

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

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-136.002	Foreign and Alien Insurers Filing for a Certificate of Authority
69O-136.004	Surplus Lines
69O-136.005	Captive Insurers
69O-136.006	Domestic Insurers Filing for an Application for Permit
69O-136.007	Redomestication Procedure
69O-136.011	Domestic Insurers Filing for a Certificate of Authority
69O-136.012	Forms Adopted
69O-136.015	Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business
69O-136.018	Determination of Eligibility to Operate as an Alien Insurer in Florida pursuant to Subsection
69O-136.031	Registration as a Purchasing Group
69O-136.032	Registration as a Risk Retention Group
69O-136.034	Uniform Certificate of Authority Expansion Application
69O-136.080	Mergers and Acquisition of Controlling Stock of a Florida Domestic Insurer
69O-136.090	Merger, Consolidation, or Acquisition of Controlling Stock, Ownership Interests, Assets, or Control of a Specialty Insurer
69O-136.100	Forms Incorporated by Reference

PURPOSE AND EFFECT: OIR is updating Chapter 69O-136.

SUBJECT AREA TO BE ADDRESSED: Application procedures for companies seeking to do business in Florida.

RULEMAKING AUTHORITY: 624.308, 624.413(1), 627.954, 628.461(13), 628.4615(15), 628.535 FS

LAW IMPLEMENTED: 624.307, 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.402, 624.404, 624.407, 624.408, 624.411, 624.413, 624.414, 624.416, 624.422, 624.424, 624.466, 624.501 624.5091, 624.610, 625.306, 626.611, 626.7451, 626.913, 626.918, 626.9928, 627.6488, 627.943, 627.944, 627.948, 628.041, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.151, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 628.520, 628.6011 628.801, 628.907, 629.071, 629.081, 629.091, 629.101, 629.121, 629.131, 629.181, 634.3073, 634.4085, 636.065, 641.255, 641.416, 642.032, 651.024, 651.0245 FS

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

DATE AND TIME: Tuesday, August 8, 2023, at 10:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)328-4354 and enter conference ID# 656 053 520#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flair.com, (850)413-4112. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Lawrence, Jr., Chief Legal Counsel, Michael.LawrenceJr@flair.com, (850)413-4112.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
69O-137.014	Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies

PURPOSE AND EFFECT: Rule 69O-137.014 “Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies” is being created to enact the provisions of Section 624.4301, F.S., as created by Section 7 of Chapter 2023-172, L.O.F. The subsection requires that insurers temporarily suspending the writing of new residential property insurance policies notify the office of such action on a form approved by the office and adopted by rule. The required form, OIR-A1-1500, “Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies” is incorporated by reference in this rule.

SUBJECT AREA TO BE ADDRESSED: Notice of Temporary Discontinuance of Writing New Residential Property Insurance Policies

RULEMAKING AUTHORITY: 624.4301, F.S.

LAW IMPLEMENTED: Section 624.4301, F.S

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe at (850)413-4121 or Kama.Monroe@flair.com.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

**RULE NOS.:**      **RULE TITLES:**  
 69O-138.003      Market Conduct Examination Methodology  
 69O-138.004      Risk-Based Selection Methodology for  
                                  Scheduling Financial Examinations

**PURPOSE AND EFFECT:** Rules 69O-138.004 “Risk-Based Selection Methodology for Scheduling Financial Examinations” and 69O-138.003 “Market Conduct Exam Methodology” are being created to enact the provisions of Sections 4 and 5 of Chapter 2023-172, L.O.F.

Section 4 of the chapter law creates Section 624.316(3), F.S., which requires that the Office create by rule “a risk-based selection methodology for scheduling examinations of insurers subject to this section.” Rule 69O-138.004, outlines the selection method for financial examinations.

Section 5 of the chapter law creates Section 624.316(8), F.S., which requires that the Office create by rule “a selection methodology for scheduling and conducting examinations of insurers and other entities regulated by the office.” Rule 69O-138.003 outlines the selection method for market conduct examinations.

**SUBJECT AREA TO BE ADDRESSED:** Market Conduct and Financial Exam Scheduling Methodology

**RULEMAKING AUTHORITY:** 624.316, 624.3161, F.S.

**LAW IMPLEMENTED:** Sections 624.316, 624.3161, F.S.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Monday, August 7, 2023, 10:00 a.m.

**PLACE:** 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)328-4354 and enter conference ID# 679-782-495#.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Kama Monroe, Assistant General Counsel, Kama.Monroe@flor.com, (850)413-4121.

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

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

**RULE NO.:**      **RULE TITLE:**  
 69O-171.012      Claims-Handling Manuals

**PURPOSE AND EFFECT:** The Office of Insurance Regulation is creating rule 69O-171.012, to implement Section 627.4108, F.S., which was created by Section 19 of Chapter 2023-172, L.O.F. The statute requires that authorized residential insurers

annually certify that their claims-handling manuals comply with the requirements of law and that the insurers provide copies of those manuals to the Office upon request accompanied by a certification. The statute requires that forms be created for both of these actions. This rule will create and incorporate OIR B3-495, the “Annual Certification of Claims-Handling Manuals” and OIR B3-496, the “Submission of Requested Claims-Handling Manuals” to meet those requirements.

**SUBJECT AREA TO BE ADDRESSED:** Claims-Handling Manuals of Authorized Residential Insurers

**RULEMAKING AUTHORITY:** 624.308, 627.4108, F.S.

**LAW IMPLEMENTED:** 627.4108, F.S.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Monday, August 7, 2023, 10:00 a.m.

**PLACE:** 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida. To join by telephone, call (850)328-4354 and enter conference ID# 679-782-495#.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Kama Monroe, Assistant General Counsel, Kama.Monroe@flor.com, (850)413-4121

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

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Elections**

**RULE NO.:**      **RULE TITLE:**  
 1S-2.0001      Designation of Division of Elections as  
                                  Filing Office for Department of State;  
                                  Requirements for Candidate Qualifying  
                                  Papers; Withdrawal of Candidacy

**PURPOSE AND EFFECT:** To conform to statutory changes made by sections 15-16 of Ch. 2023-120, Laws of Florida, Ch. 2023-46, Laws of Florida, and sections 91-92 of Ch. 2022-157, Laws of Florida.

**SUMMARY:** Updates Oath Forms to incorporate new nickname affidavit and statement of fines, fees, and penalties. Collateral formatting changes are also made.

**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 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 on this information, the department determined there will be no adverse impact to small businesses and the potential regulatory costs of the proposed rule chapter does not exceed any of the criteria established in Section 120.541(2)(a), F.S. Additionally, no interested party submitted additional information regarding the economic impact.

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: Use of the checklist established that no ratification is expected.

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: 97.012(1), 99.061(10), 105.031, F.S.

LAW IMPLEMENTED: 99.021, 99.061, 99.095, 103.022, 103.022, 105.031(1), 105.035, F.S.

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: August 11, 2023, at 11:00 a.m.

PLACE: Heritage Hall, RA Gray Bldg., 500 S. Bronough St., Tallahassee, FL 32399; or 1(888)585-9008 (conf. room # 201-297-717)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: . 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: Ashley E. Davis at ashley.davis@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy.**

(1) through (2) No change.

(3) Qualifying items.

(a) Qualifying items may be copies or contain copied portions of the ~~do not need to be~~ originals.

(b) A current full and public disclosure ~~or statement of~~ financial interests or statement of financial interests, as applicable, or receipt of such filing with the Florida Commission on Ethics, is one that covers the immediately preceding calendar or tax year ~~and is on the applicable Florida Commission on Ethics' form for that year.~~ For example, for a qualifying period that occurs in ~~2024~~ 2018, the current full and public disclosure or statement of financial interests form would be one that covers the ~~2023~~ 2017 calendar or tax year.

(c) The following qualifying forms ~~for candidates~~ are hereby incorporated by reference and are available by hyperlink below, or from the Division of Elections at: R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, or (850)245-6200; or by download from the Division's webpage at: <http://dos.myflorida.com/elections/forms-publications/forms/>:

1. DS-DE 9 ~~(4/40)~~ ( /23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX00292>), entitled, "Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates."

2. DS-DE 301A ~~(8/24)~~ ( /23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX13354>), entitled, "Candidate Oath – State and Local Partisan Office – With Party Affiliation."

3. DS-DE 301B ~~(8/24)~~ ( /23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX13355>), entitled, "Candidate Oath – State and Local Partisan Office – Without Party Affiliation."

4. DE-DE 301C ~~(8/24)~~ ( /23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX13356>), entitled, "Candidate Oath-State and Local Partisan Office-Write-In Candidate."

5. DS-DE 305CM ~~(8/24)~~ ( /23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX13360>), entitled, "Candidate Oath – Committeemen and Committeewomen."

6. DS-DE 302NP ~~(8/24)~~ ( /23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX13357>), entitled, "Candidate Oath – Nonpartisan Office."

7. DS-DE 304SB ~~(8/24)~~ ( /23) (<http://www.flrules.org/Gateway/reference>)

[e.asp?No=Ref-XXXXX43359](#)), entitled “Candidate Oath – School Board Nonpartisan Office.”

8. DS-DE

303JU ~~(8/24)~~ (/23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX43358>), entitled, “Candidate Oath – Judicial Office.”

9. DS-DE

300A ~~(8/24)~~ (/23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX43354>), entitled “Candidate Oath – Federal Office – With Party Affiliation.”

10. DS-DE

300B ~~(8/24)~~ (/23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX43352>), entitled, “Candidate Oath – Federal Office – Without Party Affiliation.”

11. DE-DE

300C ~~(8/24)~~ (/23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX43353>), entitled, “Candidate Oath – Federal Office – Write-In Candidate.”

12. DS-DE

306WP ~~(8/24)~~ (/23) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX43361>), entitled, “Candidate Oath – Write-In for President and Vice President.”

(4) No change.

Rulemaking Authority 20.05(1)(e), 20.10(3), 97.012(1), 99.061(10), 103.022 FS. Law Implemented 20.05(1)(b), 99.021, 99.061, 99.095, 103.022, 105.031(1), 105.035 FS. History–New 12-6-84, Formerly 1C-7.001, 1C-7.0001, Amended 2-13-90, 11-7-10, 9-7-11, 1-1-14, 1-2-18, 8-25-21, - -23.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Maria Matthews

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cord Byrd

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 13, 2023

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Food Safety**

RULE NOS.:	RULE TITLES:
5K-10.002	Permits, Licenses and Inspections
5K-10.003	Dating, Standards for Milk, Milk Products, Manufactured Milk Products and Frozen Desserts
5K-10.005	Guidelines for Imposing Administrative Penalties

PURPOSE AND EFFECT: The purpose of this rule development is to clarify specific sanitation requirements that apply to facilities that utilize pasteurization and to those that do not utilize pasteurization. The proposed rule implements changes made to section 502.042, F.S., by removing the

requirement that the Department conduct periodic shelf-life studies and periodic sampling of milk. The proposed rule sets out the shelf-life testing procedures and methods to be used by the Department for shelf-life testing when it verifies the shelf-life set by the producer or manufacturer. Additionally, the proposed rule removes an outdated reference to Rule 5D-10.001, Florida Administrative Code, and replaces it with the correct rule reference, Rule 5K-10.001, Florida Administrative Code. References to grade A milk are updated by capitalizing and adding quotation marks for proper terminology description of Grade “A”. The proposed rule also updates established guidelines for administering penalties for violations and institutes a more defined enforcement matrix for common issues found in the dairy industry.

SUMMARY: The proposed rule addresses the use of pasteurization for frozen desserts in accordance statutory changes to chapter 502, F.S., during the 2023 legislative session. The proposed changes clarify that facilities producing frozen desserts utilizing pasteurization are regulated pursuant to the rule and chapter 502, FS, and facilities producing frozen desserts that do not utilize pasteurization are regulated pursuant to chapter 500, FS. The proposed rule provides required updates to implement statutory changes to shelf-life requirements for certain dairy products. Section 581.217, F.S., sets out the state hemp program and the department’s regulatory authority thereof. This rulemaking provides administrative penalties for violations of regulations governing milk, milk products and frozen desserts and the hemp program, and allows the Department to ensure a safe food supply for consumers.

**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 this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The department’s proposed rules do not increase fees or otherwise impose any

other costs, directly or indirectly, on the regulated industry. Based on this information, the department determined there will be no adverse impact to small businesses and the potential regulatory costs of the proposed rule chapter does not exceed any of the criteria established in section 120.541(2)(a), F.S. Additionally, no interested party submitted additional information regarding the economic impact. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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: 500.09, 502.014, 502.042, 570.07(23), 570.971(5), 581.217(12) F.S.

LAW IMPLEMENTED: 502.014, 502.042, 502.053, 502.091, 502.121, 502.165, 502.231, 581.217(7) 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: Ben Rosson at f.rosson@fdacs.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

**5K-10.002 Permits, Licenses and Inspections.**

(1) through (2) No change.

(3) Licenses for Frozen Dessert Plants, both in state and out-of-state, selling product in Florida.

(a) Frozen dessert plants utilizing pasteurization shall be subject to the requirements outlined in Chapter 502, F.S., and Rule Chapter 5K-10, F.A.C. A Frozen Dessert Manufacturer as defined by Rule 5K-4.020, F.A.C., plants does that do not utilize pasteurization as outlined in Chapter 502, F.S., and shall be subject to the requirements outlined in Chapter 500, F.S., and Rule Chapter 5K-4, F.A.C.

(b) No change.

(4) through (6) No change.

(7) Routine Inspections and Tests.

(a) through (c) No change.

(d) Frozen Dessert Plants and Manufacturing Milk Plants within the state shall be subject to inspections based upon the criteria and frequency established for milk plant inspections in the PMO. Sampling and testing shall be quarterly, unless test results indicate a more frequent sampling and testing is necessary. Raw milk cheeses shall be tested for pathogens semi-annually.

(e) through (f) No change.

Rulemaking Authority 502.014 FS. Law Implemented 502.014, 502.053, 502.091, 502.165, 502.231 FS. History–New 9-21-67, Amended 1-26-81, 8-31-82, 8-16-84, Formerly 5D-1.03, Amended 10-9-86, 12-29-88, 6-27-90, 8-29-93, 7-2-95, 10-15-03, 4-14-08, Formerly 5D-1.003, Formerly 5K-4.042, Amended 6-20-22,\_\_\_\_\_.

**5K-10.003 Dating, Standards for Milk, Milk Products, Manufactured Milk Products and Frozen Desserts.**

(1) Shelf-Life Dating and Expiration Dating.

(a) All milk and milk products shall be legibly labeled with their shelf-life date. The date or date code for frozen desserts and other manufactured milk products shall ~~be approved by the department and shall~~ indicate the date of manufacture of the product or the last day the product is to be offered for sale. The standards for labeling for all products shall be in accordance with 21 CFR, Part 101, adopted by reference in paragraph 5K-10.001(1)(e)~~5D-10.001(1)(e)~~, F.A.C.

(b) through (d) No change.

(e) No milk or milk products shall be offered for sale as a Grade “A” ~~grade A~~ product after the shelf-life expiration date shown on the container. All milk and milk products offered for sale after the shelf-life expiration date will be deemed to be misbranded and subject to be impounded and made unsalable or otherwise disposed of by the department, under the provisions of Section 502.231, F.S.

(f) No change.

(g) Each processor shall establish ~~certify to the department~~ the maximum shelf-life of each product in the hands of the consumer under normal storage conditions. ~~Provided, however, the maximum shelf life of fluid uncultured milk pasteurized at less than 270° F shall not exceed ten days from date of packaging unless technical supporting justification has been supplied to the department, the department has confirmed such shelf life claims, and specific authority to use a longer shelf life has been granted by the department.~~

(2) Department Shelf – Life Testing and Testing Procedures.

When the Department tests shelf-life, the following testing procedures apply:

(a) Milk product samples shall not exceed the microbial count limits specified in this subsection when tested ~~be held at 43° F (plus or minus 2° F) for the shelf life period plus four (4) days and analyzed~~ to determine that shelf-life expiration dates stated on the containers assure the consumer of acceptable quality milk and milk products when kept under normal storage conditions. The temperature at the time of collection shall be officially recorded by the collector. Nothing herein contained shall be construed to prohibit the department from taking special samples for analysis and making special tests in order to assure all milk and milk products comply with the minimum standards of freshness, quality and palatability. In the event the department determines a processor’s or a manufacturer’s shelf-

life for a given product is improper, ~~the department shall immediately take such samples as are necessary for full and complete recheck of the shelf life of the product. If the full and complete recheck confirms that the shelf life of the product is improper,~~ the department shall serve written notice on the processor or manufacturer and the processor or manufacturer immediately upon receipt of such notice shall alter the shelf-life expiration date of the product to comply with the department tests. Compliance shall be with the next processing of the product after receipt of such department notice. Failure of the processor or manufacturer to timely correct the shelf-life expiration date of the product will result in a stop-sale order pursuant to section 502.231(4), F.S.

~~(b) To extend the shelf life expiration date of a qualifying product, the processor shall submit a written request to the Bureau of Dairy Industry specifying the product to be tested and supplying test results which indicate that the product is acceptable for at least ten (10) days or for an additional two (2) days over the current code period. This information must be compiled from current records that cover a period of at least thirty (30) days. The department will collect in Florida two series of duplicate samples of the product during a four week period. The first duplicate sample will be used for routine analysis, the second will be stored at 43° F plus or minus 2° F until six (6) days past the expiration date and then evaluated as acceptable or unacceptable. Both series of samples must be acceptable for six (6) days past the expiration date for the extension request to be granted. If acceptable, the processor will be notified in writing and the product must remain at this new code level for at least six (6) months before any additional code is requested. If unacceptable, the processor will be notified in writing and at least six (6) months must pass before another request is initiated for the product. Milk product samples tested by the department shall be tested in accordance with the method adopted in Rule 5K-10.001(1)(m), Florida Administrative Code. The microbial counts for milk products shall not exceed 30 million colony forming units (CFU)/ml.~~

(3) Chemical, bacteriological and temperature standards for manufacture of Grade "A" ~~grade A~~ products:

Grade "A" A raw milk for pasteurization, ultra pasteurization or aseptic processing.

Temperature, Bacterial Limits, Drugs, and Somatic	Standards shall be the same as those listed in Section 7 of the PMO.
Cell Count	
Added Water	Freezing point not to exceed -0.526° H.

Grade "A" A pasteurized or ultra pasteurized milk and milk products and bulk shipment heat treated milk products.

Temperature, Bacterial Limits, Phosphatase, and Drugs	Standards shall be the same as those listed in Section 7 of the PMO.
Added Water	Freezing point not to exceed -0.526° H.

Grade "A" A aseptically processed milk and milk products.

Temperature, Bacterial Limits and Limits and Drugs	Standards shall be the same as those listed in Section 7 of the PMO.
Added Water	Freezing point not to exceed -0.526° H.

(4)-(5) No change.

Rulemaking Authority 502.014, 502.042 FS. Law Implemented 502.014, 502.042, 502.091 FS. History—New 9-21-67, Amended 9-26-69, 12-24-71, 1-26-81, 8-31-82, 8-16-84, Formerly 5D-1.07, Amended 10-9-86, 5-19-87, 12-29-88, 6-27-90, 8-29-93, 12-4-94, 7-2-95, 10-15-03, 4-14-08, Formerly 5D-1.007, Formerly 5K-4.043, Amended 6-20-22,\_\_\_\_\_.

**5K-10.005 Guidelines for Imposing Administrative Penalties.**

(1) This rule sets forth ~~the~~ guidelines the Department will follow in imposing the penalties authorized under Chapter 502, F.S., for violations of Chapter 502, section 581.217, F.S., and this rule chapter. The purpose of these guidelines is to give notice of the range of penalties that will be imposed for a single violation within a three-year period. The three-year period shall be based on the date of the last administrative enforcement action imposed against the violator. These guidelines list aggravating and mitigating factors that, if present, will increase or reduce penalties to be imposed. No aggravating factors will be applied to increase a fine imposed for a single violation above the statutory maximum as follows:

(a) In the case of a frozen dessert plant licensee, the fine imposed for each violation shall not exceed \$5,000 as provided in Section 570.971, F.S., for Class II category;

~~(b) In the case of failure to report the information described in Section 502.053(3)(d), F.S., the fine imposed shall not exceed ten percent of the license fee or \$100, whichever is greater; and~~

~~(b)(e)~~ In the case of any other violation, the fine imposed shall not exceed \$1000 for each occurrence as provided in Section 570.971, F.S., for a Class I category.

(2) No change.

(3) The Department will enforce compliance with Chapter 502, section 581.217(7), F.S., and this rule chapter by issuing an administrative complaint, a stop-sale order, or stop-use order, notice of non-compliance, permit suspension or revocation for violations of Chapter 502, section 581.217(7), F.S., and this rule chapter.

(4) through (5) No change.

(6) Aggravating and Mitigating Factors. The Department will consider aggravating and mitigating factors in determining penalties for violations of Chapter 502, F.S., and this rule chapter. The factors shall be applied against each single count of the listed violation.

(a) Aggravating Factors:

1. through 2. No change.

3. Previous violations for the same or a similar offense that resulted in enforcement action, defined as follows:

a. First Offense. A violation of any law subject to penalty under Chapter 502 or section 581.217(7), F.S., when no disciplinary administrative complaints involving the same permitholder have been filed with the Agency Clerk within the three years preceding the date the current administrative complaint is issued.

b. Second Offense. A violation of any law subject to penalty under Chapter 502, or section 581.217(7), F.S., after one disciplinary administrative complaint involving the same permitholder has been filed with the Agency Clerk within the three years preceding the date the current administrative complaint is issued, even if the current violation is not the same as the previous violation.

c. Third and Any Subsequent Offense. A violation of any law subject to penalty under Chapter 502, or section 581.217(7), F.S., after two disciplinary administrative complaints involving the same permitholder has been filed with the Agency Clerk within the three years preceding the date the current administrative complaint is issued, even if the current violation is not the same as the previous violation.

4. through 10. No change.

(b) Mitigating Factors:

1. through 2. No change.

3. Acts of God or nature that impaired the ability of the violator to comply with Chapter 502, section 581.217, F.S., or this rule chapter.

4. through 7. No change.

(7) through (8) No change.

(9) Penalties.

(a) No change.

(b) Major Violations. Any violation of Chapter 502, section 581.217, F.S., or this rule chapter that may result in economic or physical harm to a person or may adversely affect the public health, safety, or welfare or creates a significant threat of such harm shall be considered a major violation.

~~1. Tier I major violations. Tier I Major major~~ violations shall result in the issuance of a stop-sale order, or stop-use order, permit suspension and an administrative fine of \$500 up to the statutory maximum, or any combination thereof. Aggravating factors, as defined in paragraph (6)(a) of this rule, shall warrant the adjustment of the fine upward per violation

per aggravating factor and mitigating factors, as defined in paragraph (6)(b) of this rule, shall warrant the adjustment of the fine downward per violation per mitigating factor, but no fine shall exceed the statutory maximum as outlined in section 570.971, F.S., as applicable. If, three years after the day of the last violation under Chapter 502, F.S., or this rule chapter, no new violation has occurred, all previous fines shall be disregarded when administering a fine for the next violation. For the purposes of this rule, the following violations shall be considered ~~major~~~~Tier I~~ violations:

a. through m. renumbered 1. through 13. No change.

~~2. Tier II Major Violations. Tier II violations shall result in the issuance of a stop sale or stop use order and an administrative fine of \$500 up to the statutory maximum. Aggravating factors, as defined in paragraph (6)(a) of this rule, shall warrant the adjustment of the fine upward per violation per aggravating factor and mitigating factors, as defined in paragraph (7)(b) of this rule, shall warrant the adjustment of the fine downward per violation per mitigating factor, but no fine shall exceed the statutory maximum as outlined in Section 570.971, F.S., as applicable. If, three years after the day of the last violation under Chapter 502, F.S., or this rule chapter, no new violation has occurred, all previous fines shall be disregarded when administering a fine for the next violation. For the purposes of this rule, the following violations shall be considered Tier II violations:~~

a. through b. renumbered 14. through 15. No change.

~~16.e. Operating as a dairy establishment or frozen dessert plant establishment without a valid dairy permit, as provided in Section 502.053, F.S.~~

d. through f. renumbered 17. Through 19. No change.

3. renumbered (c) No change.

a. through 1. renumbered 1. through 12. No change.

(10) No change.

Rulemaking Authority 500.09, 502.014, 570.07(23), 570.971(5), 581.217(12) FS. Law Implemented 500.172, 502.014, 502.053, 502.091, 502.121, 502.231, 581.217(7) FS. History–New 6-29-22,

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jennifer Lester, Bureau Chief

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Commissioner of Agriculture Wilton Simpson

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: 07/10/2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: 07/14/2023

**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: RULE TITLE:

6A-2.0020 Eligibility for Charter School Capital Outlay

PURPOSE AND EFFECT: To bring the rule into alignment with House Bill 1537 and House Bill 1259 from the 2023 Legislative Session, as well as other changes for clarity.

SUMMARY: The rule amendment changes the student achievement criteria for the school and updates the incorporated application to verify eligibility for capital outlay funding for charter schools.

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

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

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

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), (2)(n), 1013.62, F.S.

LAW IMPLEMENTED: 1013.62, F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Emerson, Executive Director, Office of Independent Education & Parental Choice, adam.emerson@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-2.0020 Eligibility for Charter School Capital Outlay.**

The following provisions are established for the determination of eligibility of charter schools pursuant to Section 1013.62, F.S. Except as expressly provided herein, proof of eligibility requirements must be provided to the Department by July 1 of the fiscal year for which the charter school seeks funding. The continuation of funding is dependent upon maintaining eligibility requirements during the fiscal year.

(1) through (3) No change.

(4) Satisfactory student achievement under Section 1013.62(1)(a)3., F.S., shall be determined by the school's most recent grade designation or school improvement rating from the state accountability system as defined in Sections 1008.34 and 1008.341, F.S. Satisfactory student achievement for a school that does not receive a school grade or a school improvement rating, including a school that has not been in operation for at least one school year, shall be based on the student performance metrics in the charter school's charter agreement. Allocations shall not be distributed until such time as school grade designations are known.

(a) A charter school that receives two (2) consecutive grades ~~a grade designation~~ of "F" or three (3) two (2) ~~two (2)~~ consecutive grades lower than a "C" shall not be eligible for capital outlay funding.

(b) A charter school that receives two (2) consecutive a school improvement ratings of "Unsatisfactory" shall not be eligible for capital outlay funding.

~~(5) Eligibility for the additional school weight for free or reduced price lunch and the additional school weight for students with disabilities under Section 1013.62(1)(c)1., F.S., shall be determined by the students' status as reported in the fiscal year's October FTE student enrollment survey for the fiscal year in which funding is sought. The number of students eligible for free or reduced lunch for a school that provides free breakfast and lunch to all students under the Community Eligibility Provision of the Healthy, Hunger Free Kids Act of 2010 shall be calculated by applying the multiplier authorized in Section 11(a)(1)(F)(vii) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a) to the number of students reported to the Department as eligible for free meals based upon the Direct Certification determination. For schools that do not participate under the Community Eligibility Provision of the Healthy, Hunger Free Kids Act of 2010, the number of students eligible for free or reduced price lunch shall be the number of students reported to the Department as eligible.~~

~~(6) A charter school whose most recent available audit, pursuant to Section 218.39, F.S., reveals any of the financial emergency conditions provided in Section 218.503(1), F.S., is not eligible to receive charter school capital outlay.~~

(a) through (b) No change.



(6) Pursuant to Section 1013.62(5), F.S., the procedures for submitting and approving an application for funding and the procedures for documenting expenditures, are as follows:

(a) Charter schools must submit an application using form IEPC-CO1, Charter School Capital Outlay Application, effective September 2023 2024 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13498>), which is hereby incorporated by reference in the rule, which may be accessed through [https://www.floridaschoolchoice.org/login/login\\_charter\\_school.asp](https://www.floridaschoolchoice.org/login/login_charter_school.asp). The application may be obtained by contacting the Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400. The Department will accept hard copy versions of the application. Hard copies should be sent to 325 West Gaines Street, Suite 1044, Tallahassee, Florida 32399. Applications are due by July 1 of the fiscal year for which funding is sought. The Department may extend the deadline for all applications by posting the extended deadline on its website. The charter school shall include the purpose for which the funds will be expended. The Department shall review the application, determine eligibility, and direct the allocation and distribution of such funds in accordance with that determination.

(b) through (c) No change.

Rulemaking Authority 1001.02, 1013.62 FS. Law Implemented 1013.62 FS. History—New 12-15-09, Amended 8-13-17, 8-21-18, 9-21-21,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Adam Emerson, Executive Director, Office of Independent Education & Parental Choice.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 5, 2023

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0201 RULE TITLE: State of Florida High School Diplomas, as of January 1, 2014

PURPOSE AND EFFECT: The Florida Department of Education issues State of Florida High School Diplomas to candidates who have successfully passed the subject area tests in language arts, mathematics, science and social studies on the 2014 GED® Test. The Department establishes the standards for issuing the diploma, testing center approvals, test administration guidelines, testing fees, and diploma and transcript fees. This rule amendment is to update and clarify the

underage exemption process for taking the High School Equivalency test if under the age of 18 years old. This rule amendment is necessary to meet legislative changes from the 2023 Legislative Session.

SUMMARY: High School Equivalency Diplomas.  
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 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.

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), (2)(n), 1003.435(1), F.S.

LAW IMPLEMENTED: 1003.435, F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Olevitch, Program Manager, Division of Career and Adult Education, (850)245-0449, [ashley.Olevitch1@fldoe.org](mailto:ashley.Olevitch1@fldoe.org).

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-6.0201 State of Florida High School Diplomas, as of January 1, 2014.**

(1) through (5) No change.

(6) The Department shall maintain a perpetual record of individual test results and issue State of Florida High School Diplomas and official ~~transcripts~~ transcripts to successful candidates.

(7) through (9) No change.

(10) School districts must have an underage waiver policy and procedures for individuals aged sixteen (16) and seventeen

(17) years of age to take the official GED® test when certain conditions are met. The policy and procedures must be adopted in the district’s pupil progression plan and must be publicly posted on the school district website. Each school district must submit their underage waiver policy and procedures and the web address to which the document is posted to the High School Equivalency Diploma Program office via email at GEDagewaiver@fldoe.org by October 1 of every calendar year. At a minimum, the underage waiver policy must include:

(a) The school district process by which an individual must apply for the waiver;

(b) The conditions under which a waiver will be granted by the district;

(c) An appeals process for denials; and

(d) The name and contact information of the school district personnel or other authorized individuals who may be contacted regarding questions about the underage waiver process and approval.

(11) Once an individual satisfies all requirements to be granted an underage waiver, the waiver must be submitted to the assigned school district or testing center personnel. This staff member must send the waiver to the High School Equivalency Diploma Program office via email at GEDagewaiver@fldoe.org within thirty (30) calendar days. Submitted waivers must be signed by the superintendent or their designee.

(12) For school districts with an underage waiver policy which requires enrollment in coursework as a condition for approval to take the official GED® test, a school district may not require a student to take any course if the following conditions are met:

(a) The individual attains a minimum score of one hundred and forty-five (145) on each of the four (4) sub-tests of the GED Ready®: Reasoning through Language Arts, Mathematical Reasoning, Science and Social Studies.

(b) Exam scores are dated within one (1) calendar year from the date the request for an underage waiver is submitted to the school district.

(c) The GED Ready® sub-tests are taken in a proctored environment as defined in the school district pupil progression plan.

Rulemaking Authority 1001.02(1), 1003.435(1) FS. Law Implemented 1003.435 FS. History—New 11-19-13, Amended 3-23-16, 9-21-21, .

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ashley Olevitch, Program Manager, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2023

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:           RULE TITLE:

6A-6.0576           CAPE Industry Certification Funding List

PURPOSE AND EFFECT: The purpose and effects of this rule are: 1) Adoption by reference of the 2023-2024 Master Credentials List; 2) Adoption of the 2023-2024 CAPE Industry Certification Funding List; 3) Updated language on the submission of digital tools certificates; 4) Addition of student conduct provisions for test administration; and 5) Updated language to conform with statutory changes made during the 2023 legislative session.

SUMMARY: District and Florida College System Postsecondary Industry Certification.

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 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.

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), (2)(n), 1003.4203(5)(d), 1003.491(9), 1008.44, 1011.62(1), F.S.

LAW IMPLEMENTED: 1003.4203, (5)(d), 1003.491(9), 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1), 1012.796, F.S.

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

DATE AND TIME: August 23, 2023, 9:00 a.m.

PLACE: Collier County School Board Office 5775 Osceola Trail, Naples, FL 34109.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tara Goodman, Vice Chancellor, Division of Career and Adult Education, (850)245-9001, Tara.Goodman@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-6.0576 CAPE Industry Certification Funding List**

(1) No change.

(2) Definitions. The following definitions ~~must shall~~ be used in this rule and incorporated documents:

(a) “CAPE” means career and professional education.

(b) “CAPE Industry Certification Funding List” or “Funding List” means the list of industry certifications ~~and~~ certificates, ~~and~~ courses adopted by the State Board of Education for implementation of the Florida Career and Professional Education Act. Certifications ~~and~~ certificates, ~~and~~ courses identified on the Funding List are assigned additional full-time equivalent (FTE) membership funding, as specified in Sections 1008.44 and 1011.62(1), F.S.

(c) “CAPE Acceleration Industry Certifications” means certifications identified on the Funding List pursuant to the requirements in Sections 1003.4203(4)(~~5~~)(~~b~~) and 1008.44(1)(e), F.S. These certifications have statewide articulation agreements for fifteen (15) or more college credits in a related postsecondary associate degree program.

(d) “CAPE Digital Tool Certificates” means certificates identified on the Funding List pursuant to the requirements in Sections 1003.4203(2)(~~3~~) and 1008.44(1)(b), F.S. These certificates assess digital skills that are necessary for a student’s academic work and are appropriate for elementary school and middle grades students.

(e) “CAPE Industry Certifications” means certifications identified on the Funding List pursuant to the requirements in Sections 1003.4203(3)(4) and 1008.44(1)(a), F.S. An industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a credential. These certifications either do not have a statewide articulation agreement for college credit or have a statewide articulation agreement for no more than fourteen (14) college credits in a related postsecondary associate degree program.

(f) “CAPE Innovation Courses” means ~~courses identified by the Commissioner of Education pursuant to the requirements in Sections 1003.4203(5)(a) and 1008.44(1)(d), F.S. These courses combine academic and career content and include at least two (2) third-party assessments, one (1) of which must be associated with an industry certification identified on the Funding List.~~

(f) ~~(g)~~ “Career-themed course” means a course as defined in Section 1003.493(1)(b), F.S., offered in secondary schools which meets the requirements in Section 1003.493(4), F.S. This may be any course available to students in grades 6-12 with career education content related to an industry certification.

(g) ~~(h)~~ “Career and professional academy” means a program as defined in Section 1003.493(1)(a), F.S., offered in secondary schools which meets the requirements in Section 1003.493(4), F.S. An academy is a research-based program with rigorous academic and industry-specific curriculum aligned to the priority workforce needs.

(h) ~~(i)~~ “Master Credentials List” means the industry certification and digital tool certificate list adopted by Credentials Review Committee and CareerSource Florida and transmitted to the Department in accordance with Section 445.004, F.S. This list includes industry certifications and digital tool certificates, which must be used to determine eligibility for inclusion on the Funding List.

(i) ~~(j)~~ “Monitor” is the individual assigned to independently observe the administration of an industry certification exam.

(j) ~~(k)~~ “Proctor” is the individual assigned to administer industry certification exams.

(k) ~~(l)~~ “Remote proctoring” is the process of taking an exam while the test taker is in one location and the virtual proctor is in another location.

(l) ~~(m)~~ “Virtual proctor” is a live human who remotely watches the test taker during the exam. This person must see the test candidate and the exam synchronously, as well as the environment in which the test is taken.

(3) Adoption of the Master Credentials List. The “~~2023-2024 2022-2023~~ Master Credentials List, Updated” submitted to the Department by CareerSource Florida (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15315>) is adopted by the State Board of Education and incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(4) Adoption of the annual Funding List. The Funding List is composed of industry certifications ~~and~~ certificates, ~~and~~ courses as specified in Sections 1008.44 and 1011.62(1), F.S.

(a) through (c) No change.

(d) The 2023-2024 “~~2022-2023~~ CAPE Industry Certification Funding List, Updated” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15316>) is published by the Department of Education and is incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(5) No change.

(6) Designation of K-12 funding eligibility on the Funding List. In order for a certification or digital tool certificate to be eligible for additional FTE membership funding pursuant to Section 1011.62(1), F.S., the following criteria must be met:

(a) through (b) No change.

(c) To be included as a CAPE Digital Tool Certificate, the certificate must be designated on the 2023-2024 Master Credentials List as a certificate as of June 30, 2023, or be approved by the Department of Education as specified that meets the requirements in Sections 1003.4203(3) and 1008.44(1)(b), F.S.

1. School districts may request a review of assessments and credentials for approval as CAPE Digital Tool Certificates during a submission window from the first business day in March to first business day in April of each year. Submissions will be reviewed for approval for the following academic year. Form FCAPE-05, CAPE Digital Tool Certificate Submission Form, (DOS LINK) is hereby incorporated by reference in this rule, effective September 2023, and must be utilized by school districts for submission of new CAPE Digital Tool Certificates. Form FCAPE-05 may be found on the Department's website at <https://www.fldoe.org/academics/career-adult-edu/cape-secondary>.

2. For Department of Education approval as a CAPE Digital Tool Certificate and inclusion on the Funding List, the assessment of digital skills must:

a. Require a written examination for students which is designed to award a certificate only when a student demonstrates competency or proficiency in the content area;

b. Be developed by a third party and administered in accordance with the test administration procedures specified by the certifying agency;

c. Require all written examinations be proctored;

d. Require the exam questions be delivered in a secure manner and not available to the test proctor for an extended period of time, other than the time necessary to receive, distribute, and return any written materials to the scoring entity;

e. Require that the written examinations be scored by the certifying agency; and,

f. Not be an exam required to earn a CAPE Industry Certification or CAPE Acceleration Certification.

(7) Publication Date for the Funding List. The Funding List for the school year ~~must~~ shall be published no later than August 1.

(8) K-12 Funding weights for certifications on the Funding List. Pursuant to Section 1011.62(1), F.S., the weight used for CAPE Industry Certifications and CAPE Acceleration Industry Certifications in the FEFP is based on statewide articulation agreements approved by the State Board of Education in Rule 6A-10.0401, F.A.C., which is incorporated herein by reference ([http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-14693)

[14693](http://www.flrules.org/Gateway/reference.asp?No=Ref-14693)). If an articulation agreement is no longer current and is removed from Rule 6A-10.0401, F.A.C., after the start of the academic year, the funding weight will be updated during the adoption cycle for the following academic year. A copy of Rule 6A-10.0401, F.A.C. may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(9) Conditions for Florida Education Finance Program (FEFP) calculation and reporting.

(a) A school district is eligible for additional FTE membership under the following conditions:

1. No change.

2. Elementary or middle grades student completes a CAPE Digital Tool Certificate on the Funding List, ~~or~~

~~3. Middle grades or high school student is enrolled in a CAPE Innovation Course and completes all of the requirements for the CAPE Innovation Course.~~

(b) A certification reported with a prior year course may be funded if the certification is earned within two academic years after the course is taken and the certification is identified as eligible for lagged funding on the Funding List. Pursuant to Section 1011.62(1), F.S., middle grades students who earn additional FTE membership for a CAPE Digital Tool Certificate may not use the previously funded examination to satisfy the requirements for earning a CAPE Industry Certification, CAPE Acceleration Industry Certification, or CAPE Innovation Course. The district must shall not report a certification for which a portion of the industry certification exams were previously funded as a CAPE Digital Tool Certificate.

(c) To report successful attainment of certifications ~~and~~ certificates, ~~and course completion~~ on the Funding List, the following test administration procedures for all examinations associated with earning the industry certification must be followed:

1. through 6. No change.

(d) through (f) No change.

(10) Registration of K-12 career and professional academies. School districts must annually register career and professional academies offered by the school district. Form FCAPE-01, Florida Career and Professional Education Act Career and Professional Academies, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15317>) is hereby incorporated by reference in this rule, effective May 2023, and ~~must~~ shall be utilized for reporting the information. Form FCAPE-01 may be found on the Department's website at <https://www.fldoe.org/academics/career-adult-edu/cape-secondary>. Registration will take place during an annual reporting window which will be open no later than August 16 and close on September 15 or the next business day. After the

close of the submission window, districts may submit corrections during an update window from October 1 to the last business day in October. The Department will assign a unique three-digit identifier to be used by school districts for reporting students in academies.

(11) Registration of career-themed courses eligible for funding as specified in Section 1011.62(1), F.S. School districts must annually register each career-themed course offered in their district by school using the web-based application available at <https://web02.fldoe.org/CAPE/login.aspx>.

(a) through (b) No change.

(c) The For the 2022-23 reporting year, the registration system includes all career education courses approved for grades 6 through 12 in the course code directory as adopted in Rule 6A-1.09441, F.A.C. Other courses available to students in grades 6 through 12 may be added to the registration system if requested by a school district and with documentation that student mastery of at least five (5) core standards are assessed by an industry certification exam adopted on the CAPE Industry Certification Funding List. Beginning with the 2023-24 reporting year, the registration of career-themed courses is limited to an approved list of industry certification offerings for each eligible course. To request additions of non-career education courses to the registration system for the academic year, the school district must notify the department in writing with the course number, industry certification and academic standards for the course that align to the certification. The request must be received no later than the first business day of March in the academic year for the career-themed course registration. Upon validation of alignment between standards and the requirements for the industry certification, the course will be added to the registration system for use in the next open registration period. Beginning with the 2023-24 reporting year, the registration of career-themed courses is limited to an approved list of industry certification offerings for each eligible course.

(d) No change.

(e) A dual enrollment course at a public or private postsecondary institution may be registered by the district as a career-themed course if the district has an articulation agreement with the postsecondary institution and the course leads to an industry certification on the Funding List and is not eligible for other performance funds as specified in Section 1011.62(1)(o)1.b., F.S. A district may submit requests for dual enrollment courses to be added to the registration system in writing with the course number, industry certification and academic standards for the course. The request must be received no later than the first business day of March in the academic year for the career-themed course registration. Upon validation of alignment between standards and the requirements

for the industry certification, the course will be added to the registration system for use in the next open registration period.

(f) through (g) No change.

(h) Form FCAPE-02, Florida Career and Professional Education Act Career-Themed Course (CTC) Registration Form,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-14695>) is hereby incorporated by reference in this rule to become effective September 2022 and must shall be utilized for reporting the career-themed course information. Form FCAPE-02 may be found on the Department's website at: <https://web02.fldoe.org/CAPE>.

(12) Teacher and proctor conduct provisions for maintaining the validity of the industry certification credential for K-12 students. Industry certifications are independent, third-party verification of technical skills achieved by students. Any practice that jeopardizes the validity of industry certifications disadvantages the students and prospective employers. Teachers who provide direct instruction leading to industry certification exams and proctors assigned to administer industry certification exams must shall not engage in any conduct that jeopardizes the validity of the industry certification exam results. Only authorized proctors may be provided access to testing materials associated with industry certification exams.

(a) Teachers providing instruction leading to industry certification exams must shall not:

1. through 15. No change.

(b) Authorized proctors or monitors for the industry certification exams must shall not:

1. through 10. No change.

(c) No change.

(13) Teacher conduct provisions for maintaining the validity of digital tool certificates. Teachers of digital tool certificates may be authorized by the school district to administer and proctor the exams for digital tool certificates to their own students.

(a) Teachers providing instruction leading to digital tool certificate exams must shall not:

1. through 7. No change.

(b) No change.

(14) No change.

(15) Reporting requirements for violations of industry certification test administration provisions for K-12 students. In those situations, where provisions of subsections (12) and (13) of this rule are violated by a teacher or proctor, the district must shall prepare a report made to the department and the certifying agency. This notification must occur within five (5) business days, unless the certifying agency has a more stringent requirement. The report must shall include a description of the incident, the names of the persons involved in or witness to the incident, and other information as appropriate. Districts must

shall report to the department using Form FCAPE-04, Florida Career and Professional Education Act Testing Violation Report, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-14697>) which is hereby incorporated by reference in this rule to become effective September ~~2023~~ 2022. Form FCAPE-04 may also be found on the department's website at: <http://fldoe.org/academics/career-adult-edu/cape-secondary/resources.stml>.

(16) K-12 student conduct provisions during test administrations. School districts must have local policies and procedures for the review of student conduct during and after industry certification and certificate exam administrations. These procedures must address any student conduct that violates certifying agency requirements for test administration or jeopardizes the integrity of the test. This conduct includes but is not limited to use of unauthorized materials during the testing, use of a cell phone or any other device with the ability to take photos of exam materials, assisting any other test taker with exam questions, and the disclosure of any test questions after the test administration. If a district determines the student violated the conduct provisions, the student must be prohibited from testing on any industry certification or certificate for a minimum period of six (6) months. If the district determines that the student conduct jeopardized the integrity of the exam beyond the scope of the student's own performance on the exam, the district must complete Form FCAPE-04 and report the incident to the department for review.

~~(17)~~ (16) Remote proctoring of industry certification exams for K-12 students. Remote proctoring of industry certifications and digital tool certificates is allowed in circumstances where the certifying agencies offer remotely proctored testing options under certain conditions.

(a) through (b) No change.

(c) Certifications and certificates approved by the Department meeting these ~~this~~ criteria are posted on the following webpage: <http://www.fldoe.org/academics/career-adult-edu/cape-secondary/cape-industry-cert-funding-list-current.stml>.

Rulemaking Authority 1001.02(1), (2)(n), 1003.4203(9), 1003.491(5)(d), 1008.44, 1011.62(1) FS. Law Implemented 1003.4203, 1003.491, 1003.492, 1003.493, 1003.4935, 1011.80, 1011.81, 1008.44, 1011.62(1) FS. History—New 9-20-22, Amended 5-23-23,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tara Goodman, Vice Chancellor, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 7, 2023

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.: RULE TITLE:

64B2-13.007 Continuing Education Requirements During Initial Licensure Period

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule regarding continuing education requirements during initial licensure period.

SUMMARY: The proposed rule amendment updates and clarifies the rule requirements for continuing education requirements during initial licensure period.

**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: 456.013(6), 460.405, 460.408 FS.

LAW IMPLEMENTED: 456.013(6), 460.408 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: Dayle DeCastro Mooney, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, or by telephone: (850)488-0595 or by electronic mail – [Dayle.Mooney@myfloridalicense.com](mailto:Dayle.Mooney@myfloridalicense.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B2-13.007 Continuing Education Requirements During Initial Licensure Period.**

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

(2) In addition to requirements detailed in paragraph 64B2-13.004(10)(a), F.A.C., each practitioner must certify attendance at a board meeting by:

(a) through (b) No change.

(c) Signing the attendance roster before the start and after adjournment of the meeting, including providing or verifying a current email address:

~~(d)(e)~~ Receiving a certificate of attendance ~~at the meeting~~ from the Executive Director of the Board or designee within thirty (30) days following at the adjournment of the meeting; and

~~(e)(d)~~ Uploading the certificate of attendance into the Florida Department of Health’s designated continuing education tracking system.

(3) through (5) No Change.

Rulemaking Authority 456.013(6), 460.405, 460.408 FS. Law Implemented 456.013(6), 460.408 FS. History—New 1-25-88, Formerly 21D-13.007, 61F2-13.007, 59N-13.007, Amended 11-13-01, 5-4-03, 6-28-04, 11-9-06, 12-4-07, 6-24-18, 11-29-20, 2-23-22,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 6, 2023

**Section III  
Notice of Changes, Corrections and  
Withdrawals**

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: RULE TITLE:  
1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 49 No. 140, July 20, 2023 issue of the Florida Administrative Register has been withdrawn.

**Section IV  
Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 20, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Laz Lunch Truck Inc. located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle. The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 18, 2023, the Department of Business and Professional Regulation, received a petition for Reunion Rehabilitation Hospital Jacksonville at 12645 Salina Dr., Jacksonville, FL 32246. Petitioner seeks an emergency permanent variance of the requirements of ASME A17.1, 2016 Edition, Section 2.2.2.5, as adopted by 61C-5.001, Florida Administrative Code that requires a sump pump drain shall have the capacity to remove a minimum of 11.4 m3 /h

(3,000 gal/h) per elevator which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-082).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 27, 2023, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Shell Point Lucina located at 5999 Lucina Ct., Fort Myers, FL 33908. Petitioner seeks a routine variance of the requirements of ASME A17.1, 2016 Edition, Section 2.4.1.5 and 2.15.9.2, as adopted by 61C-5.001, Florida Administrative Code that requires a 5'0" pit which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2023-083).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [chr.elevators@myfloridalicense.com](mailto:chr.elevators@myfloridalicense.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-31.006 Reactivation Fee

NOTICE IS HEREBY GIVEN that on July 05, 2023, the Board of Accountancy, received a petition for variance or waiver filed by Fredric Walker. Although a rule is not cited, it appears that the petitioner is requesting a variance or waiver of Rule 61H1-31.006, F.A.C., which requires that each Florida certified public accountant for reactivation of a delinquent status license to active shall pay a fee of \$250.00. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida

32607, (850)487-1395 or by email, [Roger.Scarborough@myfloridalicense.com](mailto:Roger.Scarborough@myfloridalicense.com).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-762.801 Out-of-Service and Closure Requirements for Shop Fabricated Storage Tank Systems

NOTICE IS HEREBY GIVEN that on July 18, 2023, the Department of Environmental Protection, received a petition for variance pursuant to Section 120.542, F.S., from Department of the Navy. The petitioner requested a variance from subparagraph 62-762.801(2)(a)3., F.A.C., which allows a tank in need of repair to remain in service for ninety days before it must be placed out-of-service. The petitioner requests a temporary variance to the 90-day time period for three (3) 10,000 gallon aboveground storage tanks (ASTs) due to a lack of funding, and to allow the sub-base generator tank to remain out-of-service until an undetermined date. The facility is located at US Navy – Pensacola Sherman Field Gas Station, Bldg. 1932, Pensacola, Florida 32508. The petition has been assigned OGC #23-1186.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Amanda Dorsett, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 4550, Tallahassee, FL 32399-2400; telephone (850)245-8931, e-mail [Amanda.Dorsett@FloridaDEP.gov](mailto:Amanda.Dorsett@FloridaDEP.gov), during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays. If you have any questions, please call the Division of Waste Management at (850)245-8705.

**DEPARTMENT OF HEALTH**

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on July 19, 2023, the Board of Physical Therapy Practice, received a petition for Variance or Waiver filed by Duaa Osman, Petitioner. Although Petitioner did not cite a rule or statute, it appears that Petitioner is seeking a Petition for Variance or Waiver from subsection 64B17-3.007(3), F.A.C., regarding the requirements for the educational equivalency evaluation reports.

Comments on this petition should be filed with the Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, or by electronic mail- [Allen.Hall@flhealth.gov](mailto:Allen.Hall@flhealth.gov).



DEPARTMENT OF FINANCIAL SERVICES

Securities

The Florida Office of Financial Regulation hereby gives notice: On July 20, 2023, the Florida Office of Financial Regulation (Securities) received a WITHDRAWAL of the Petition for Waiver of paragraph 69W-600.0024(6)(b), Florida Administrative Code from Paul Klosterman. \*\*The original petition was published June 21, 2023 in the Florida Administrative Register Volume 49, Number 120.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flotr.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, August 10, 2023, 11:00 a.m.; Thursday, August 31, 2023, 11:00 a.m.

PLACE: There will be no in person Commission meeting. The meeting will be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email [inmatessupporter@fcor.state.fl.us](mailto:inmatessupporter@fcor.state.fl.us). For questions and correspondence regarding victims' rights, please email [victimquestions@fcor.state.fl.us](mailto:victimquestions@fcor.state.fl.us).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review (850)488-1293.

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: Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-14.004 Effect of Parent Debt on Federal Corporate Income Tax

The FLORIDA PUBLIC SERVICE COMMISSION announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, August 15, 2023, 9:30 a.m., EASTERN

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0850.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rule development workshop to take comments on the potential amendments to Florida Administrative Code Rule 25-14.004 regarding the assessment of tax expense in rate-making for electric, gas, water, and wastewater industries.

Undocketed.

The contact person for this rule development workshop is: Susan Sapoznikoff, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6630, [Susan.Sapoznikoff@psc.state.fl.us](mailto:Susan.Sapoznikoff@psc.state.fl.us).

A copy of the agenda and materials for the workshop will be posted on the Commission's website, [www.floridapsc.com](http://www.floridapsc.com), under the Rule Development tab by Tuesday, July 25, 2023. One or more Commissioners may be in attendance and participate in the workshop.

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

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its Internal Affairs Meeting, to which all interested persons are invited.

DATE AND TIME: Tuesday, August 1, 2023, immediately following the Commission Conference which commences at 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at [www.floridapsc.com](http://www.floridapsc.com).

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this

proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**EMERGENCY CANCELLATION OF MEETING:** If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website ([www.floridapsc.com](http://www.floridapsc.com)) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

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#### PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its Internal Affairs Meeting, to which all interested persons are invited.

**DATE AND TIME:** Tuesday, August 1, 2023, immediately following the Commission Conference which commences at 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at [www.floridapsc.com](http://www.floridapsc.com).

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

**EMERGENCY CANCELLATION OF MEETING:** If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website ([www.floridapsc.com](http://www.floridapsc.com)) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

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#### REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

**DATE AND TIME:** August 3, 2023, 9:30 a.m. – 11:30 a.m. (America/New York)

**PLACE:** IN PERSON: Florida Polytechnic University, 4400 Polytechnic Circle, Lakeland, FL 33868 - Applied Research Center, Room: ARC 2200 **VIRTUAL:** <https://meet.goto.com/875534941> You can also dial in using your phone. Access Code: 875-534-941 United States: +1(872)240-3212

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting to discuss the Local Emergency Planning program and provide input to the Local Planning Committee. A copy of the agenda may be obtained by contacting: Curtis Knowles, [cknowles@cfrpc.org](mailto:cknowles@cfrpc.org) or by calling 1(863)534-7130, Ext. 124.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Curtis Knowles, [cknowles@cfrpc.org](mailto:cknowles@cfrpc.org) or by calling 1(863)534-7130, Ext. 124. 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: Curtis Knowles, [cknowles@cfrpc.org](mailto:cknowles@cfrpc.org) or by calling 1(863)534-7130, Ext. 124.

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#### DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

The Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 8, 2023, 10:00 a.m. – 11:30 a.m., ET

**PLACE:** 4040 Woodcock Dr., Suite 254; Jacksonville, FL 32207

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** First Coast Council Business

A copy of the agenda may be obtained by contacting: Dept. of Elder Affairs / LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, or call: (850)414-2323, or email: [lrcopinformer@elderaffairs.org](mailto:lrcopinformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: (904)391-3942 or [lrcopinformer@elderaffairs.org](mailto:lrcopinformer@elderaffairs.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).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission's Existing Building Inspection Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2023, 8:30 a.m.

PLACE: The meeting will be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free): 1(877)309-2073, Meeting ID/Access Code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: - Review and consider recommendations/comments received from members and interested parties

- Continue identification of key topical issues for evaluation
- Continue Ranking of key recommendations

Other Workgroup business as stated on the agenda.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/>.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2023, 9:00 a.m.

PLACE: Web: <https://meet.goto.com/FL-BOMT/pcp-public> OR (877)309-2073; Participation Code: 230-333-837

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration of cases for which a determination of probable cause has already been made.

A copy of the agenda may be obtained by contacting:

<https://floridasmassage.com/meeting-information/upcoming-meetings/>

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: [mqa.massagetherapy@flhealth.gov](mailto:mqa.massagetherapy@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILIES

The Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2023, 1:00 p.m.

PLACE: Virtual Meeting via computer, tablet or smartphone: <https://meet.goto.com/SolicitationAdministration> or phone: (Toll Free) 1(866)899 4679, or 1(571)317-3116, Access Code: 687-621-357

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Bid Opening is to open vendor bids in response to DCF ITB 2223 087-2. The Department encourages all prospective Vendors to participate in the Bid Opening DCF ITB 2223 087-2 – Florida State Hospital Asbestos Abatement. The solicitation advertisement can be accessed on the Vendor Information Portal (VIP): <https://vendor.myfloridamarketplace.com/>

The Department will post notice of any changes or additional meetings within VIP. Agenda for the meeting is as follows:

- I. Introductions
- II. Public Comments
- III. Opening of Responses
- IV. Adjournment

A copy of the agenda may be obtained by contacting: [joshua.burns@myflfamilies.com](mailto:joshua.burns@myflfamilies.com)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: [joshua.burns@myflfamilies.com](mailto:joshua.burns@myflfamilies.com). If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [joshua.burns@myflfamilies.com](mailto:joshua.burns@myflfamilies.com)

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Refugee Services**

The Miami-Dade Refugee Task Force announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, August 11, 2023; 10:00 a.m. - 12:00 noon.

**PLACE:** Meeting will take place via the Microsoft Teams platform. Use the below link to connect to the meeting:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ZjY5Yjg0OGQtMWVIMy00MjJhLWE3NzktZDEyY2Q5MTAwZmRl%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjY5Yjg0OGQtMWVIMy00MjJhLWE3NzktZDEyY2Q5MTAwZmRl%40thread.v2/0?context=%7b%22Tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22Oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the Miami-Dade 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: Lourdes Dysna-Leconte at (786)257-5173 or David Draper 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: Lourdes Dysna-Leconte at (786)257-5173 or David Draper 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: Lourdes Dysna-Leconte at (786)257-5173 or David Draper at (407)317-7335.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of State Fire Marshal

**RULE NOS.:RULE TITLES:**

69A-71.001 Definitions

69A-71.002 Guidelines

69A-71.003 Aggravating and Mitigating Factors

69A-71.004 Local Governing Body; Jurisdiction and Enforcement

The Division of State Fire Marshal announces a hearing to which all persons are invited.

**DATE AND TIME:** August 4, 2023, 1:00 p.m.

**PLACE:** Please join my meeting from your computer, tablet, or smartphone. <https://global.gotomeeting.com/join/626020717>. You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 626-020-717. Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or [inroomlink.goto.com](https://inroomlink.goto.com), Meeting ID: 626 020 717 or dial directly: 626020717@67.217.95.2 or 67.217.95.2##626020717

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This hearing will consider public input on the proposed changes to the above-referenced rule.

A copy of the agenda may be obtained by contacting: Catherine Thrasher, Department of Financial Services, Division of State Fire Marshal, [Catherine.Thrasher@myfloridacfo.com](mailto:Catherine.Thrasher@myfloridacfo.com), (850)413-3670.

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: Catherine Thrasher, Department of Financial Services, Division of State Fire Marshal, [Catherine.Thrasher@myfloridacfo.com](mailto:Catherine.Thrasher@myfloridacfo.com), (850)413-3670. 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 SURPLUS ASSET FUND TRUST**

The Florida Surplus Asset Fund Trust announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, July 26, 2023, 1:00 p.m.

**PLACE:** Zoom Meeting ID: 821 4285 0553; Passcode: 501561

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** AGENDA

**MEETING OF THE BOARD OF TRUSTEES - BOARD OF PARTICIPANTS**

**A. BUSINESS ITEMS**

1. Call to Order/ Roll Call
2. Participant and Guest Introductions
3. Public Comments
4. Approval Prior Board Meeting Minutes

(a) April 27, 2023

**B. STAFF REPORTS**

1. Investment Advisor/Operations Manager Update - PMA
  - (a) Economic and Market Update
  - (b) FLSAFE LGIP Portfolio Update
  - (c) Operations Manager Report
  - (d) Marketing & Sales Update
  - (e) PMA Comments
2. Administrator Update- FMAS

(a) Marketing Plan Comments, Presentations, Annual FGFOA & FCCMA Conferences, FGFOA School

(b) Open Board Seats

(c) Plans for October Board Meeting (PMA/FMAS)

(d) LGIP’s Overview

(e) FMAS Comments

C. OTHER ITEMS

1. FLSAFE Counsels’ Comments

2. Participants’ Comments

3. Advisory Council Member Comments

4. Board Members’ Comments

D. SET NEXT MEETING DATE/ ADJOURNMENT

1. Future meeting dates: October 26, 2023; January 25, 2024

If you have any questions, please contact Jeff Larson, FLSAFE Administrator at (407)496-1597, jlarson@floridamanagementservices.com or Linda Senne, CPA, FL SAFE Chair at lsenne@venicegov.com.

A copy of the agenda may be obtained by contacting: Jeff Larson, FLSAFE Administrator at (407)496-1597, jlarson@floridamanagementservices.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Jeff Larson, FLSAFE Administrator at (407)496-1597, jlarson@floridamanagementservices.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).

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: Jeff Larson, FLSAFE Administrator at (407)496-1597, jlarson@floridamanagementservices.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

EXPRESSWAY AUTHORITIES

Miami-Dade Expressway Authority "MDX"

REQUEST FOR QUALIFICATIONS (RFQ)

MDX PROCUREMENT/CONTRACT NO.: RFQ-24-01

MDX WORK PROGRAM NO.: 30041-000.020

MDX PROJECT/SERVICE TITLE: DESIGN ENGINEERING SERVICES FOR SR 878 LED LIGHTING CONVERSION

This Procurement Process is subject to the Cone of Silence in accordance with MDX’s Procurement Policy.

A Non-Mandatory Pre-Bid Conference is scheduled at 10:00 a.m. Eastern Time on August 9, 2023.

The Deadline for submitting a Bid Package is 2:00 p.m. Eastern Time on August 25, 2023.

For detailed information please visit the MDX Procurement Department website at <https://www.mdxway.com/business/solicitations>, or call the MDX Procurement Department at (305)637-3277 for assistance.

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Administrative Hearings

Invitation to Negotiate

The Division of Administrative Hearings seeks to establish a Purchase Order/Contract with a responsive, responsible, and qualified Vendor for outfitting hearing and conference rooms with audio/visual equipment at the new leased facility for DOAH Headquarters location in Tallahassee, Florida. For information pertaining to the ITN and schedule of events, please use this link: <https://vendor.myfloridamarketplace.com/search/bids/detail/5982>.

**CITY OF PALM BEACH GARDENS**

**NOTICE OF UNSOLICITED PROPOSAL FOR PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY DEVELOPMENT OF AN INDOOR RECREATION FACILITY AT THE GARDENS NORTH COUNTY DISTRICT PARK**

City of Palm Beach Gardens, 10500 North Military Trail, Palm Beach Gardens, FL 33410

**LEGAL ADVERTISEMENT**

**NOTICE OF UNSOLICITED PROPOSAL FOR PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY DEVELOPMENT OF AN INDOOR RECREATION FACILITY AT THE GARDENS NORTH COUNTY DISTRICT PARK**

Pursuant to the provisions of Chapter 255.065, Florida Statutes, the City of Palm Beach Gardens notifies the general public and all interested parties that the City has received an unsolicited public private partnership proposal for the Development of an Indoor Recreation Facility at the Gardens North County District Park, 5101 117th Court North, Palm Beach Gardens. The proposed facility will offer pickleball, volleyball, basketball, a premium mini-golf course, and other amenities to City residents and visitors.

The City invites any person or organization interested in submitting an alternative proposal for the Development of an Indoor Recreation Facility to submit such proposals to the City for evaluation and consideration. Proposals shall be submitted

as sealed packages and clearly marked “Proposal for the Development of an Indoor Recreation Facility at the Gardens North County District Park” and delivered to the Office of the City Clerk at 10500 North Military Trail, Palm Beach Gardens, Florida 33410. The proposal shall include the name, address, and contact information of the person or organization proposing the project to the City, the information and requirements set forth under Chapter 255.065, Florida Statutes, and enough detail to allow the City to make a proper review and evaluation of the project. The deadline for submission of proposals is Friday, July 21, 2023, by 3:00 p.m. local time. At that time, the proposals will be publicly opened and read aloud at City Hall, 10500 North Military Trail, Palm Beach Gardens, Florida 33410. Late proposals will not be accepted and will be returned to the sender unopened.

It is the responsibility of the person or organization submitting a proposal to ensure all pages of their proposal are included in the package, and that as much detail and information is included on the project being proposed. All questions regarding this public private partnership opportunity must be submitted in writing via email to Km! Ra, Purchasing and Contracts Director, [kmra@pbgfl.com](mailto:kmra@pbgfl.com). The City will not provide information on this opportunity via telephone or verbally.

The City of Palm Beach Gardens reserves the right to accept or reject any or all proposals, in whole or in part, with or without cause, to waive any irregularities and/or technicalities, and to award an interim and/or comprehensive agreement on such coverage and terms it deems will best serve the interests of the City. Nothing contained herein shall be interpreted as an obligation or binding agreement by the City regarding this project.

**CITY OF PALM BEACH GARDENS**

Patricia Snider, CMC, City Clerk

Publish: Palm Beach Post: June 30; July 7; July 14; July 21.

Florida Administrative Register: June 30; July 7; July 14; July 21.

**CITY OF PALM BEACH GARDENS**

**NOTICE OF UNSOLICITED PROPOSAL FOR PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY DEVELOPMENT OF AN INDOOR ICE RINK RECREATION FACILITY AT PLANT DRIVE PARK**

Pursuant to the provisions of Chapter 255.065, Florida Statutes, the City of Palm Beach Gardens notifies the general public and all interested parties that the City has received an unsolicited public private partnership proposal for the Development of an Indoor Ice Rink Recreation Facility at Plant Drive Park, 10113 Plant Drive, Palm Beach Gardens. The proposed facility will offer at least two ice rinks and other amenities to City residents and visitors.

The City invites any person or organization interested in submitting an alternative proposal for the Development of an Indoor Ice Rink Recreation Facility at Plant Drive Park to submit such proposals to the City for evaluation and consideration. Proposals must be submitted as sealed packages and clearly marked “Proposal for the Development of an Indoor Ice Rink Recreation Facility at Plant Drive Park” and delivered to the Office of the City Clerk at 10500 North Military Trail, Palm Beach Gardens, Florida 33410. The proposal shall include the name, address, and contact information of the person or organization proposing the project to the City, the information and requirements set forth under Chapter 255.065, Florida Statutes, and enough detail to allow the City to make a proper review and evaluation of the proposed project. The deadline for submission of proposals is Friday, August 11, 2023, by 3:30 p.m. local time. At that time, the proposals will be publicly opened and read aloud at City Hall, 10500 North Military Trail, Palm Beach Gardens, Florida 33410. Late proposals will not be accepted and will be returned to the sender unopened.

It is the responsibility of the person or organization submitting a proposal to ensure all pages of their proposal are included in the package, and that sufficient detail and information are included on the project being proposed to enable the City to properly evaluate same. All questions regarding this public private partnership opportunity must be submitted in writing via email to Km! Ra, Purchasing and Contracts Director, kmra@pbgfl.com. The City will not provide information on this opportunity via telephone or verbally.

The City of Palm Beach Gardens reserves the right to accept or reject any or all proposals, in whole or in part, with or without cause, to waive any irregularities and/or technicalities, and to award an interim and/or comprehensive agreement on such coverage and terms it deems will best serve the interests of the City. Nothing contained herein shall be interpreted as an obligation or binding agreement by the City regarding this project.

CITY OF PALM BEACH GARDENS  
 Patricia Snider, CMC, City Clerk

DAYTONA STATE COLLEGE  
 Architectural Services  
 Daytona State College  
 Architectural Design Services  
 RFQu #24-002

Pursuant to the provisions of Section 287.055, Florida Statutes, the “Consultants’ Competitive Negotiations Act”, Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural and engineering services. The project consists of the remodel at the Daytona

Campus, Building 330, 2 story Arts & Science classroom/office building. Approximately 15,000 gsf. The estimated total project budget is \$2.5M inclusive of all fees and furnishings. Firms desiring consideration must submit proposals no later than 2:00 p.m. on August 7, 2023, to the Facilities Planning Department, Daytona State College, B430A/R108, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting sharon.dyke@daytonastate.edu or by visiting our website at <http://www.daytonastate.edu/facilities-planning>.  
 END OF AD

DAYTONA STATE COLLEGE  
 Architectural Services  
 Daytona State College  
 Architectural Design Services  
 RFQu #24-003

Pursuant to the provisions of Section 287.055, Florida Statutes, the “Consultants’ Competitive Negotiations Act”, Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural and engineering services. This project consists of adding a roof extension to our existing Flagler Campus, Building 1, outdoor amphitheater including electric and associated grading and a new floor slab. Also connecting Buildings 1 and 2 for improved pedestrian safety and car access. The estimated total project budget is \$3.3M inclusive of all fees. Firms desiring consideration must submit proposals no later than 2:00 p.m. on August 14, 2023, to the Facilities Planning Department, Daytona State College, B430A/R108, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting sharon.dyke@daytonastate.edu or by visiting our website at <http://www.daytonastate.edu/facilities-planning>.

## Section XII Miscellaneous

### DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, July 14, 2023 and 3:00 p.m., Thursday, July 20, 2023.

Rule No.	File Date	Effective Date
5J-20.034	7/20/2023	8/9/2023
5J-22.002	7/14/2023	8/3/2023
5J-22.003	7/14/2023	8/3/2023

5J-22.006	7/14/2023	8/3/2023
5P-2.003	7/20/2023	8/9/2023
5P-2.004	7/20/2023	8/9/2023
5P-2.005	7/20/2023	8/9/2023
5P-2.006	7/20/2023	8/9/2023
5P-2.007	7/20/2023	8/9/2023
5P-2.008	7/20/2023	8/9/2023
5P-2.009	7/20/2023	8/9/2023
61H1-20.001	7/17/2023	8/6/2023
61H1-33.003	7/17/2023	8/6/2023
61K1-4.008	7/17/2023	8/6/2023
62-204.800	7/14/2023	7/14/2023
63H-3.001	7/14/2023	8/3/2023
63H-3.002	7/14/2023	8/3/2023
63H-3.003	7/14/2023	8/3/2023
63H-3.004	7/14/2023	8/3/2023
63H-3.005	7/14/2023	8/3/2023
63H-3.006	7/14/2023	8/3/2023
63H-3.007	7/14/2023	8/3/2023
64B9-8.006	7/18/2023	8/7/2023
64K-1.002	7/19/2023	8/8/2023
64K-1.003	7/19/2023	8/8/2023
64K-1.004	7/19/2023	8/8/2023
64K-1.008	7/19/2023	8/8/2023
69I-23.001	7/19/2023	8/8/2023
69I-23.002	7/19/2023	8/8/2023
69I-23.003	7/19/2023	8/8/2023
69I-23.004	7/19/2023	8/8/2023
69I-23.005	7/19/2023	8/8/2023
69I-24.006	7/19/2023	8/8/2023
69I-31.208	7/19/2023	8/8/2023
69I-31.226	7/19/2023	8/8/2023
69I-31.312	7/19/2023	8/8/2023
69I-40.091	7/19/2023	8/8/2023
69I-40.100	7/19/2023	8/8/2023
69I-40.120	7/19/2023	8/8/2023
69I-42.001	7/19/2023	8/8/2023
69I-42.009	7/19/2023	8/8/2023
69OER23-2	7/14/2023	7/14/2023
69U-100.323	7/14/2023	8/3/2023
69V-160.030	7/14/2023	8/3/2023

69V-160.031	7/14/2023	8/3/2023
69V-160.032	7/14/2023	8/3/2023
69V-160.039	7/14/2023	8/3/2023
69V-160.111	7/14/2023	8/3/2023
69V-560.1000	7/14/2023	8/3/2023
69V-560.1012	7/14/2023	8/3/2023
69V-560.1013	7/14/2023	8/3/2023
69V-560.102	7/14/2023	8/3/2023
69V-560.302	7/14/2023	8/3/2023

**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-4.091	3/31/2023	**/**/*****
40C-41.043	3/31/2023	**/**/*****
40E-4.091	6/26/2023	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
62-330.010	4/28/2023	**/**/*****
62-330.050	4/28/2023	**/**/*****
62-330.055	4/28/2023	**/**/*****
62-330.301	4/28/2023	**/**/*****
62-330.310	4/28/2023	**/**/*****
62-330.311	4/28/2023	**/**/*****
62-330.350	4/28/2023	**/**/*****
62-330.405	4/28/2023	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
65C-9.004	3/31/2022	**/**/*****

**DEPARTMENT OF TRANSPORTATION**

Proposed Site Approval Order for BayCare Wesley Chapel Hospital Heliport

**FLORIDA DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

BayCare Wesley Chapel Hospital Heliport, a private airport, in Pasco County, at Latitude 28° 13' 19.23" and Longitude 82° 21' 24.64", to be owned and operated by Baycare Health System, Inc., 16331 Bay Vista Drive Clearwater, FL 33760.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent



information may be obtained by contacting David A. Roberts, Interim State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4507; aviation.fdot@dot.state.fl.us. Website: <http://www.fdot.gov/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION**

Capron Trail Community Development District

Notice of Receipt of Petition

RULE NO.: RULE TITLE:

42G-1.002 Boundary

Petition to Amend the Boundary of the

Capron Trail Community Development District

On May 5, 2023, the Florida Land and Water Adjudicatory Commission (“FLWAC” or “Commission”) received a Petition to Amend the Boundary of the Capron Trail Community Development District (“the District”) from Premier Citrus, LLC (“Petitioner”). The Commission will follow the requirements of Chapter 42-1, F.A.C., and Chapter 190, F.S., as amended, in considering the petition.

**SUMMARY OF CONTENTS OF PETITION:** The Petitioner requests amendment of the District to add approximately 455.99 acres of land to the existing boundaries located in unincorporated St. Lucie County, Florida. The Petitioner also seeks to correct the acreage for the District as contained in current Rule 42G-1.002, FAC. As listed in the Rule, the District currently covers approximately 5,420.394 acres of land. However, the actual acreage of the existing District is 5,422.78 acres. If amendment is approved, the District will consist of approximately 5,878.77 acres.

**SUMMARY OF ESTIMATED REGULATORY COSTS:** A Statement of Estimated Regulatory Costs (SERC) was prepared at the request of the Petitioner. The complete text of the SERC is contained as Exhibit 9 to the petition. Generally, the SERC indicates:

The existing District was established to provide community infrastructure, services, and facilities along with their operations and maintenance to the properties within the District. The SERC indicates that, at this time, there is currently no development plan for the District;

With regard to adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million, the proposed expansion of the District is not anticipated to meet any of the triggers in section 120.541(2)(a), F.S.;

The proposed expansion of the District will involve the State, St. Lucie County, and current and future property owners of the land located within the expanded District. The proposed amendment of the District will result in limited review costs to the reviewing agency and other state and local government entities. Review costs to the County are offset by the District’s payment of a one-time filing fee;

If approved, the SERC indicates there will be no additional transactional cost to comply with the proposed rule amendment. Current and prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services;

The proposed expansion of the District is not expected to have a negative impact on state or local revenues;

The proposed expansion of the District is not expected to have a negative impact on small businesses; and

The proposed expansion of the District is not expected to have an impact on small counties or cities as St. Lucie County is not defined as a “small” county.

**A LOCAL HEARING WILL BE CONDUCTED AT THE TIME, DATE AND LOCATION SHOWN BELOW:**

**DATE AND TIME:** August 3, 2023; 1:30 p.m.

**PLACE:** Offices of Premier Citrus, Main Conference Room, 14885 Indrio Road, Fort Pierce, FL 34945

Copies of the petition may be obtained by contacting: Jonathan Johnson, Kutak Rock LLP, 107 West College Avenue, Tallahassee, Florida 32301, telephone (850)692-9300, or Barbara Leighty, Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, telephone (850)717-9513 or e-mail: [barbara.leighty@laspbs.state.fl.us](mailto:barbara.leighty@laspbs.state.fl.us).

**DEPARTMENT OF HEALTH**

Division of Family Health Services

Request for Public Comments on Florida’s WIC Program

The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients’ needs. WIC

is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them by mail to Karen Martinez, Florida Department of Health, Bureau of WIC Program Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726, by email: [WICProgramFeedback@flhealth.gov](mailto:WICProgramFeedback@flhealth.gov), or by fax: (850)922-3936. Your feedback is essential and is appreciated by August 31, 2023.

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202)720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800)877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at:

<https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866)632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; or

Fax: (833)256-1665 or (202)690-7442; or

Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

## 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.