.311, 458.313(3), 458.315(1), 458.317(1)(c), (g), 458.319(1), 458.331(1)(w), 766.314(4) FS.

LAW IMPLEMENTED: 456.072(2)(g), 456.50(2), 458.303, 458.311, 458.313, 458.315(1), 458.317(1)(c), 458.331(1)(u), 458.3485, 766.314(4) 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: Claudia Kemp, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.025 Licensure Under Supervision

PURPOSE AND EFFECT: The Board proposes a rule amendment to add “immediate supervision” to the rule which may be utilized in instances where the Board determines that a licensee requires a period of practice under this type of supervision.

SUBJECT AREA TO BE ADDRESSED: The addition of “immediate” supervision to the licensure rule.

RULEMAKING AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 458.311, 458.313, 458.3145, 458.315, 458.317 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.

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DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-8.0011 Standard Terms Applicable to Orders

64B8-8.0012 Probation Variables and Practice Restrictions

64B8-8.0021 Provisions Governing All Supervisors or Monitoring Physicians.

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address a third level of physician supervision for those physicians who are placed on probation.

SUBJECT AREA TO BE ADDRESSED: The addition of “immediate” supervision to probationary rules and supervision rules and clarification of supervision requirements.

RULEMAKING AUTHORITY: 456.072(2), 458.309, 458.331(5), FS.

LAW IMPLEMENTED: 456.072(2), 458.331, 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.

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DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.009 Standard of Care for Office Surgery

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the issue of itinerant physicians.

SUBJECT AREA TO BE ADDRESSED: Appropriate post-operative care of the patient in office surgery settings.

RULEMAKING AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.351 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.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-2.001	General Definitions
68B-2.002	Return of Marine Organisms to Water; Permissible Temporary Possession
68B-2.003	License Required for Harvest or Possession of a Marine Organism
68B-2.004	Recreational and Commercial Harvest on the Same Trip
68B-2.006	Restricted Species Endorsement
68B-2.007	Prohibition of Possession, Transport, Purchase, or Sale of Illegally-Caught Marine Organisms
68B-2.008	Trap Placement
68B-2.009	Designation of License-Free Saltwater Fishing Days
68B-2.010	Tournament Permits

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for the general chapter in the 2018 calendar year resulting from management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include definitions, harvest or possession of marine organisms, license requirements, restricted species endorsement, tournament permits, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-3.001	Repeal of Chapters 57-1218 and 57-1219, Charlotte County Special Acts
68B-3.002	Repeal of Chapters 27473 and 30665, and Portions of Chapters 20159 and 26045, Collier County Special Acts of Local Application
68B-3.003	Repeal of Chapter 21254, Gilchrist County Special Acts of Local Application
68B-3.004	Repeal of Indian River County Special Acts of Local Application
68B-3.005	Repeal of Manatee County Special Acts of Local Application
68B-3.006	St. Johns County, Use of Nets
68B-3.007	Prohibition on Take of Puffer Fish in Volusia, Brevard, Indian River, St. Lucie, and Martin Counties
68B-3.008	Repeal, Amendment, and Readoption of Sections of Chapter 70-973, Laws of Florida (1970), as Amended by Chapter 73-652, Laws of Florida (1973), Volusia County Special Act
68B-3.009	Brevard County: Turkey Creek and Crane Creek Gear Specifications; Definitions; Repeal of Chapters 28927, 30601, and 63-

- 68B-3.011 910, Brevard County Special Acts of Local Application
Repeal and Readoption of Portions of Chapter 61-2566, Laws of Florida (1961), Okaloosa County Special Act
- 68B-3.028 Repeal and Readoption of Portions of Escambia and Santa Rosa Counties Special Acts
- 68B-3.029 Repeal and Readoption of Portions of Chapter 69-1097, Laws of Florida (1969), as Amended by Chapter 70-707, Laws of Florida (1970), and Chapter 73-482 (1973), Hernando County Special Act; Repeal of Portions of Chapters 18571 and 69-1103, Hernando County Special Acts of Local Application
- 68B-3.031 Repeal and Readoption of Portions of Chapter 21365, Laws of Florida (1941), Manatee County Special Act
- 68B-3.032 Repeal of Portions of Chapters 71-770, 18683, and 19971, Laws of Florida, Martin County Special Acts
- 68B-3.033 Repeal of Chapter 21147, Citrus County Special Act of Local Application
- 68B-3.034 Repeal of Dade County Special Act local Application
- 68B-3.035 Repeal of Gulf County Special Act of Local Application
- 68B-3.036 Repeal of Portions of Chapter 6311, Lafayette County Special Act of Local Application
- 68B-3.037 Repeal of Chapter 15306, and Portions of Chapter 70-778, Lee County Special Acts of Local Application
- 68B-3.038 Repeal of Portions of Chapters 8796, 20045, and 31137, Palm Beach County Special Acts of Local Application
- 68B-3.039 Repeal of Chapter 71-838 and Portions of Chapters 6638, 14305, 65-2078, and 71-838, Pasco County Special Acts of Local Application
- 68B-3.040 Repeal of Portions of Chapters 21099, 23480, 27467, 29433, 76-482, and 81-465, Pinellas County Special Acts of Local Application
- 68B-3.041 Repeal of St. Lucie County Special Acts of Local Application
- 68B-3.042 Repeal of Portions of Chapters 24890 and 70-930, Sarasota County Special Acts of Local Application
- 68B-3.043 Repeal of Portions of Chapter 65-2369, Walton County Special Acts of Local Application

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for

local laws in the 2018 calendar year resulting from management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

- | | |
|-------------------|--|
| RULE NOS.: | RULE TITLES: |
| 68B-4.002 | Gear Definitions |
| 68B-4.013 | Limitation on Use of Spotter Planes |
| 68B-4.019 | Prohibition of Trap Pullers on Recreational and Certain Commercial Vessels |
| 68B-4.020 | Saltwater Fish Traps |

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for gear specification and prohibited gear in the 2018 calendar year resulting from stock assessments or management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include gear restrictions and other specifications encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

- RULE NOS.:** **RULE TITLES:**
- 68B-12.001 King Mackerel Gulf-Atlantic Fishery; Resource Renewal Policy; Designation as Restricted Species
 - 68B-12.002 Definitions
 - 68B-12.0035 Size Limit
 - 68B-12.004 Bag Limits
 - 68B-12.0045 Recreational Season; Season Closure
 - 68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Seasons; Vessel and Landing Limits
 - 68B-12.006 Other Prohibitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments in the 2018 calendar year for Gulf-Atlantic king mackerel fisheries resulting from stock assessments, federal regulatory actions or other management and enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits,

bag limits, open and closed seasons, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

- RULE NOS.:** **RULE TITLES:**
- 68B-13.001 Applicability of Rules to State and Federal Waters
 - 68B-13.0015 Definitions
 - 68B-13.005 Designation as Restricted Species; Season; Repeal of Special Act
 - 68B-13.006 Licenses, Endorsements, and Permits
 - 68B-13.007 Restrictions on Size and on Transport and Possession of Stone Crabs and Stone Crab Claws
 - 68B-13.008 Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer
 - 68B-13.009 Recreational Stone Crab Harvest: Bag Limit, Trap Limit, Trap Marking Requirements, Trap Pulling
 - 68B-13.010 Stone Crab Trap Limitation Program
 - 68B-13.011 Prohibitions
 - 68B-13.012 Commission Policy Regarding the Assessment of Administrative Penalties

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments in

the 2018 calendar year for stone crab fisheries resulting from stock assessments, federal regulatory actions or other management and enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-14.001	Purpose and Intent, Designation as Restricted Species
68B-14.002	Definitions
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.0036	Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy,

	Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption
68B-14.0038	Recreational Snapper Seasons
68B-14.0039	Recreational Grouper Seasons
68B-14.004	Recreational Amberjack Season
68B-14.0041	Recreational Gulf Gray Triggerfish Season
68B-14.0042	Recreational Hogfish Season
68B-14.0045	Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits
68B-14.005	Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation
68B-14.006	Other Prohibitions and Exception
68B-14.009	Reporting Requirement

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for reef fish in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-21.001	Designation as a Protected Species
68B-21.002	Definitions
68B-21.003	Regional Size Limits; Landed in Whole Condition Requirement
68B-21.004	Regional Recreational Bag Limits; Bag Limit for Captain and Crew; Prohibited Commercial Harvest; Region for Landing and Possession
68B-21.005	Seasons
68B-21.006	Allowed and Prohibited Gear and Methods of Harvest; Prohibited Simultaneous Procession of Snook and Certain Types of Gear; Incidental Capture of Snook
68B-21.007	Purchase and Sale of Snook Prohibited; Prohibited Possession by Seafood Dealers and Restaurants

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for snook in the 2018 calendar year resulting from stock assessments, management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-23.001	Purpose, Intent and Repeal of Other Laws; Designation as Restricted Species
68B-23.002	Definitions
68B-23.003	Gear Specifications and Prohibited Gear
68B-23.0035	Size Limit
68B-23.004	Commercial Fishing Season for Spanish Mackerel; Commercial Vessel Limits
68B-23.005	Recreational Bag Limit for Spanish Mackerel
68B-23.006	Other Prohibitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for Spanish mackerel in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management and enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-24.001	Purpose and Intent
68B-24.002	Definitions
68B-24.003	Minimum Size Limits
68B-24.0035	Special Recreational Crawfish License
68B-24.004	Bag Limit
68B-24.0045	Importation of Spiny Lobster; Documentation and Other Requirements
68B-24.005	Seasons
68B-24.0055	Commercial Requirements
68B-24.006	Gear: Traps, Buoys, Identification Requirements, Prohibited Devices
68B-24.0065	Special Provisions for John Pennekamp Coral Reef State Park in Monroe County: Closure During Two-day Sport Season; Closure of Coral Formation Protection Zones
68B-24.007	Other Prohibitions
68B-24.009	Trap Reduction Schedule

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for spiny lobster in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-27.013	Definitions
68B-27.014	Statewide Bag Limits on Oyster Harvesting
68B-27.015	Oyster Size Limit
68B-27.016	Oyster Harvest Monitoring
68B-27.017	Apalachicola Bay Oyster Harvesting Restrictions
68B-27.018	Statewide Harvesting Restrictions
68B-27.019	Seasons
68B-27.020	Applicability to Oysters on Leased Parcels

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for oysters in the 2018 calendar year resulting from stock assessments, federal regulatory actions, management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, seasons, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-30.001	King Mackerel Atlantic Fishery; Purpose and Intent; Designation as Restricted Species
68B-30.002	Definitions
68B-30.0025	Size Limit
68B-30.003	Commercial Harvest Limits; Recreational Bag Limit; Gear Specifications
68B-30.004	Commercial Season Closures
68B-30.006	Other Prohibitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for the Atlantic king mackerel fishery in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-31.001	Northeast Florida Live Bait Shrimp Fishery; Purpose and Intent
68B-31.002	Definitions
68B-31.003	Live Bait Shrimp Trawl Gear Specifications
68B-31.0035	Trawls: Allowed Use; Maximum Square Footage of Mesh Area; Definitions
68B-31.004	Trawl Gear Specifications: Turtle Excluder Devices Required; Exceptions; Definitions
68B-31.0045	Trawl Gear Specifications: Bycatch Reduction Devices
68B-31.005	Purpose and Intent; Repeal of Certain General and Special Acts; Designation of Shrimp as Restriction Species
68B-31.006	Definitions
68B-31.007	Statewide Recreational Shrimping Restrictions
68B-31.008	Statewide Live Bait Shrimp Production Restrictions
68B-31.009	Statewide Food Shrimp Production Restrictions
68B-31.010	Northwest Region Food Shrimp Production Gear Specifications
68B-31.011	Big Bend Region Food Shrimp Production Gear Specifications
68B-31.012	Southwest Region Food Shrimp Production Gear Specifications
68B-31.013	Southeast Region Food Shrimp Production Gear Specifications
68B-31.0135	Southeast Region: Biscayne Bay (Dade County) Food Shrimp Production Season and Weekly Closures
68B-31.0136	Southeast Region: Food Shrimp Production Closed Area (Portion of Monroe County)
68B-31.014	Northeast Region Food Shrimp Production Gear Specifications
68B-31.015	Northeast Florida Shrimping: Definition
68B-31.0155	Northeast Florida Shrimping: Closed Season; Definition of Term "Legal State Holidays" for Purposes of Section 379.247(8)(a), F.S.; Closed Areas
68B-31.0156	Florida East Coast Shrimp Bed: Repeal of Section 370.156, Florida Statutes; Seasonal

- 68B-31.0157 Food Shrimp Production Closure; Exception; Definition
East Coast: Night Trawling Prohibited; Exception
- 68B-31.016 Tortugas Shrimp Beds: Repeal of Section 370.151(2), F.S. (1991); Redescription of Tortugas Shrimp Beds; Closed Areas
- 68B-31.017 Big Bend Region Closed Areas; Seasonal Closures
- 68B-31.018 Northwest Region Closed Areas; Repealed Special Acts
- 68B-31.019 Regulation of Shrimp Fishing in Tampa Bay; License Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for shrimp in the 2018 calendar year resulting from stock assessments, other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

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|-------------------|--|
| RULE NOS.: | RULE TITLES: |
| 68B-35.001 | Purpose and Intent; Repeal of Certain Laws; Designation as Restricted Species, Aquaculture Exemption for Pompano |
| 68B-35.002 | Definitions |
| 68B-35.003 | Size Limits; Prohibition of Sale; Landing in Whole Condition |
| 68B-35.0035 | Bag Limits |
| 68B-35.004 | Gear Specifications and Prohibited Gear |
| 68B-35.005 | Pompano Endorsement Regulations |
| 68B-35.006 | Closed Season |

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for permit, pompano, and African pompano in the 2018 calendar year resulting from stock assessments, management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-37.001	Designation as Restricted Species; Purpose and Intent
68B-37.002	Definitions
68B-37.003	Size Limits for Recreational and Commercial Harvest; Whole Condition Requirement
68B-37.004	Regional Recreational Bag Limits; Commercial Bag, Vessel, and Landing Limits
68B-37.005	Commercial Seasons
68B-37.006	Allowed and Prohibited Gear and Method of Harvest; Restriction on Simultaneous Possession of Spotted Seatrout and Certain Types of Gear
68B-37.007	Purchase and Sale Prohibitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for spotted seatrout in the 2018 calendar year resulting from stock assessments or management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-39.001	Designation as Restricted Species
68B-39.002	Definitions
68B-39.003	Size Limit; Exception
68B-39.004	Bag Limit
68B-39.0045	Seasonal Bag Limit for Portion of Pinellas County
68B-39.0046	Seasonal Night Closure for Portion of Charlotte County (Punta Gorda)
68B-39.0047	Allowable Harvesting Gear
68B-39.005	Commercial Harvest, Statewide Regulations
68B-39.008	Pasco-Lee Region; Seasons; Closed Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for mullet in the 2018 calendar year resulting from stock assessments or management and enforcement requirements, or to address amendments resulting from the agency's comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-42.001	Purpose and Intent; Designation of Restricted Species; Definition of "Marine Life Species"
68B-42.002	Definitions
68B-42.003	Prohibition of Harvest: Longspine Urchin, Bahama Starfish
68B-42.0035	Live Landing and Live Well Requirements
68B-42.0036	Closed Areas
68B-42.004	Size Limits
68B-42.005	Recreational Bag Limit
68B-42.006	Commercial Season, Harvest Limits
68B-42.0065	Commercial Requirements; Endorsements; Requalifying; Appeals; Leasing; Transferability
68B-42.007	Gear Specifications and Prohibited Gear
68B-42.008	Live Rock: Harvest in State Waters Prohibited; Aquacultured Live Rock Harvest and Landing Allowed
68B-42.009	Prohibition on the Taking, Destruction, or Sale of Marine Corals Sea Fans, and Non-erect, Encrusting Octocorals; Exception

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for marine life in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency's comprehensive review of Division 68B, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-44.002	Definitions
68B-44.003	Bag Limit Applicable to State Waters, Gear Restriction
68B-44.004	Landing in Whole Condition; Transit Through State Waters
68B-44.005	Commercial Harvest of Sharks: Federal Permit Required
68B-44.006	Commercial Season; Season Closure; Prohibition of Sale
68B-44.007	Size Limit Applicable to State Waters
68B-44.008	Prohibited Species; Prohibition of Harvest, Landing, and Sale

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for sharks and rays in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency's comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions, prohibited species and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-48.001	Designation as Restricted Species
68B-48.002	Definitions
68B-48.003	Size Limits; Landed in Whole Condition Requirement
68B-48.004	Bag Limits; Bycatch Allowance
68B-48.006	Allowed and Prohibited Gear and Methods of Harvest; Bycatch Exception
68B-48.011	Aquaculture Exemption

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for flounder in the 2018 calendar year resulting from stock assessments or management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries

Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-49.001	Designation as a Restricted Species
68B-49.002	Definitions
68B-49.003	Size Limit; Landed in Whole Condition Requirement
68B-49.004	Bag and Vessel Limits; Bycatch Allowance
68B-49.006	Allowed and Prohibited Gear and Method of Harvest; Bycatch Exception

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for tripletail in the 2018 calendar year resulting from stock assessments or management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-54.001	Definitions
68B-54.002	Statewide Open and Closed Seasons for Harvesting Blue Land Crabs
68B-54.003	Allowable Gear for Harvesting Land Crabs
68B-54.004	Bag Limit
68B-54.005	Other Prohibitions, Exception

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for blue land crabs in the 2018 calendar year resulting from stock assessments, management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-56.001	Definitions
68B-56.002	Commercial Licensing Requirements; Appeals
68B-56.003	Allowable Commercial Harvesting Gear
68B-56.004	Commercial Season; Season Closure; Daily Harvest and Possession Limits

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for ballyhoo in the 2018 calendar year resulting from stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-59.001	Designation as Restricted Species
68B-59.002	Definitions
68B-59.003	Size Limit; Landed in Whole Condition Requirement
68B-59.004	Bag Limits; Bycatch Allowance
68B-59.006	Allowed and Prohibited Gear and Methods of Harvest; Bycatch Exception
68B-59.011	Aquaculture Exemption

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for sheephead in the 2018 calendar year resulting from stock assessments or management or enforcement requirements.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE NOS.:	RULE TITLES:
68E-18.001	Introduction: Purpose and Intent
68E-18.002	Definitions
68E-18.003	Certificate Allocations and Fees
68E-18.004	Spiny Lobster Trap Tags
68E-18.005	Transfer of Certificates
68E-18.006	Rental or Leasing of TrapTags
68E-18.007	Trap Reduction
68E-18.008	Suspension of Certificates and Crawfish Endorsement

68E-18.010 Commission Policy Regarding the Assessment of Administrative Penalties

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments in the 2018 calendar year for the spiny lobster trap certificate program resulting from stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of marine fisheries regulations.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include the spiny lobster trap certificate program and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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

Section II
Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09441
 RULE TITLE: Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: Updates the “Course Code Directory and Instructional Personnel Assignments” by which school districts receive Florida Education Finance Program (FEFP) funding. The effect will be an updated directory of courses for students to take to earn credit toward high school graduation.

SUMMARY: This amendment incorporates the following changes into the “Course Code Directory and Instructional Personnel Assignments” document: identify newly added courses for the 2018-19 school year, identify courses for deletion in the 2019-20 school year and remove previously deleted courses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of the rule changes. More specifically, deleting obsolete courses and revising a form to request less information will have no effect.

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

RULEMAKING AUTHORITY: 1001.02(1), 1003.03(6), 1011.62(1)(t), FS.

LAW IMPLEMENTED: 1003.03(6), 1003.4282(1)(b), 1011.62(1), 1012.55(1)(c), FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Todd Clark, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) through (4) No change.

(5) The “Course Code Directory and Instructional Personnel Assignments 2018-2019 ~~2017-2018~~,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08257>) is hereby incorporated by reference and made a part of this rule, effective April 2018 ~~June 2017~~. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access or electronic disc. The directory may be obtained from the Office of Articulation, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved. To request a new course, complete Form CCD01, Course Code Directory Request to Add a New Course, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08258>) which is hereby incorporated by reference and made a part of this rule, effective June 2017. A hard copy may be obtained by contacting the Office of Articulation, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, or www.fldoe.org/articulation/CCD/.

Rulemaking Authority 1001.02(1), 1003.03(6), 1011.62(1)(t) FS. Law Implemented 1003.03(6), 1003.4282(1)(b), 1011.62(1), 1012.55(1)(c) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06, 1-18-07, 5-19-08, 1-5-09, 6-22-09, 5-3-10, 8-21-11, 9-5-12, 11-3-13, 4-2-14, 12-23-14, 6-23-15, 6-23-16, 6-20-17, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Todd Clark, Director, Office of Articulation.
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Pam Stewart, Commissioner, Department
of Education.
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 07, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: January 19, 2018

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09515 Excused Absences for Students with Autism
Spectrum Disorder

PURPOSE AND EFFECT: To address excused absences for
the treatment of autism spectrum disorder.

SUMMARY: During the 2017 Legislative Session, sections
1002.20, 1003.21, 1003.24, F.S., were amended to require each
school district, in accordance with the State Board of Education
rule, to amend policies authorizing a parent to request and be
granted permission for absence of a student from school for an
appointment scheduled to receive a therapy service provided by
a licensed health care practitioner or a behavior analyst certified
pursuant to s. 393.17, F.S., for the treatment of autism spectrum
disorder, including, but not limited to, applied behavioral
analysis, speech therapy and occupational therapy.

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

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

The Agency has determined that the proposed rule is not
expected to require legislative ratification based on the
statement of estimated regulatory costs or if no SERC is
required, the information expressly relied upon and described
herein: The proposed rule is not expected to have any adverse
impact on economic growth, business competitiveness or other
factors listed in s. 120.541(2)(a), F.S., and is not expected to
require legislative ratification. The proposed amendment does
not impose any new costs on any stakeholder.

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

RULEMAKING AUTHORITY: 1001.02(1), 1003.21, FS.
LAW IMPLEMENTED: 1002.20, 1003.21, 1003.24, FS.
A HEARING WILL BE HELD AT THE DATE, TIME AND
PLACE SHOWN BELOW:
DATE AND TIME: March 27, 2018, 9:00 a.m.
PLACE: Hendry County, LaBelle High School, 4050 E.
Cowboy Way, LaBelle, FL 33935.
THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Jacob Oliva, Executive Vice
Chancellor, K-12 Public Schools, at Jacob.Oliva@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09515 Excused Absences for Treatment of Students
with Autism Spectrum Disorder

(1) Release time during the school day to participate in
therapy services for the treatment of autism spectrum disorder.
Each school district shall adopt policies authorizing a parent to
request and be granted permission for absence of a student to
receive therapy services for treatment of autism spectrum
disorder to implement Section 1003.21(2)(b)2., F.S. The school
district's rules shall include, but are not limited to, the
following:

(a) Provisions establishing the procedures and time frames
for parents to request excused absences for scheduled
appointments for treatment of autism spectrum disorder.

(b) Provisions for establishing the school district's
requirements for verification of therapy provided by licensed
health care practitioners or certified behavior analysts pursuant
to Section 393.17, F.S., for the treatment of autism spectrum
disorder.

(2) For purposes of this rule, a school district may accept
documentation of excused absences from certified behavior
analysts pursuant to Section 393.17, F.S.; speech-language
pathologists licensed under Section 468.1185, F.S.;
occupational therapists licensed under Part III of Chapter 468,
F.S.; psychologists licensed under Chapter 490, F.S.; clinical
social workers licensed under Chapter 491, F.S.; or other health
care practitioners as defined in Section 456.001(4), F.S.
Rulemaking Authority 1001.02(1), 1003.21(2)(b) FS. Law
Implemented 1002.20, 1003.21(2)(b), 1003.24 FS. History-New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, Division of K-12 Public Schools.
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Pam Stewart, Commissioner, Department
of Education.
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 7, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: December 21, 2017

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: 6A-5.0411
 RULE TITLE: Calculations of Student Learning Growth for Use in School Personnel Evaluations

PURPOSE AND EFFECT: To update the language of this rule to reflect changes arising from the passage of HB 7069 making the use of VAM optional in educator evaluations.

SUMMARY: The first change in this proposed rule revision is including clarifying language to indicate that the use of the state calculations measuring student learning growth for inclusion in personnel evaluations by districts is optional. As part of this first change, language explicitly stating that districts must use the state calculation is being removed. The second change is the addition of language explaining how districts may use state calculations for school administrators. Other proposed changes are those that clarify terminology and methodology used in the statistical calculations of student learning growth, and remove exemptions that no longer apply because the use of these results is now optional under any circumstance.

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: After analysis of the proposed rule's potential economic impact, it was determined that the adverse impact or regulating cost, if any, is not expected to exceed the economic analysis criteria set forth in s. 120.541(2)(a), F.S. More specifically, the agency intends to implement the proposed rule within its current workload, with existing staff and the proposal does not increase the reporting requirements or any other requirements on districts and does not require legislative ratification.

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

RULEMAKING AUTHORITY: 1012.34, FS.

LAW IMPLEMENTED: 1012.34, FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jason Gaitanis, Bureau Chief, Bureau of Accountability Reporting, 325 West Gaines Street, Room 544, Tallahassee, Florida 32399-0400; (850)245-0411; or jason.gaitanis@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.0411 Calculations of Student Learning Growth for Use in School Personnel Evaluations.

(1) Purpose. The purpose of this rule is to provide districts choosing to use the formulas for measuring student learning growth approved by the commissioner with a framework for using and interpreting scores, ~~the statewide standards for determining each performance level for use~~ in school district instructional personnel evaluation systems developed under Section 1012.34, F.S., and to provide information for use in the approval of school leader preparation programs under Section 1012.562, F.S. ~~procedures associated with implementing the formulas and standards.~~

(2) Definitions. For the purposes of this rule, the following definitions apply.

(a) through (b) No change.

(c) "Covariate." A covariate is a variable or set of variables reflecting measured characteristics used in computing a statistical model that controls for specific influences on the outcome being modeled.

(d) No change.

(e) "Expected score." An expected score generated by a value-added model for a statewide, standardized assessment is based on the student's prior statewide, standardized assessment score history and covariates, measured characteristics as well as how other students in the state actually performed on the assessment. For each individual student, the expected score is the sum across all covariates of the value of the covariate multiplied by that covariate's contribution to student learning as estimated by the covariate adjustment model.

(f) through (i) No change.

(j) "Value-added model" or "VAM." A value-added model is a statistical model used for the purpose of determining an individual teacher's contribution to student learning growth.

(3) Formulas for measuring student learning growth.

(a) The English Language Arts and Mathematics value-added models.

1. The formula for measuring student learning growth using student English Language Arts and Mathematics results approved by the commissioner is ~~shall be~~ a covariate adjustment value-added model.

The value-added model statistically establishes the expected learning growth for each student, called an expected score. When a student's actual performance differs from these

expectations, a portion of that difference is attributed to the teacher's and a portion is attributed to the school's influence. Together, this information is used to compute a teacher's value-added score. School value-added scores are the average of the teacher value-added scores within the school, and are provided to districts that choose to use them for the performance of students component of administrator evaluations required under Section 1012.34(3)(a)1., F.S.

2. No change.

3. The covariates included in the value-added model approved by the commissioner are: ~~shall be~~

a. through j. No change.

4. a. through b. No change.

(b) The Algebra I value-added models.

1. The formula for measuring student learning growth using student results from the statewide, standardized end-of-course assessment in Algebra I pursuant to Section 1008.22, F.S., approved by the commissioner is ~~shall be~~ a covariate adjustment value-added model.

The value-added model statistically establishes the expected learning growth for each student, called an expected score. When a student's actual performance differs from these expectations, a portion of that difference is attributed to the teacher's and a portion is attributed to the school's influence. Together, this information is used to compute a teacher's value-added score. School value-added scores are the average of the teacher value-added scores within the school, and are provided for districts that choose to use them for the performance of students component of administrator evaluations required under Section 1012.34(3)(a)1., F.S.

2. No change.

3. The covariates included in the Algebra I value-added model approved by the commissioner ~~shall~~ include those listed under sub-subparagraphs (3)(a)3.a.-j., as well as the following:

a. through c. No change.

4. The formula produces a value-added score for a teacher. For Algebra I, the score is the teacher effect. The teacher effect is an estimate of a teacher's contributions to student achievement as measured by scores on statewide, standardized assessments. It is based on the difference between expected scores and actual scores for a teacher's students relative to other teachers in the school, among students assessed in the same subject at the same grade level during the same year.

(4) Data Collected and Reported for VAM.

(a) No change.

(b) Results provided to districts shall include the following information for each statewide, standardized assessment for which a formula has been adopted:

1. A value-added score for each teacher and administrator based on the statewide, standardized assessment associated with the course(s) that the teacher taught during the current year

or the school the administrator was assigned to during the current year. This score shall be reported for each grade level and subject area covered by the statewide assessment.

2. a. through c. No change.

d. The aggregate score shall be calculated by standardizing the value-added scores by converting them to a proportion of a year's average growth within the grade and subject for the year, and combining them across all grades and subjects for as many of the last three (3) years as data are available. For districts choosing to use school score(s) for administrator evaluations, districts may elect to combine multiple one (1) year, two (2) year, and three (3) year aggregate scores that reflect the school(s) to which the administrator was assigned and the years to which they were assigned to those school(s) during the period.

3. through 4. No change.

(5) Classifying and Interpreting Scores. ~~Performance level Standards for Courses Associated with Statewide, Standardized Assessments.~~

(a) Data elements used by the department to classify and interpret scores ~~to set performance level standards~~ are as follows:

1. through 3. No change.

(b) Ratings. ~~Districts may use the rating provided by the department Performance level standards for the Performance of Students Criterion. The performance standards~~ for the performance of students criterion in performance evaluations under Section 1012.34, F.S., for classroom teachers of courses associated with statewide, standardized assessments and administrators ~~shall be as follows.~~

1. Ratings ~~Performance level standards~~ for Florida's value-added models. The Department provides ratings ~~performance level standards for grade-specific and aggregate scores from the English Language Arts, and Mathematics, and Algebra I value-added models, shall be established using the 3-year aggregate combined VAM score for English Language Arts and Mathematics and the grade level VAM score for Algebra I provided by the Department, except as follows:~~

a. ~~When a teacher has any student in their VAM score used to determine the Performance of Students component of a teacher's annual evaluation who had an expected score on any assessment that was higher than the score it was possible to achieve on that assessment;~~

b. ~~The number of assessments used to calculate the VAM score used to determine the Performance of Students component of a teacher's annual evaluation is fewer than ten (10);~~

c. ~~The teacher is not present for more than 50% of the school days associated with the course; or~~

d. ~~The teacher's VAM score used to determine the Performance of Students component of a teacher's annual~~

~~evaluation includes Advanced Academics courses (7755040 or 7855040).~~

~~In the circumstances described in (5)(b)1.a. through d. above, the district shall not be required to use the results of the VAM formula but instead may select an alternative measure of student performance to be used in the educator's evaluation.~~

2. The ~~ratings performance level standards~~ for the English Language Arts, ~~and Mathematics, and Algebra I~~ value-added models are as follows:

a. Highly Effective. A highly effective rating ~~on Performance of Students criteria~~ is demonstrated by a value-added score of greater than zero (0), where all of the scores contained within the associated 95-percent confidence interval also lie above zero (0).

b. Effective. An effective rating ~~on Performance of Students criteria~~ is demonstrated by the following:

(I) through (III) No change.

c. Needs Improvement, or Developing if the teacher has been teaching for fewer than three (3) years. A needs improvement or developing rating ~~on Performance of Students criteria~~ is demonstrated by a value-added score that is less than zero (0), where the entire 68-percent confidence interval falls below zero (0), but where a portion of the 95-percent confidence interval lies above zero (0).

d. Unsatisfactory. An unsatisfactory rating ~~on Performance of Students criteria~~ is demonstrated by a value-added score of less than zero (0), where all of the scores contained within the 95-percent confidence interval also lie below zero (0).

~~(e) Implementing the performance level standards.~~

~~Beginning with the evaluations for the performance during the 2015-16 school year, each district school board will implement the performance level standards for Florida's English Language Arts, Mathematics and Algebra I value-added models, as described in this rule.~~

Rulemaking Authority 1012.34 FS. Law Implemented 1012.34 FS. History--New 9-9-15. Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 07, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 11, 2018

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
RULE TITLE: Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: To adopt the secondary and postsecondary career education programs prescribed in Sections 1004.92 and 1011.80, Florida Statutes, and listed as follows: "Agriculture, Food & Natural Resources," "Architecture & Construction," "Arts, A/V Technology & Communication," "Business, Management & Administration," "Education & Training," "Energy," "Finance," "Government & Public Administration," "Health Science," "Hospitality & Tourism," "Human Services," "Information Technology," "Law, Public Safety & Security," "Manufacturing," "Marketing, Sales & Service," "Engineering and Technology Education," "Transportation, Distribution & Logistics," and "Additional CTE Programs/Courses," all of which fall under the umbrella of the "Career and Technical Education Programs, Academic Year 2018-2019." In addition, to adopt the "Adult General Education Standards and Curriculum Frameworks 2018-2019."

SUMMARY: The Department is responsible for developing program standards and industry-driven benchmarks for career and technical education and adult general education programs. The criteria for qualification of individual courses for inclusion in secondary and postsecondary career education programs and adult general education programs prescribed in Workforce Education programs are annually adopted by the State Board of Education and are published by the Commissioner on the Department's website.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that the proposed rule does not require legislative ratification and is not expected to have any impact on the factors found in s. 120.541(2)(a), F.S. The

Career and Technical Education Standards and Industry-Driven Benchmarks and Adult General Education Standards provide secondary and postsecondary district institutions and the state college institutions a framework for providing these educational programs. These frameworks contain rigorous standards and benchmarks determined to be necessary for student success in college and careers in the selected programs. The adverse impact or regulatory cost, if any, does not exceed nor would be expected to exceed any one of the economic analysis criteria set forth 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: 1004.92, FS.

LAW IMPLEMENTED: 1004.92, FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Division of Career and Adult Education, 325 West Gaines Street, #714 Tallahassee, FL 32399-0400, (850)245-9062

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0571 Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks.

(1) Section 1004.92, F.S., requires the Department of Education to develop program standards and industry-driven benchmarks for career and technical education and adult and community education programs. The criteria for qualification of individual courses for inclusion in the classification of secondary career education programs prescribed in Section 1011.80, F.S., or Workforce Development Education programs as prescribed in Section 1011.62, F.S., are annually adopted by the State Board and shall be published by the Commissioner in the documents titled, as follows:

- “Agriculture, Food & Natural Resources,”
- “Architecture & Construction,”
- “Arts, A/V Technology & Communication,”
- “Business, Management & Administration,”
- “Education & Training,”
- “Energy,”
- “Finance,”
- “Government & Public Administration,”
- “Health Science,”

“Hospitality & Tourism,”
 “Human Services,”
 “Information Technology,”
 “Law, Public Safety & Security,”
 “Manufacturing,”
 “Marketing, Sales & Service,”
 “Engineering and Technology Education,”
 “Transportation, Distribution & Logistics,” and
 “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2018-2019 ~~2017-2018~~ Curriculum Frameworks by Career Cluster” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03920>),” or in the document “Adult General Education Standards and Curriculum Frameworks 2018-2019 ~~2017-2018~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03919>)”. These criteria are hereby incorporated by reference in this rule. Copies of these publications may be obtained from the Division of Career and Adult Education, Department of Education, The Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399 or from the Department’s website at <http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/curriculum-frameworks/2018-19-frameworks> <http://www.fldoe.org/workforce/dwframe> and <http://www.fldoe.org/academics/career-adult-edu/adult-edu/2018-2019-adult-edu-curriculum-frameworko.stml> http://fldoe.org/workforce/dwframe/ad_frame.asp.

(2) Commissioner of Education waiver authority. The Commissioner of Education may approve a school’s waiver request submitted by a district school board or the Florida College System Institution’s board of trustees to allow the school or institution to substitute locally approved intended outcomes for State Board approved outcomes included in the documents titled as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology& Communication,” “Business, Management & Administration,” “Education& Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Engineering and Technology Education,” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2018-2019 ~~2017-2018~~ Curriculum Frameworks by Career Cluster” and “Adult General Education Standards and Curriculum Frameworks 2018-2019 ~~2017-2018~~,” provided that:

(a) The framework does not identify occupations requiring state or federal licensure, certification or registration;

(b) Locally approved outcomes specified for the state approved program adequately address the major concepts/content contained in the curriculum framework; and

(c) The waiver request fulfills the provisions of Section 1001.10, F.S.

Rulemaking Authority 1004.92(2)(b)3. FS. Law Implemented 1004.92(2)(b)4. FS. History—New 10-30-78, Amended 10-23-79, 5-29-80, 7-9-81, 7-6-82, 5-29-83, 6-14-84, 7-10-85, Formerly 6A-6.571, Amended 7-9-86, 7-22-87, 8-30-88, 7-31-90, 7-31-91, 7-31-92, 7-31-93, 7-31-94, 4-30-96, 1-23-00, 7-21-08, 4-21-09, 5-3-10, 10-25-11, 6-18-12, 5-21-13, 5-18-14, 5-19-15, 6-23-16, 4-25-2017, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rod Duckworth, Chancellor, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 07, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 15, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-7.0335
RULE TITLE: Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions

PURPOSE AND EFFECT: To align Rule with section 1004.55, F.S., and remove unnecessary language. The effect will provide clarity regarding regional center requirements.

SUMMARY: Update Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

impact on economic growth, business competitiveness or other factors listed in s. 120.541(2)(a), F.S., and is not expected to require legislative ratification. The proposed amendment does not impose any new costs on any stakeholder.

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: 1004.55, FS.

LAW IMPLEMENTED: 1004.55, FS.

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

DATE AND TIME: March 27, 2018, 9:00 a.m.

PLACE: Hendry County, LaBelle High School, 4050 E. Cowboy Way, LaBelle, FL 33935.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jacob Oliva, Executive Vice Chancellor, K-12 Public Schools, at Jacob.Oliva@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-7.0335 Regional Centers for Implementing Services to Individuals with Autism, Pervasive Developmental Disorders, Autistic-like Disabilities, Dual Sensory Impairments, or Sensory Impairment with Other Disabling Conditions.

(1) Eligibility. Individuals of all ages ~~with significant communication or significant behavior problems~~ are eligible for regional center services if they have an individual has been diagnosed as having autism as defined in Section 393.063(1), F.S., pervasive developmental disorder that is not otherwise specified; autistic-like disability; dual sensory impairment; or sensory impairment with other disabling conditions. The centers shall verify the disabling condition(s) of the individual. Such verification may consist of the most recent information from state and local agencies and individuals, and may include, but not be limited to, medical and psychological records. However, the center shall not defer services to the individual and family while awaiting receipt of such information.

(2) No change.

(3) Regional center plan. Each center shall prepare and submit, for approval by the Department, a project plan for services. The following criteria is required for project approval to include:

(a) through (d) No change.

(4) Referral. Referrals are requests for assistance (e.g., training, consultation) for a particular individual. Referrals may be made by any person (e.g., family member; teacher; administrator; any state agency or any other entity) ~~appropriate persons in the Departments of Education, Health and Rehabilitative Services, Labor and Employment Security; providers of services for those departments; or the identified~~

~~individual) who is~~ responsible for or involved with the individual. In order for the centers to provide direct assistance, including program planning and direct consultation, the individual or the individual’s family or legal guardian must provide a request or consent for such assistance. A preliminary screening will be conducted to determine eligibility. If the individual referred meets the eligibility criteria, assistance will be provided by the regional center within available resources. If the individual referred does not meet the eligibility criteria, the referred individual will be matched with alternative services. The centers will respond to three (3) basic referrals and requests within available resources:

(a) through (c) No change.

(5) Constituency boards. Each regional center shall have a constituency board of no fewer than six (6) members, each of whom is either an individual who has a disability that is described in subsection (1) of this rule as defined in Section 1004.55, F.S., or is a member of a family that includes a person who has such a disability, who are selected by each university president from a list that has been developed by the Autism Society of Florida and other relevant constituency groups that represent persons who have sensory impairments as described in subsection (1) of this rule as defined in Section 1044.55, F.S. This board shall meet quarterly with the center staff to provide advice on policies, priorities, and activities. Each board shall elect a chairperson and secretary. It shall be the responsibility of the chairperson to communicate regularly with the regional center director on pertinent issues affecting the operation and delivery of services by the center. Each board member shall be appointed for a three (3) year term, with two (2) members being appointed each year. The initial term rotation will be determined by lot, with one-third of the members serving for one (1) year, one-third of the members serving for two (2) years, and one-third of the members serving for three (3) years. A board member may serve for only two (2) consecutive full terms, but shall continue to serve until his/her successor is named. Whenever possible, the appointment of a new member shall be from the same constituency group as the member retiring from the board. The procedure for appointing an individual to fill an unexpired term is the same as that used to make regular appointments. Members of the constituency boards shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses as provided in Section 112.061, F.S. Payment may be authorized for pre-approved expenses such as mailing, telephone, or photocopying. Chairs of the constituency boards shall meet twice a year to coordinate board activities. One of these meetings shall be with regional center staff to plan the annual conference and the other meeting shall be at the conference. Each constituency board, after review and comment from

regional center staff, shall submit by September 1 to the respective university president and the Department an annual report that evaluates the activities and accomplishments of its center during the preceding year.

(6) through (9) No change.

Rulemaking Authority 1004.55 FS. Law Implemented 1004.55 FS. History—New 10-18-94, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, Division of K-12 Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 13, 2017

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.: RULE TITLES:

64B3-5.0011 Definitions
 64B3-5.002 Supervisor
 64B3-5.003 Technologist

PURPOSE AND EFFECT: For Rule 64B3-5.0011, F.A.C., the Board proposes the rule amendment to add the definition of the acronym “SMB.” For Rules 64B3-5.002 and 64B3-5.003, F.A.C., the Board proposed the rule amendments to update licensing exam and experience/training requirements.

SUMMARY: For Rule 64B3-5.0011, F.A.C., the definition of the acronym “SMB” will be added. For Rules 64B3-5.002 and 64B3-5.003, F.A.C., due to certification examination changes, the rules will be updated.

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, 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: 483.805, 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.809, 483.811(2), 483.823 F.S.

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: Anthony Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.0011 Definitions.

(1) No change.

(48) “SMB” means Specialist in Molecular Biology

(49)(48) through (54)(53) No change.

Rulemaking Authority 483.805, 483.823 FS. Law Implemented 483.823 FS. History–New 6-29-06, Amended 12-16-07, 4-28-10, 1-30-12, 12-25-13, 11-25-14, 2-21-16,_____.

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) thorough (2) No change.

(3)(a) Microbiology, Serology/Immunology, Clinical Chemistry, Hematology, Immunohematology, Blood Banking (Donor Processing), Cytogenetics.

Education	Option	Training/Experience	Certification
Doctoral Degree in Clinical Laboratory, Chemical or Biological Science with 24 semester hours of academic science including 6	1a	1 year of pertinent clinical laboratory experience in the specialty area in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.

semester hours of biological sciences and 6 semester hours of chemical sciences	1b	1 year of pertinent clinical laboratory experience in the specialty area in which licensure is sought	DLM (ASCP) or SC (ASCP) for clinical chemistry SH (ASCP) for hematology and SBB (ASCP) for blood banking and immunohematology SM (ASCP) for microbiology TS (ABB) for specialty sought
Masters Degree in Clinical Laboratory, Chemical or Biological Science with 24 semester hours of academic science including 6 semester hours of biological sciences and 6 semester hours of chemical sciences	2a	3 years of pertinent clinical laboratory experience, with at least 1 year experience in the specialty area in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
semester hours of biological sciences and 6 semester hours of chemical sciences	2b	3 years of pertinent clinical laboratory experience, with at least 1 year experience in the specialty area in which licensure is sought	DLM (ASCP) or SC (ASCP) for clinical chemistry SH (ASCP) for hematology and SBB (ASCP) for blood banking and immunohematology SM (ASCP) for microbiology TS (ABB) for specialty sought
Bachelors Degree in Clinical Laboratory, Chemical or Biological Science with 24 semester hours of academic science including 6 semester hours of biological sciences and 6 semester hours	3a	5 years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level, and at least 1 year experience in the specialty area in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.

of chemical sciences	3b	5 years of pertinent clinical laboratory experience, with at least 2 years experience at the Technologist level, and at least 1 year experience in the specialty area in which licensure is sought	DLM (ASCP) or SC (ASCP) for clinical chemistry SH (ASCP) for hematology and SBB (ASCP) for blood banking and immunohematology SM (ASCP) for microbiology TS (ABB) for specialty sought
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(b) through (c) No change.

(d) Andrology, Embryology.

Education	Option	Training/Experience	Certification
Doctoral Degree in Clinical Laboratory, Chemical, or Biological Science with 24 semester hours of academic science including 6 semester hours of biological sciences and 6 semester hours of chemical sciences	1a	1 year of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
	1b	1 year of pertinent clinical laboratory experience in the specialty area in which licensure is sought	TS (ABB) for specialty sought.
Masters Degree in Clinical Laboratory, Chemical, or Biological Science with 24 semester hours of academic science including 6 semester hours of biological sciences and 6 semester hours of chemical sciences	2a	3 years of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
	2b	3 years of pertinent clinical laboratory experience, with at least 1 year experience in the specialty area in which licensure is sought	TS (ABB) for specialty sought.

Bachelors Degree in Clinical Laboratory, Chemical, or Biological Science with 24 semester hours of academic science including 6 semester hours of biological sciences and 6 semester hours of chemical sciences	3a	5 years of pertinent clinical laboratory experience, with at least 2 years experience in the specialty area in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
	3b	5 years of pertinent clinical laboratory experience, with at least 2 years experience in the category in which licensure is sought	TS (ABB) for specialty sought.

(e) No change.

(f) Molecular Pathology.

Education	Option	Training/Experience	Certification
Doctoral Degree in Clinical Laboratory, Chemical or Biological Science with 24 semester hours of academic science including 6 semester hours of biological sciences and 6 semester hours of chemical sciences	1a	1 year of pertinent clinical laboratory experience in the specialty area in which licensure is sought, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
	1b	1 year of pertinent clinical laboratory experience in the specialty area in which licensure is sought	The Molecular Diagnostics examination given by ABB or CHS (ABHI). SMB (ASCP)

Masters Degree in Clinical Laboratory, Chemical or Biological Science with 16 semester hours of academic science	2a	3 years of pertinent clinical laboratory experience, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
	2b	3 years of pertinent clinical laboratory experience in the specialty area in which licensure is sought	The Molecular Diagnostics examination given by ABB or CHS (ABHI). SMB (ASCP)
Bachelors Degree with 16 semester hours of academic science	3a	5 years of pertinent clinical laboratory experience with at least 2 years experience at the Technologist level, and 25 hours of Board-approved continuing education in supervision and administration or GS (ABB)	As required for technologist licensure.
	3b	5 years of pertinent clinical laboratory experience with at least 2 years experience at the Technologist level	The Molecular Diagnostics examination given by ABB or CHS (ABHI). SMB (ASCP)

(4) The Board approved Supervision and Administration examinations, used in lieu of the required 25 hours of supervision and administration continuing education are:

(a) through (k) No change.

(l) Specialist in Molecular Biology examination administered by ASCP for the specialty of molecular pathology.

Rulemaking Authority 483.805(4), 483.823 FS. Law Implemented 381.0034(3), 483.809, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, 2-23-

06, 5-25-06, 7-9-07, 2-7-08, 6-17-09, 1-30-12, 2-21-16, 10-17-17,

64B3-5.003 Technologist.

(1) through (2) No change.

(3) In addition, at least one of the following requirements must be met for specific areas of licensure. In some cases there are multiple options for meeting the requirement.

(a) through (e) No change.

(f) Andrology, Embryology.

Education	Option	Training/Experience	Certification
Bachelor's Degree (or higher) with 24 semester hours of academic science including 6 semester hours of academic biological sciences and 6 semester hours of academic chemical sciences	1	as required by certifying body Board approved training program in Andrology/Embryology or 1 year of pertinent clinical laboratory experience	MT (AAB) Andrology/Embryology examination
Associate Degree including 6 semester hours of academic biological sciences and 6 semester hours of academic chemical sciences	2	3 years of pertinent clinical laboratory experience	MT (AAB) Andrology/Embryology examination

(g) through (h) No change.

Rulemaking Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034(3), 483.809, 483.811(2), 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 590-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04, 5-15-05, 12-19-05, 5-25-06, 7-9-07, 2-7-08, 6-17-09, 1-30-12, 2-7-13, 10-3-13, 4-5-15, 6-16-15, 10-17-17.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: February 2, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: December 18, 2017

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

- 65C-35.001 Definitions
- 65C-35.002 Behavioral Health Services
- 65C-35.003 Parent or Legal Guardian Involvement
- 65C-35.004 Caregiver Involvement
- 65C-35.005 Child Involvement in Treatment Planning
- 65C-35.006 Taking a Child Into Custody Who Is Taking Psychotropic Medication
- 65C-35.007 Authority to Provide Psychotropic Medications to Children in Out-of-Home Care
- 65C-35.011 Medication Monitoring and Administration
- 65C-35.012 Requests for Second Opinions and Pre-Consent Reviews
- 65C-35.013 Medical Report
- 65C-35.014 Training on Psychotropic Medication

PURPOSE AND EFFECT: The Department intends to (1) Change the term “prescribing practitioner” to “prescribing physician,” and amend the terminology throughout the rules and in form CF-FSP 5339, Medical Report; (2) Amend the definition of “psychotropic medication” to include substances, though prescribed with the intent to treat other medical conditions, have the effect of altering brain chemistry; (3) Amend the age of children whose cases are required to have a pre-consent review; and (4) Clarify from whom child protective investigators, case managers, and other caregivers will receive training.

SUMMARY: “Prescribing Physician” will be defined as a physician licensed under Chapter 458 or 459, F.S. The definition of “psychotropic medication” will be expanded to include substances, though prescribed with the intent to treat other medical conditions, have the effect of altering brain chemistry. The child protective investigator or case manager shall be required to seek a pre-consent review when the child is age birth to 17 years.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.0121, 39.01305, 39.407(3)(g), FS.

LAW IMPLEMENTED: 39.01305, 39.407(1)-(3), 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: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-35.001 Definitions.

(1) through (11) No change.

(12) “Express and Informed Consent” means voluntary written consent from a competent person who has received full, accurate, and sufficient information and explanation about a child’s medical condition, medication, and treatment to enable the person to make a knowledgeable decision without being subjected to any deceit or coercion. Express and informed consent for the administration of psychotropic medication may only be given by a parent whose rights have not been terminated, or a legal guardian of the child. Sufficient explanation includes the following information, provided and explained in plain language by the prescribing physician or designee practitioner to the consent giver: the medication, reason for prescribing it, and its purpose or intended results; side effects, risks, and contraindications, including effects of stopping the medication; method for administering the

medication, and dosage range when applicable; potential drug interactions; alternative treatments; and the behavioral health or other services used to complement the use of medication, when applicable.

(13) through (16) No change.

(17) “Medical Report” means a report prepared by the prescribing physician that includes information required by Section 39.407(3)(c), F.S. The “Medical Report” form, CF-FSP 5339, December 2017 ~~2015~~, is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XX>.

(18) through (19) No change.

(20) “Prescribing Physician Practitioner” means a physician practitioner licensed under Chapter 458 or 459, F.S.

(21) “Psychotropic Medication” means any medication prescribed with the ~~primary~~ intent to stabilize or improve mood, mental status, behavioral symptomatology, or mental illness and those substances, though prescribed with the intent to treat other medical conditions, have the effect of altering brain chemistry, including any medications in the following categories.

(a) Antipsychotics;

(b) Antidepressants;

(c) Sedative Hypnotics;

(d) Lithium;

(e) Stimulants

(f) Non-stimulant Attention Deficit Hyperactivity Disorder medication;

(g) Anti-dementia medications and cognition enhancers; and

(h) Anticonvulsants.

(22) through (23) No change.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (2), (3) FS. History—New 3-17-10, Amended 4-20-17, 6-29-17, _____.

65C-35.002 Behavioral Health Services.

(1) Behavioral health services shall be provided to children in out-of-home care once the need for such services is identified. Prior to prescribing a psychotropic medication, the physician or designee practitioner must consider other treatment interventions that may include medical, mental health, behavioral, counseling, or other services. All decision-making shall be guided by the principle that it is important to comprehensively address all of the concerns in a child’s life – family, legal, health, education, and social/emotional issues – as well as to provide behavioral supports and parent training, so that a child’s behavioral and mental health issues can be addressed in the least restrictive setting and in a comprehensive treatment plan.

(2) No change.

(3) Prior to prescribing a psychotropic medication, the physician or designee practitioner must consider the child's history for conditions that may indicate the presence of brain injury (for example, blows to head, fetal alcohol syndrome, loss of consciousness, head scars, fever above 104°) and document any follow-up assessments or referrals on the Medical Report.

(4) No change.

Rulemaking Authority 39.407(3)(g), 39.0121 FS. Law Implemented 39.407(1), (3) FS. History—New 3-17-10, Amended 4-20-17, _____.

65C-35.003 Parent or Legal Guardian Involvement.

(1) The child protective investigator (CPI) or case manager shall facilitate the attendance of the child's parent (where parental rights are intact) or legal guardian at all medical appointments. The CPI or case manager shall make the following minimum efforts to assist the prescribing physician practitioner in obtaining expressed and informed consent from the child's parent or legal guardian:

(a) No change.

(b) Facilitate telephone or tele-medicine participation between the prescribing physician practitioner and the parent or legal guardian when unable to attend in person.

(2) If the parent or legal guardian is unable to attend medical appointments, the CPI or case manager shall:

(a) Attempt to contact the parent or legal guardian upon learning of the recommendation for psychotropic medication by the prescribing physician or designee practitioner and provide specific information on how and when to contact the physician or designee practitioner; and,

(b) Provide a copy of the Medical Report, incorporated by reference in Rule 65C-35.001, F.A.C., to the child's parent or legal guardian, which includes the prescribing physician's practitioner's contact information.

(3) When the court has authorized the provision of psychotropic medication, the CPI or case manager must continue to try to involve the parent or legal guardian in the child's ongoing medical treatment planning, and shall continue to facilitate the parent or legal guardian's communication with the prescribing physician or designee practitioner so that the parent or legal guardian has the opportunity to consider whether to authorize the provision of any new medications or dosages, unless the parent or legal guardian's rights have been terminated.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3) FS. History—New 3-17-10, Amended 4-20-17, _____.

65C-35.004 Caregiver Involvement.

(1) through (2) No change.

(3) The caregiver shall monitor the child and report to the prescribing physician or designee practitioner and the CPI or case manager any behavior or other incident that could indicate an adverse reaction or side effect. The caregiver must seek

emergency medical care for the child if the presence of an adverse reaction or side effect to the medication is affecting the child's health or safety.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3) FS. History—New 3-17-10, Amended 4-20-17, _____.

65C-35.005 Child Involvement in Treatment Planning.

(1) The prescribing physician or designee practitioner must discuss the proposed course of treatment with the child, in developmentally appropriate language the child can understand. The physician or designee practitioner must explain the risks and benefits of the prescribed medication to the child.

The physician or designee practitioner will discuss with the child the following:

(a) through (j) No change.

(k) The physician or designee's practitioner's plan to reduce and/or eliminate ongoing administration of the medication.

(2) The prescribing physician practitioner must ascertain the child's position with regard to the medication and consider whether to revise the recommendation based on the child's input. The child's position must be noted in the Medical Report, incorporated by reference in Rule 65C-35.001, F.A.C. The child protective investigator (CPI) or case manager shall provide the child with a copy of the Medical Report if the child is of sufficient maturity and intellectual capacity to understand the report.

(a) It is the physician or designee's practitioner's responsibility to inform the child as clearly as possible and as fully as is appropriate. However, the child's failure to understand or assent to treatment is not, by itself, sufficient to prevent the administration of a prescribed medication. Likewise, the child's assent to the treatment is not a substitute for expressed and informed consent by a parent or legal guardian or a court order. Children are more likely to be successful in treatment if they fully understand and participate in treatment decisions.

(b) ~~Pursuant to Section 39.01305, F.S.,~~ the CPI or case manager shall request that Children's Legal Services file a motion for the appointment of an attorney for the child when the child declines to assent or the prescribing physician practitioner determines that the child is not developmentally able to provide assent, or when the child has a diagnosis of a developmental disability as defined in Section 393.063, F.S.

(3) Whenever the child requests the discontinuation of the psychotropic medication, and the prescribing physician practitioner refuses to order the discontinuation, the CPI or case manager shall request that Children's Legal Services request an attorney be appointed for the child. Children's Legal Services will notice all parties and file a motion with the court, presenting the child's concerns, the physician's practitioner's

recommendation, and any other relevant information, pursuant to Section 39.407(3)(d)1., F.S.

Rulemaking Authority 39.01305, 39.407(3)(g) FS. Law Implemented 39.01305, 39.407(3) FS. History—New 3-17-10, Amended 4-20-17,_____.

65C-35.006 Taking a Child Into Custody Who Is Taking Psychotropic Medication.

(1) When a child protective investigator (CPI) takes a child into custody he or she must ascertain whether the child is taking psychotropic medications. If so, the CPI must determine the purpose of the medication, the name and phone number of the prescribing physician practitioner, the dosage, instructions regarding administration (e.g., timing, whether to administer with food), and any other relevant information.

(2) The CPI must seek written authorization from the parent or legal guardian to continue administration of currently prescribed psychotropic medications. The authorization shall be documented on the “Emergency Intake” form, CF-FSP 5314, May 2010, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08063>. This authorization is good for the first 60 calendar days the child is in shelter status.

(a) No change.

(b) If the medication is not in the original container, is not clearly marked, or is not the child’s current prescription, the child shall not be continued on the medication unless the prescribing physician or designee practitioner or the dispensing pharmacy confirms that the child is currently on the prescribed medication and provides a new prescription to be filled or refilled.

~~(b) If the CPI is informed that the child is currently taking prescribed psychotropic medication, however, the original container is unavailable or the label on the container provided is indiscernible, the child must be evaluated by a practitioner at the initial health screening to determine if the medication is needed and provided instruction on proper dosing.~~

(3) No change.

(4) Children’s Legal Services must file a motion requesting that continuation of the medication be determined at the shelter hearing.

(a) The motion must indicate the prescribing physician’s practitioner’s reasons for wanting to continue the medication and provide the court with any other available information relevant to the request.

(b) If the CPI is unable to obtain the reason for continuing the medication from the prescribing physician, he or she must document all efforts to obtain the information from the prescribing physician and file it with the court prior to the shelter hearing.

(5) No change.

(6) Within 28 calendar days of removal, or no later than the arraignment hearing on the petition for dependency, whichever occurs first, the child must be evaluated by a physician practitioner to determine whether it is appropriate to continue the medication.

(7) No change.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (2), (3) FS. History—New 3-17-10, Amended 4-20-17,_____.

65C-35.007 Authority to Provide Psychotropic Medications to Children in Out-of-Home Care.

(1) through (2) No change.

(3) If the parents’ or guardians’ legal rights have been terminated, their identity or location is unknown, they decline to approve administration of psychotropic medication, or withdraw consent to the administration of psychotropic medication and any party to the dependency action believes that administration of the medication is in the best interest of the child and medically necessary, then authorization to treat with psychotropic medication shall be pursued as follows:

(a) The case manager shall consult with the prescribing physician practitioner within one (1) business day of being notified that the parent:

1. through 3. No change.

4. Is found by the prescribing physician practitioner to lack the ability to provide express and informed consent.

(b) If the prescribing physician practitioner determines that the medication is medically necessary for the child despite the lack of authorization, the case manager must obtain a completed Medical Report, incorporated by reference in Rule 65C-35.001, F.A.C., from the prescribing physician practitioner. If the parent or legal guardian withdraws consent that was previously provided or declines to consent to the administration of psychotropic medication, the parent or legal guardian’s decision, and any reason provided therefore, must be recorded by the prescribing physician or designee practitioner in the Medical Report. If the prescribing physician practitioner determines that the parent or legal guardian cannot provide express and informed consent, the basis for that determination must be recorded by the prescribing physician or designee practitioner in the Medical Report.

(c) Within three (3) business days of receiving the Medical Report from the prescribing physician or designee practitioner, the case manager must submit the Medical Report and any supporting documentation to Children’s Legal Services, with a request for legal action to obtain a court order authorizing the administration of the prescribed medication.

(d) No change.

(4) No change.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(2), (3) FS. History—New 3-17-10, Amended 4-20-17,_____.

65C-35.011 Medication Monitoring and Administration.

(1) The monitoring of the use of psychotropic medication provided to children will be the joint responsibility of the prescribing physician, physician's designee practitioner, the caregiver, the child protective investigator (CPI) or case manager, and the CPI or case manager's supervisor. Child protective investigator supervisors and case manager supervisors shall provide ongoing review and oversight of children prescribed psychotropic medications.

(2) The caregiver and CPI or case manager are responsible for implementing the medication plan developed by the prescribing physician practitioner. The case manager or child protective investigator shall ensure any additional medical evaluations and laboratory tests required are completed. The CPI or case manager shall add all information to the child's Resource Record and report the results of evaluations and tests to Children's Legal Services, all parties, and the prescribing physician or designee practitioner.

(3) Psychotropic medications will be administered only by the child's caregivers. Children who are age and developmentally appropriate must be given the choice to self-administer medication under the supervision of the caregiver or school personnel. Children assessed as appropriate to self-administer medication must be educated by the physician or designee practitioner or caregiver on the following:

(a) through (e) No change.

(4) No change.

(5) Any person with information that questions the child's health and safety, including the signs or symptoms of side effects or adverse reactions to the medication, shall as soon as possible bring that information to the attention of the prescribing physician or designee practitioner, CPI or case manager, the CPI or case manager's supervisor, and emergency services shall be arranged to protect the child's safety and well-being. The child's CPI or case manager shall provide this information to Children's Legal Services. Children's Legal Services shall notify the court and all parties within three (3) business days of the reported concerns.

(6) No change.

(7) All details about prescribed psychotropic medications, updates (including changes in dosage or physician practitioner prescribed cessation of the medication) and all actions taken by the CPI or case manager will be entered into the Florida Safe Families Network (FSFN) by the CPI or case manager within three (3) business days of the action.

(8) through (11) No change.

(12) To ensure that the medication is continued as directed by the prescribing physician practitioner, the CPI or case manager shall provide the caregiver with the following information:

(a) through (b) No change.

(c) The prescribing physician's practitioner's name and contact information;

(d) through (i) No change.

(j) The physician's practitioner's plan to reduce and/or eliminate ongoing administration of the medication; and,

(k) No change.

(13) If the child is moved from an out-of-home placement and placed in another out-of-home placement and the medication is in an unlabeled container or prescription information is insufficient, the CPI or case manager shall contact the prescribing physician or designee practitioner, if available, and dispensing pharmacist to ensure the proper identification and labeling of the medication by examining the pills (if unlabeled) or to arrange for a medical evaluation in order that treatment not be interrupted.

(14) No change.

Rulemaking Authority 39.407(3)(g), 39.0121 FS. Law Implemented 39.407(2), (3) FS. History—New 3-17-10, Amended 4-20-17,_____.

65C-35.012 Requests for Second Opinions and Pre-Consent Reviews.

(1) No change.

(2) Pre-Consent Reviews. The CPI or case manager shall seek a pre-consent review when:

(a) A physician practitioner proposes prescribing psychotropic medication or changing the dosage of prescribed psychotropic medication outside the dosage parameters documented in the Medical Report; and,

(b) The child is age birth through 17 ~~40~~ years; and,

(c) No change.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3)(d)1. FS. History—New 3-17-10, Amended 4-20-17,_____.

65C-35.013 Medical Report.

(1) If the parent or caregiver is unable to attend the medical appointment, the prescribing physician practitioner must complete, if not previously completed by the physician's designee, review, and sign the Medical Report form, incorporated by reference in Rule 65C-35.001, F.A.C. The physician or designee practitioner may submit a medical report on a form of their choice as long as the form includes all information required on the Medical Report that is incorporated by reference into Rule 65C-35.001, F.A.C.

(2) When the parent and caregiver are able to attend the medical appointment and the parent provides express and informed consent for the child to be administered psychotropic medications, the prescribing physician or designee practitioner must complete Section 5: Parental Consent of the Medical Report Form. The parent must sign this section of the form attesting to his or her consent.

(a) through (b) No change.

(3) When court authorization is needed to provide psychotropic medication, the CPI or case manager must document efforts made to enable the prescribing physician practitioner to obtain express and informed consent from the child’s parent or legal guardian on the Medical Report form. Efforts to enable the prescribing physician practitioner must include:

(a) Dates and times the CPI or case manager attempted to contact the parent or legal guardian by phone or other means upon learning of the recommendation for psychotropic medication by the prescribing physician practitioner;

(b) Dates, times, and methods used to attempt to contact the parent or legal guardian and provide them with specific information for how and when to contact the physician practitioner; and,

(c) Efforts to facilitate transportation arrangements to the appointment and/or telephone calls between the parent or legal guardian and the prescribing physician practitioner.

(4) No change.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3)(c) FS. History—New 3-17-10, Amended 4-20-17,_____.

65C-35.014 Training on Psychotropic Medication.

(1) All child protective investigators and sheriff’s officers who conduct child investigations ~~ease managers~~ shall receive ~~Department approved training from Department trainers or trainers with the Sherriff’s Office.~~ Case managers and other caregivers (foster parents and relatives/non-relatives) shall receive training from the community-based care lead agency (CBC) or its contracted provider on medication management and administration. Training must be completed prior to assuming responsibility for a child who is prescribed psychotropic medication.

(2) through (4) No change.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3)(d) FS. History—New 4-20-17, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Courtney Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

February 6, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

February 8, 2018

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agent and Agency Services

RULE NO.: RULE TITLE:

69B-186.010 Unlawful Inducements Related to Title Insurance Transactions

PURPOSE AND EFFECT: The existing rule is amended to conform with statute regarding unfair methods of competition and deceptive practices in the transaction of title insurance. The proposed rule clarifies that, except as otherwise permitted under paragraph 626.9541(1)(h), F.S., the reimbursement or reduction of any premium, costs, or fees in a contract for the placement of title insurance, or the provision of any non-specified benefit or valuable consideration that also serves as an inducement in the placement of title insurance, is an unlawful rebate. The proposed rule also revises the existing rule’s title to reflect the changes discussed above. The proposed rule is renumbered and includes additional technical changes.

SUMMARY: The existing rule is amended to conform with paragraph 626.9541(1)(h), F.S., clarifying that the reimbursement of any premium, fees, or costs relating to title insurance transactions, or the provision of any non-specified valuable consideration or benefit that also serves as an inducement in the placement of title insurance, is an unlawful rebate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department has conducted an economic analysis of the proposed rule and has determined that there are no adverse impacts or potential regulatory costs exceeding criteria established under paragraphs 120.541(1)(b) or (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: 624.308(1), 626.9611, FS.

LAW IMPLEMENTED: 626.9521, 626.9541(1)(h), (m), FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: March 12, 2018, 2:00 p.m. -3:30 p.m.
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Matthew Guy, telephone: (850)413-5418, email: Matthew.Guy@MyFloridaCFO.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matthew Guy, Government Analyst II, Bureau of Investigation, Division of Insurance Agent and Agency Services, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-0320, telephone: (850)413-5418, email: Matthew.Guy@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-186.010 Unlawful Rebates and Inducements Related to Title Insurance Transactions.

(1) The purpose of this rule is to interpret paragraph 626.9541(1)(h) subparagraph 626.9541(1)(h)3, F.S., which provides that it is an unfair method of competition and unfair or deceptive act or practice prohibited by Section 626.9521, F.S., to engage in certain activities related to title insurance.

(2) through (3) No change.

(4) As they relate to the transaction of title insurance, the following activities, whether performed directly or indirectly, for or by any referrer of settlement service business, are inducements for the sale, placement or referral of title insurance business in violation of Section 626.9521 and paragraph 626.9541(1)(h) subparagraph 626.9541(1)(h)3, F.S.:

(a) Facilitating any discount, reduction, credit, or paying any fee or portion of the cost of an inspection, inspection report, appraisal, or survey, including wind inspection, to or for a purchaser or prospective purchaser of title insurance.

(b) through (r) No change.

(s) Waiving of fees, costs, or premium for title updates or endorsements requested after the issuance of the title insurance policy.

(t) Assuming any parties' responsibility to provide refunds to consumers under applicable laws and regulations.

(5) Except as prohibited by Section 626.9541, F.S., expenditures for the following are not in violation of Section 626.9521 and paragraph 626.9541(1)(h) subparagraph 626.9541(1)(h)3, F.S., or in violation of this rule:

(a) through (f) No change.

(6) A licensed and appointed title insurance agent is not prohibited under this rule to affix a notice to any contract or agreement, stating "The terms of this contract are agreed to, but only to the extent that they do not violate the provisions of Rule 69B-186.010, F.A.C. or paragraph 626.9541(1)(h), F.S.", or substantially similar language.

Rulemaking Authority 624.308(1), 626.9611 FS. Law Implemented 626.9521, 626.9541(1)(h), (m), FS. History—New 2-9-16, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Matthew Guy, Government Analyst II, Bureau of Investigation, Division of Insurance Agent and Agency Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 2/13/18

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 22, 2016

Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF HEALTH
 Division of Children's Medical Services**

RULE NOS.:	RULE TITLES:
64C-6.001	Definitions - General
64C-6.002	Standards - General
64C-6.003	Standards - Specific

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 229, November 29, 2017 issue of the Florida Administrative Register.

64C-6.001 Definitions – General

(1) “Assisted Ventilation” – The use of mechanical or other devices to help maintain respiration, usually delivering air or oxygen under positive pressure. Assisted ventilation may be invasive; (i.e., oscillator, ventilator) or non-invasive, (i.e., CPAP, SiPAP, BiPAP, nCPAP).

(2) No change.

(3) “CMS RPICC-Registered Physician” – A health professional who is licensed to practice medicine or osteopathic

medicine in the State of Florida, ~~who meets the requirements of Rule 64C-4.001, Florida Administrative Code (F.A.C.), and the requirements of the CMS Provider Handbook for Physicians and Dentists.~~

(4) “Maternal Fetal Medicine (MFM) Physician” – A CMS RPICC-~~registered~~ physician, who is board certified in Obstetrics and Gynecology (OB/GYN) and board certified in Maternal Fetal Medicine, or has passed the written MFM exam and is eligible to take the oral MFM exam for board certification, and is in the process of pursuing ~~must demonstrate an active, continuing pursuit of board certification at the time of the CMS renewal review.~~

(5) No change.

(6) “Neonatologist” – A CMS RPICC-~~registered~~ CMS consultant physician, as defined in Rule 64C-4.001, F.A.C., who is board certified in Neonatal-Perinatal Medicine, or is eligible to take the written Neonatal-Perinatal exam for board certification, and is in the process of pursuing ~~must demonstrate an active, continuing pursuit of board certification at the time of the CMS renewal review.~~

(7) “Obstetrician” – A CMS RPICC-~~registered~~ physician who is board certified in OB/GYN, or has passed the written examination of the OB/GYN board certification process, and is in the process of pursuing ~~must demonstrate an active, continuing pursuit of board certification at the time of the CMS renewal review.~~

~~(8) “Regional Perinatal Intensive Care Center Centers (RPICC or center centers)” – A specialized unit Specialized units within a hospital hospitals specifically designed to provide a full range of health services to women with high risk pregnancies with and a full range of newborn intensive care services which has have been designated by the Department of Health, and which meets the standards as defined herein for facilities, staffing and services or commits themselves to meeting and maintaining these standards within three years of designation as a center.~~

~~(8)(9)~~ “RPICC Data System” – A comprehensive automated information system which collects and correlates data from both components of the Regional Perinatal Intensive Care Centers Program and provides periodic analysis of RPICC Program data.

~~(9)(10)~~ “RPICC Level II Neonatal Intensive Care Patient Station” – A patient care station in a RPICC with the capability of delivering special care to newborns including oxygen therapy, supplemental parenteral alimentation, constant electronic monitoring of vital signs, and with a minimum ratio of one member of the nursing staff to four patients.

~~(10)(11)~~ “RPICC Level III and Level IV Neonatal Intensive Care Patient Station” – A patient care station with the capability of delivering total intensive care to newborns

including total respiratory support, supplemental parenteral alimentation, constant electronic monitoring of vital signs, long term arterial catheterization, and with a minimum ratio of one member of the nursing staff to two patients, at all times, for the critical care of unstable neonates.

~~(11)(12)~~ “RPICC Level IV Neonatal Intensive Care Services” – Level IV units have all the capabilities of a Level III neonatal intensive care unit and are located within institutions that can provide on-site surgical repair of serious congenital or acquired malformations (complex neonatal surgery) including support related to antenatally diagnosed congenital malformations requiring surgical repair either in utero or within the first hours of life. Level IV neonatal intensive care units have ready access to a full range of pediatric surgeons and pediatric surgical specialists and pediatric anesthesiologists to perform major surgery. Advanced imaging with interpretation on an urgent basis such as ~~but not limited to~~ CT, MRI, and echocardiography are available on-site 24 hours a day and 7 days a week. In addition, a full range of pediatric medical and pediatric genetic specialists are available for consultation. ~~These support services are most frequently provided on site in specialty children’s hospitals.~~

~~(12)(13)~~ “RPICC Program Consultants” – A CMS RPICC-~~registered~~ Neonatologist and a CMS RPICC-~~registered~~ Maternal Fetal Medicine Physician that accompany the CMS Central Office RPICC staff on RPICC Center site visits.

Rulemaking Authority 120, 383.19(1)(f), (g), FS. Law Implemented ~~383.15, 383.16, 383.17, 383.18, 383.19~~ FS. History–New 9-1-81, Amended 4-25-83, Formerly 10J-7.01, Amended 6-13-87, 5-15-96, Formerly 10J-7.001, Amended_____.

64C-6.002 Standards – General.

(1) through (6) No change.

Rulemaking Authority 120, 383.19(1)(f), (g), FS. Law Implemented ~~383.15, 383.16, 383.17, 383.18, 383.19~~ FS. History–New 9-1-81, Amended 4-25-83, Formerly 10J-7.01, Amended 6-13-87, 5-15-96, Formerly 10J-7.001, Amended_____.

64C-6.003 Standards – Specific.

(1) No change.

(2) Standards for Neonatal Component – RPICC Level III Neonatal Intensive Care – The following standards pertain to the facilities, services, and population to be served under the neonatal component for RPICC Level III neonatal intensive care services.

(a). Personnel

1. Physicians

a. The director of the RPICC neonatal unit shall be a CMS RPICC-~~registered~~ neonatologist.

b. Each center shall have available a CMS ~~registered~~ pediatric surgeon available for emergency services and telephone consultation 24 hours per day, 7 days per week.

c. Each RPICC neonatal unit shall have CMS RPICC ~~registered~~ neonatologists continuously available for patient care and for communication with physicians in other hospitals 24 hours per day, 7 days per week.

d. No change.

2. through 3. No change.

(b) Area and Equipment – All standards in subsection 59C-1.042(10), F.A.C., as ~~amended 3-15-17~~, which is hereby incorporated by reference, are required. A copy is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ~~www.flrules.org~~. In addition, the following standards are also required.

1. through 2. No change.

(c) Patient Eligibility.

1. through 4. No change.

5. Only neonates whose attending physician is a CMS RPICC ~~registered~~ neonatologist in a RPICC center are eligible for the RPICC Program. Neonates who are patients of other physicians or neonates referred to other physicians by the neonatologist, are not eligible for the RPICC Program.

(d). Services.

1. Physician Services – The patient record shall contain written comments on the patient’s treatment and condition by the CMS RPICC ~~registered~~ neonatologist or a resident’s note co-signed by the CMS RPICC ~~registered~~ neonatologist documenting the neonatologist’s continuing involvement in the care of the neonate.

2. through 7. No change.

(3) Standards for Neonatal Component – RPICC Level II neonatal intensive care unit – The following standards pertain to the facilities, services, and population to be served under the neonatal component for Level II neonatal intensive care services of the RPICC Program.

(a) Personnel.

1. Physicians.

a. Each Level II neonatal intensive care unit shall have 24 hour consultation and primary coverage by CMS RPICC ~~registered~~ consultant neonatologists for patient care 24 hours per day, 7 days per week.

2. through 3. No change.

(b) All standards in subsection 59C-1.042(9), F.A.C., as ~~amended 3-15-17~~ which is hereby incorporated by reference, are required. A copy is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ~~www.flrules.org~~. In addition, the following standards are also required:

1. through 2. No change.

(c) Patient Eligibility.

1. No change.

2. Infants served in RPICC Level II neonatal intensive care units shall be under the care of a CMS RPICC ~~registered~~ consultant neonatologist, must have received CMS RPICC Program Level III or Level IV NICU care, and may require specialized nutritional support, or may require oxygen which does not exceed 40 percent at ambient pressure, or whose weight or medical or surgical diagnosis precludes discharge to recovery care.

(d) No change.

(4) Standards for RPICC Obstetrical (OB) Component – The following standards pertain to the facilities, services, and population to be served under the obstetrical component of the RPICC Program.

(a) Personnel.

1. Physicians.

a. The obstetrical service shall have 24-hour coverage by a CMS RPICC ~~registered~~ obstetrician continuously available for patient care and for communication with physicians in other hospitals 24 hours per day, 7 days per week.

b. through c. No change.

2. No change.

(b) No change.

(c) Patient Eligibility.

1. through 4. No change.

a. through f. No change.

5. Only patients whose attending physician is a CMS RPICC ~~registered~~ obstetrician in a center are eligible for RPICC Program funding.

6. through 7. No change.

(d) Services.

1. Physician.

a. No change.

b. Performance or interpretation of these tests shall be made by, or under the supervision of the CMS RPICC ~~registered~~ obstetrician.

2. through 5. No change.

6. Ancillary health services to include:

a. through g. No change.

h. Prenatal classes – Each center must provide for, or arrange access to, prenatal classes for patients, as recommended by the CMS RPICC ~~registered~~ obstetrician.

Rulemaking Specific Authority 120, 383.19(1) FS. Law Implemented ~~383-15~~, 383.16, 383.17, ~~383-18~~, 383.19 FS. History–New 9-1-81, Amended 4-25-83, Formerly 10J-7.01, Amended 6-13-87, 5-15-96, Formerly 10J-7.001, Amended _____.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District hereby gives notice that on February 14, 2018, it received a Notice of Withdrawing Petition for Variance from Petitioner.
 Petitioner's Name: Tippen Bay Wetland Mitigation Bank – File Tracking No. 2017056
 Date Petition Filed: October 18, 2017
 Rule No.: 62-342.700
 Nature of the rule for which variance or waiver was sought: Variance from the requirements set forth in Section Rule 62-342.700(9), Florida Administrative Code, for financial responsibility for the construction and implementation of Tippen Bay Wetland Mitigation Bank under Permit Number 43041757.002 in DeSoto County, Florida.
 Date Petition Published in the Florida Administrative Register: October 26, 2017
 General Basis for Agency Decision: Petitioner voluntarily filed a Notice of Withdrawing Petition for Variance.
 A copy of the Order or additional information may be obtained by contacting Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481 Ext. 4658, chris.tumminia@swfwmd.state.fl.us. A2017056-2

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:
 67-48.0072 Credit Underwriting and Loan Procedures
 NOTICE IS HEREBY GIVEN that on February 14, 2018, the Florida Housing Finance Corporation, received a petition for waiver from Amelia Court at Creative Village Partners, Ltd., requesting a waiver of the Rule to extend the SAIL loan closing deadline from April 12, 2018 to September 30, 2018, and that no further extension fee be imposed.
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development
RULE NO.: RULE TITLE:
 73A-3.008 Election of Tax Credits
 NOTICE IS HEREBY GIVEN that on January 30, 2018, the Department of Economic Opportunity received a petition for Waiver and/or Variance from the requirements of Rule 73A-3.008, F.A.C.
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Chatham, Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida; (850)245-7151; agency.clerk@deo.myflorida.com.

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF STATE

Division of Elections
 The Elections Canvassing Commission announces a public meeting to which all persons are invited.
DATE AND TIME: Tuesday, February 27, 2018, 9:00 a.m.
PLACE: Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elections Canvassing Commission will meet to certify the official results for the February 13, 2018, Special Election for State House, District 72, per sections 100.191 and 102.111, Florida Statutes.
 A copy of the agenda may be obtained by contacting: Kristi Willis at (850)245-6240 or Kristi.Willis@dos.myflorida.com
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ashley Black at (850)245-6536 or Ashley.Black@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.
DATE AND TIME: February 15, 2018, 10:00 a.m.
PLACE: 605 Suwannee Street, MS 9, Tallahassee, FL 32399
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 NOTICE OF CANCELLATION

For more information, you may contact: Florida Transportation Commission, (850)414-41059.

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 22, 2018, 10:00 a.m.

PLACE: 605 Suwannee Street, Tallahassee, FL 32399, (850)414-4971, PIN 268411

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Discussion.

A copy of the agenda may be obtained by contacting: Florida Transportation Commission, 605 Suwannee Street, Tallahassee, FL 32399, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Florida Transportation Commission, 605 Suwannee Street, Tallahassee, FL 32399, (850)414-4105. 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: Florida Transportation Commission, 605 Suwannee Street, Tallahassee, FL 32399, (850)414-4105.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The The Local emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2018, 10:30 a.m.

PLACE: Pinellas County Public Safety Complex, 10750 Ulmerton Road, Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Local Emergency Planning Committee

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Certificate of Authorization Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 21, 2018, 2:30 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee to participate in the call contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting Rebecca Sammons.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 9, 2018, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation and other general business of the Committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the

meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Educational Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 13, 2018, 8:30 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at 850.521.0500 ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 13, 2018, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Rules Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 13, 2018, 1:00 p.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee. If you would like to participate in the call, please contact Rebecca Sammons at 850.521.0500 ext. 114 at least 10 days prior to the date of the

meeting. The call in number is 888-392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2018, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Rebecca Sammons at least 10 days prior to the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 19, 2018, 9:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Rebecca Sammons at least 10 days prior to the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 23, 2018, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Application & Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board. If you would like to participate in the call, please contact: Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560; contact Ms. Sammons for the participant code.

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

Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

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

DATE AND TIME: March 2, 2018, 2:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar.

Join the meeting at <https://global.gotomeeting.com/join/272658565>. Join the conference call: United States 1(866)899-4679; meeting ID/access code: 272-658-565; public point of access 2601 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 20070675 2/15/2018 Vol. 44/32

MEETING HAS BEEN CANCELLED

A copy of the agenda may be obtained by contacting The Florida Building Commission.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 20, 2018, Stakeholder Meeting Scheduled for 9:00 a.m. – 4:00 p.m. Preliminary Public Workshop Scheduled for 5:30 p.m. – 8:00 p.m.

PLACE: Coconut Grove Sailing Club, 2990 South Bayshore Drive, Miami, FL 33133

GENERAL SUBJECT MATTER TO BE CONSIDERED: THESE PREVIOUSLY POSTED PUBLIC MEETINGS (2/8/18, VOL44/27) HAVE BEEN POSTPONED TO A LATER DATE.

A copy of the agenda may be obtained by contacting: Katrina Boler, Park Manager, The Barnacle Historic State Park, 3485 Main Highway, Coconut Grove, FL 33133, PH# (305) 442-

6866, FAX# (305) 442-6872 or email Katrina.Boler@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Katrina Boler, as listed above. 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: Sine Murray at (850) 245-3061 or sine.murray@dep.state.fl.us

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Wednesday, February 28, 2018; 1:30 p.m. – 3:30 p.m.

PLACE: Florida Department of Health, Conference Room 2063, 2200 Ringling Blvd., Sarasota, FL 34237

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

A copy of the agenda may be obtained by contacting: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H. Lee Moffitt Cancer Center and Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2018, 1:00 p.m. – 2:30 p.m.

PLACE: Moffitt Cancer Center, Stabile Research Building Trustees Board Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by contacting: Kim Chewning at (813)745-3229.

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: Kim Chewning at (813)745-3229. 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).

FLORIDA DEVELOPMENT FINANCE CORPORATION
The Board of Directors for the Florida Resiliency and Energy District announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 21, 2018, 12:00 p.m. – 12:30 p.m.

PLACE: Town of Lake Clarke Shores, Town Hall, 1701 Barbados Road, Lake Clarke Shores, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the following:

Approval of Meeting Minutes - 12/4/17

FRED District:

New Business:

Ratification of New Members

Adoption of First Amendment to the Amended and Restated

FRED By Laws

Other Business:

PACE Update

Jurisdictional Update

A copy of the agenda may be obtained by contacting: Ahisha Rodriguez, PACE Coordinator, (407)712-6352.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Ahisha Rodriguez, PACE Coordinator, (407)712-6352. 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: Ahisha Rodriguez, PACE Coordinator, (407)712-6352.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: **RULE TITLE:**

12A-1.070 Leases and Licenses of Real Property; Storage of Boats and Aircraft

NOTICE IS HEREBY GIVEN that Department of Revenue has received the petition for declaratory statement from Okaloosa County, Florida. The petition seeks the agency’s opinion as to the applicability of Section 212.031, Florida Statutes and Florida Administrative Code Rule 12A-1.070, regarding the taxability of commissions for the provision of telecommunication and video visitation services provided to the Okaloosa County Department of Corrections as it applies to the petitioner.

A copy of the 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. Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Department. Except for good cause shown, a motion to intervene shall be filed with the Agency Clerk at the above address within twenty-one (21) days of publication of this notice. Any motion to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Speedy Cash Inc. dba LendingBear. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On February 15, 2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Speedy Cash Inc. dba LendingBear. The Petitioner is a licensed money service business. The petition seeks a declaratory statement from the Office on whether Chapter 560, Florida Statutes permits

licensed money service businesses to make deferred presentment loans to customers without taking a physical paper check.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.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**

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, February 9, 2017 and 3:00 p.m., Thursday, February 15, 2018.

Rule No.	File Date	Effective Date
6C13-1.003	2/12/2018	3/4/2018
6C13-1.004	2/12/2018	3/4/2018
33-501.301	2/9/2018	3/1/2018
53ER18-9	2/13/2018	2/13/2018
53ER18-10	2/13/2018	2/13/2018
53ER18-11	2/13/2018	2/13/2018
53ER18-12	2/13/2018	2/13/2018
53ER18-13	2/13/2018	2/13/2018
58A-5.036	2/13/2018	**/**/****
61G15-18.011	2/12/2018	3/4/2018
64B-11.001	2/13/2018	3/5/2018
65C-13.022	2/14/2018	3/6/2018
65C-13.023	2/14/2018	3/6/2018
65C-13.024	2/14/2018	3/6/2018
65C-13.025	2/14/2018	3/6/2018
65C-13.026	2/14/2018	3/6/2018
65C-13.027	2/14/2018	3/6/2018
65C-13.028	2/14/2018	3/6/2018
65C-13.029	2/14/2018	3/6/2018
65C-13.030	2/14/2018	3/6/2018
65C-13.031	2/14/2018	3/6/2018
65C-13.032	2/14/2018	3/6/2018
65C-13.033	2/14/2018	3/6/2018
65C-13.034	2/14/2018	3/6/2018

65C-13.035	2/14/2018	3/6/2018
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
40C-2.101	8/2/2017	**/**/*****
58A-5.036	2/13/2018	**/**/*****
59A-4.1265	2/2/2018	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
69L-7.020	12/15/2017	**/**/*****
69L-7.501	12/15/2017	**/**/*****

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.