

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.:      RULE TITLE:

68B-4.020      Saltwater Fish Traps

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments related to saltwater fish traps in the 2019 calendar year as a result of stock assessments or management or enforcement requirements.

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

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

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

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

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

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:      RULE TITLES:

68B-8.001      Introduction and Scope

68B-8.002      Definitions

68B-8.003      General Conditions and Restrictions

68B-8.004      Application Review Process and Evaluation Criteria

68B-8.005      Third Party Contractors

68B-8.006      Scientific Research Special Activity License

68B-8.007      Education/Exhibition Special Activity License

68B-8.008      Florida Marine Science Educators Association Certification

68B-8.009      Prohibited Species Collection Criteria

68B-8.010      Stock Collection and Release Special Activity License

68B-8.011      Aquaculture Broodstock Collection Special Activity License

68B-8.012      Snook Special Activity License

68B-8.013      Non-Conforming Gear Special Activity Licenses and Exemptions

68B-8.014      Marine Chemical Special Activity License

68B-8.015      Dredge Special Activity License

68B-8.016      Commission Activities and Agreements

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments to the marine special activity license program in the 2019 calendar year as a result of management or enforcement requirements, or to address amendments resulting from the agency's comprehensive review of Division 68B.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas addressed in the rule development notice include special activity license conditions and restrictions and other subjects encompassed by the above-cited rules.

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

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

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**Marine Fisheries**

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

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for the Gulf-Atlantic king mackerel fishery in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency's comprehensive review of Division 68B.

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

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

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

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments in the 2019 calendar year for stone crab fisheries as a result of stock assessments, federal regulatory actions, changes to recreational stone crab trap registration requirements or other management and enforcement requirements.

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

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution  
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**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-14.001	Purpose and Intent, Designation as Restricted Species
68B-14.002	Definitions
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.0036	Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption
68B-14.0038	Recreational Snapper Seasons
68B-14.0039	Recreational Grouper Seasons
68B-14.004	Recreational Amberjack Season
68B-14.0041	Recreational Gulf Gray Triggerfish Season
68B-14.0042	Recreational Hogfish Season
68B-14.0045	Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits
68B-14.0046	Commercial Individual Fishing Quotas (IFQs)
68B-14.005	Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation
68B-14.006	Other Prohibitions and Exception
68B-14.009	Reporting Requirement

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for reef fish in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

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

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-18.001	Intent to Annually Review Bay Scallop Fishery Health; Modification of Open and Closed Areas by Rulemaking
68B-18.002	Definitions
68B-18.003	Statewide Open and Closed Seasons and Areas for Harvesting Bay Scallops
68B-18.004	Recreational Bag and Vessel Limits; Commercial Harvest Prohibited
68B-18.005	Closed Seasons for Harvest of Bay Scallops
68B-18.0055	Prohibition of Sale and Commercial Harvest
68B-18.006	Allowed and Prohibited Gear and Methods of Harvest; Prohibited Simultaneous

- Possession of Bay Scallop and Certain Types of Gear
- 68B-18.007 Purchase and Sale of Bay Scallop Prohibited; Exception
- 68B-18.008 Areas Open and Closed to the Harvest of Bay Scallops

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for bay scallops in the 2019 calendar year as a result of stock assessments or management or enforcement requirements.

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

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

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

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| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>  |
| 68B-21.001        | Designation as a Protected Species   |
| 68B-21.002        | Definitions  |
| 68B-21.003        | Regional Size Limits; Landed in Whole Condition Requirement                  |
| 68B-21.004        | Regional Recreational Bag Limits; Bag Limit for Captain and Crew; Prohibited |

- Commercial Harvest; Region for Landing and Possession
- 68B-21.005 Seasons
- 68B-21.006 Allowed and Prohibited Gear and Methods of Harvest; Prohibited Simultaneous Procession of Snook and Certain Types of Gear; Incidental Capture of Snook
- 68B-21.007 Purchase and Sale of Snook Prohibited; Prohibited Possession by Seafood Dealers and Restaurants

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for snook in the 2019 calendar year as a result of stock assessments, management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for Spanish mackerel in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management and enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

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

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

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution  
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**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-24.001	Purpose and Intent
68B-24.002	Definitions
68B-24.003	Minimum Size Limits
68B-24.0035	Special Recreational Crawfish License
68B-24.004	Bag Limit
68B-24.0045	Importation of Spiny Lobster; Documentation and Other Requirements
68B-24.005	Seasons
68B-24.0055	Commercial Requirements
68B-24.006	Gear: Traps, Buoys, Identification Requirements, Prohibited Devices

68B-24.0065 Special Provisions for John Pennekamp Coral Reef State Park in Monroe County: Closure During Two-day Sport Season; Closure of Coral Formation Protection Zones

68B-24.007	Other Prohibitions
68B-24.008	Slipper Lobster; Prohibitions Relating to Eggbearing Slipper Lobster (Repealed)
68B-24.009	Trap Reduction Schedule

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for spiny lobster in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

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

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

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

**Marine Fisheries**

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

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for the Atlantic king mackerel fishery in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

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

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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

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

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for shrimp in the 2019 calendar year as a result of stock assessments, other management or enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

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

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

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for spotted seatrout in the 2019 calendar year as a result of stock assessments or management or enforcement requirements.

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

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

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

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

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

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for mullet in the 2019 calendar year as a result of stock assessments or management and enforcement requirements, or to address amendments resulting from the agency’s comprehensive review of Division 68B.

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

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

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

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

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

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

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-41.001	Designation as a Restricted Species
68B-41.002	Definitions
68B-41.003	Regional Recreational Size Limits; Commercial Size Limits; Landed in Whole Conditional Requirement and Exception
68B-41.004	Bag and Vessel Limits; Bycatch Allowance
68B-41.005	Seasons
68B-41.006	Allowed and Prohibited Gear and Method of Harvest; Bycatch Exception
68B-41.007	Prohibited Sale; Vessel for Hire Exception
68B-41.009	License Requirements for Commercial Harvest

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for dolphin in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements.

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

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

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

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

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

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

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for marine life in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements, or to address amendments resulting from the agency's comprehensive review of Division 68B.

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

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

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

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

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

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

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-45.001	Purpose and Intent; Repeal of Statutory Provisions; Designation as Restricted Species
68B-45.002	Definitions
68B-45.003	Minimum Size Limits
68B-45.004	Regulation and Prohibition of Certain Harvesting Gear
68B-45.0045	Closed Seasons
68B-45.005	Bag Limit
68B-45.006	Other Prohibitions
68B-45.007	Blue Crab Effort Management Program
68B-45.008	Assessment of Administrative Penalties for Violations Relating to Blue Crab Management

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule amendments for blue crab in the 2019 calendar year as a result of stock assessments or management or enforcement requirements.

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

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

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301 (850)487-0554.  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

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

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for flounder in the 2019 calendar year as a result of stock assessments or management or enforcement requirements.

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

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

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

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

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

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

Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301 (850)487-0554.  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II  
 Proposed Rules**

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.:      RULE TITLE:

19B-4.001      Application

PURPOSE AND EFFECT: The purpose and effect of this rule development is amend the Master Contract for the Florida Prepaid College Program to address recent changes to Federal law regarding 529 Plans and to simplify the contract for consumers by updating contract provisions.

SUMMARY: This rule is amended to incorporate changes to the Master Contract for the Florida Prepaid College Plan with clarifying revisions to the Master Contract to align with guidance regarding Section 529 of the Internal Revenue Code, as well as allowing for more flexibility in the Master Contract as Section 529 of the IRC is further amended.

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

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

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

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

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

LAW IMPLEMENTED: 1009.971, 1009.981(1)(c), and 1009.981(2) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, brandon.goeke@myfloridaprepaid.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

19B-4.001 Application.

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

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

(c) The Plan prices associated with Applications submitted to the Board during the Open Enrollment Period shall be the Plan prices applicable to advance payment contracts for the Open Enrollment Period. The Plan prices associated with Applications received by the Board outside the Open Enrollment Period, except for those purchased through the Board’s direct support organization, The Florida Prepaid

College Foundation, Inc., for Purchasers participating in employer participation programs or by Purchasers pursuant to a court order, shall be the Plan prices applicable to advance payment contracts for the next succeeding Open Enrollment Period.

(2) The Florida Prepaid College Plan Master Contract, Form No. FPCB 2019 ~~2017-02~~, [Insert DoS Reference Website Link], <https://www.flrules.org/gateway/reference.asp?No=Ref-04374> is hereby incorporated by reference.

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

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

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

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

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

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

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

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

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

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 11, 2018

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-16.003  
 RULE TITLE: Participation Agreement

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is amend the Participation Agreement and Terms and Conditions for the Florida Prepaid College Board's Savings Program to address recent changes to Federal law regarding 529 Plans and to simplify the contract for consumers by updating contract provisions.

SUMMARY: This rule and the incorporating documents are revised to reflect changes to Federal law regarding 529 plans, which this rule governs. The revisions to the incorporating documents are to update the contract provisions to reflect those federal changes.

**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: These changes are made only to modify the customer terms and conditions as a result of the Federal Tax Cuts and Jobs Act of 2017, and do not change the operations of or the costs incurred by the Board in administering its programs, as the revisions to the rule do not change any of the operations or costs of the program. The Board, based upon the procedural revisions and no operational or substantive changes, determined that there was no SERC required.

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

RULEMAKING AUTHORITY: 1009.971(1), (4), (6). FS.  
 LAW IMPLEMENTED: 1009.971, 1009.981(1)(c), and 1009.981(2) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brandon Goeke, 1801 Hermitage Blvd., Suite 210, Tallahassee, FL, (850)488-8514, brandon.goeke@myfloridaprepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

19B-16.003 Participation Agreement

The Participation Agreement, Form No. FPCB 2018-05, [Insert DoS Reference Website Link], <http://www.flrules.org/Gateway/reference.asp?No=Ref-02640> is hereby incorporated by reference. The Terms and Conditions, applicable to the Participation Agreement, Form No. FPCB 2016-06a, [Insert DoS Reference Website Link], <http://www.flrules.org/Gateway/reference.asp?No=Ref-03229> is hereby incorporated by reference.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.981 FS. History—New 11-27-02, Amended 12-28-04, 6-2-05, 7- 13-06, 12-4-07, 5-29-08, 6-3-09, 6-22-10, 10-24-12, 5-8-13, 10-7-13, 6-23-16, 2-14-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2018

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-8.005  
 RULE TITLE: Certificates of Exemption and Exempt Status

PURPOSE AND EFFECT: The Agency is proposing to adopt a new rule, 59A-8.005, Florida Administrative Code to

implement the provisions of Chapter 2018-24, Laws of Florida passed during the 2018 Legislative Session relating to exemptions from licensure as a home health agency. Section 400.464(6), Florida Statutes was created to allow any person, entity or organization that meets an exemption under section 400.464(5), F.S. to voluntarily apply for a certificate of exemption from licensure under its exempt status. Rule 59A-8.005, F.A.C. will provide minimum standards relating to the application, issuance, and renewal of certificates of exemption from licensure as a home health agency.

**SUMMARY:** The proposed rule, 59A-8.005, Florida Administrative Code, provides for the administration and regulation of persons, entities and organizations applying for and issued a certificate of exemption from home health agency licensure. The rule establishes the process for applying for a certificate of exemption and prescribes the application form. The rule implements timeframes for application processing including the review, approval, denial or withdrawal of an application for certificate of exemption. The rule also establishes procedures for renewal of certificates of exemption and maintenance of exempt status.

**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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

**RULEMAKING AUTHORITY:** 400.497, FS.

**LAW IMPLEMENTED:** 400.462, FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** Thursday, February 14, 2019, 9:30 a.m. to 10:30 a.m.

**PLACE:** Agency for Health Care Administration Ft. Knox Bldg. 3, Conference Room D, 2727 Mahan Drive, Tallahassee, FL 32308.

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: Josei Ponce, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4374. 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:** Josei Ponce, Laboratory and In-Home Services Unit, Bureau of Health Facility Regulation, Josei.Ponce@ahca.myflorida.com or (850)412-4374.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

59A-8.005 Certificates of Exemption and Exempt Status.

(1) Persons, organizations, and entities, hereafter referred to as entities, exempt from home health agency license requirements are set forth in Section 400.464(5), F.S. An entity is not required to have, but may voluntarily apply for a certificate of exemption.

(2) Entities that claim an exemption, either by filing an application for a certificate of exemption with the AHCA and receiving a certificate of exemption, or self-determining, must maintain an exempt status at all times of operation.

(3) An applicant for a certificate of exemption from the home health agency licensure requirements shall submit to AHCA the Application for Exemption from Licensure as a Home Health Agency, AHCA Form 3110-1009, July 2018, which is incorporated by reference and may be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and available from the AHCA web address at: <http://ahca.myflorida.com/HQALicensureforms> with the AHCA.

(4) The applicant for a certificate of exemption must affirm:

(a) The specific exemption sought pursuant to Section 400.464(5), F.S.;

(b) The qualifying requirements for obtaining and maintaining an exempt status;

(c) The current existence of applicable exemption-qualifying health care practitioner licenses, qualified ownership, qualified certifications or registration of the entity;

(d) The federal employer identification number;

(e) Proof of legal existence and fictitious name, when the entity and name are required to be filed with the Division of Corporations, Department of State; and

(f) Other satisfactory proof required by form adopted by this rule.

(5) The fee for issuance of a certificate of exemption is required to be submitted to AHCA with the application.

(a) Applications received without the requisite fee shall be returned to the applicant unprocessed.

(b) When the payment of a certificate fee has been dishonored, the applicant has 10 days from the date of notification to remit to AHCA the certificate fee plus any applicable fees as provided by law in the form of a money order or cashier's check. In the event that the certificate fee is not paid, the application may be subject to withdrawal or the certificate may be subject to revocation.

(6) Upon receipt of an application for a certificate of exemption, AHCA shall examine the application and, within 30 days after receipt, notify the applicant in writing of any apparent errors or omissions and request any additional information required.

(7) Requested information omitted from an application for a certificate of exemption must be filed with AHCA within 21 days after AHCA's request for omitted information or the application shall be deemed incomplete and shall be withdrawn from further consideration and the fees shall be forfeited.

(8) An application for a certificate of exemption from home health agency licensure shall be approved or denied by AHCA within 60 days of receipt of a completed application.

(9) A certificate of exemption, unless sooner surrendered or revoked, shall automatically expire two years from the date of issuance, and shall be renewable biennially, provided that the person, organization or entity continues to meet the requirements established under Chapter 400, Part III, F.S. and Rule 59A-8.005, F.A.C.

(10) An application for renewal of the certificate of exemption should be submitted to AHCA 60 to 120 days prior to the date of expiration of the certificate of exemption.

(11) An application to change the name or address of the certificate of exemption should be submitted to AHCA 21 to 120 days in advance of the requested effective date.

(12) Whenever an entity discontinues operation, the entity shall notify AHCA in writing, prior to the discontinuance of operation, by submitting a letter to the AHCA Laboratory and In-Home Services Unit, 2727 Mahan Drive, Mail Stop #32, Tallahassee, Florida 32308 or via email at HQAHomeHealth@ahca.myflorida.com, including the effective date of closure. The entity shall remain responsible for retaining and appropriately distributing all medical records.

(13) If the applicant is required to register or file with the Florida Secretary of State, Division of Corporations, the principal, fictitious name and mailing addresses submitted on the application for the applicant must be the same as the information registered with the Division of Corporations.

(14) An entity becomes a "home health agency" as defined in Section 400.462(12), F.S., when the provision of home health services and staffing services no longer meet any of the qualifications for an exemption under Section 400.464(5), F.S. An entity's exempt status expires when a change occurs that negates an entity's qualification for exemption. In such a case, the home health agency must file a license application with AHCA as required in Sections 400.471 and 408.806, F.S., and shall be subject to all provisions applicable to an unlicensed home health agency. Failure to timely file an application for licensure may render the home health agency unlicensed and subject the entity to sanctions under Sections 400.484 and 408.812, F.S.

(15) AHCA may deny or revoke a certificate of exemption for the following actions by the applicant or owner:

(a) False representation of a material fact in the application or omission of any material fact from the application.

(b) A violation of Section 400.464(5), F.S. or this rule.

(16) Certificates of exemption are not transferable, directly or indirectly. They are valid only for the person, organization, or entity, licenses, registrations, certifications and services provided under specific statutory exemptions and are valid only to the specific exemption claimed and granted. In order for a certificate of exemption to be valid the entity must apply for and receive an amended certificate of exemption for changes of name or location.

Rulemaking Authority 400.497 FS. Law Implemented 400.464(5) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Josei Ponce

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin Senior, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 03, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 14, 2018

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: RULE TITLE:

59A-33.006 Certificates of Exemption and Exempt Status

PURPOSE AND EFFECT: The Agency proposes to update health care clinic rule to align with recently revised statutory changes per Chapter 2018-24, Laws of Florida. Section 400.9935, F.S. was amended to specify that a certificate of exemption from health care clinic licensure is valid for up to 2 years. Previously certificates of exemption from health care clinic licensure did not expire. The Agency proposes to modify this rule to revise the exemption application and add renewal policies and procedures.

SUMMARY: The renewal of health care clinic exemption certificates.

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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 400.9925 FS.

LAW IMPLEMENTED: 400.9905(4), 400.9925 FS.

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

DATE AND TIME: February 13, 2019, 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, FL 32308

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: Jessica Munn, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. 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: Jessica Munn at (850)412-4359 or email at Jessica.Munn@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 59A-33.006 follows. See Florida Administrative Code for present text.)

59A-33.006 Certificates of Exemption and Exempt Status.

(1) Persons, facilities and entities, hereafter referred to as entities, exempt from health care clinic license requirements are set forth in Section 400.9905(4), F.S. An entity is not required to have, but may voluntarily apply for, a certificate of exemption.

(2) Entities that claim an exemption, either by filing an application for a certificate of exemption with the Agency and receiving a certificate of exemption, or self-determining, must maintain an exempt status at all times of operation.

(3) Entities requesting a certificate of exemption from the health care clinic license requirements shall make application to the Agency on the Application for Certificate of Exemption from Licensure as a Health Care Clinic, AHCA Form 3110-0014, July 2018, which is incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10284>. The application form is also available at <http://www.ahca.myflorida.com/HQALicensureforms>.

(4) The applicant for a certificate of exemption must affirm:

(a) The specific exemption sought pursuant to Section 400.9905(4), F.S.;

(b) The qualifying requirements for obtaining and maintaining an exempt status;

(c) The current existence of applicable exemption-qualifying health care practitioner licenses, qualified ownership, qualified certifications or registration of the entity or owners;

(d) The federal employer identification number;

(e) Proof of legal existence and fictitious name, when the entity and name are required to be filed with the Division of Corporations, Department of State; and

(f) Other satisfactory proof required by form adopted by this rule.

(5) The fee for issuance of a certificate of exemption is required to be submitted to the Agency with the application.

(a) Applications received without the requisite fee shall be returned to the applicant unprocessed.

(b) When the payment of a certificate fee has been dishonored, the applicant has 10 days from the date of notification to remit to the Agency the certificate fee plus any applicable fees as provided by law in the form of a money order or cashier's check. In the event that the certificate fee is not paid, the application may be subject to withdrawal or the certificate may be subject to revocation.

(6) Upon receipt of an application for a certificate of exemption, the Agency shall examine the application and, within 30 days after receipt, notify the applicant in writing of any apparent errors or omissions and request any additional information required.

(7) Requested information omitted from an application for a certificate of exemption must be filed with the Agency within 21 days after the Agency’s request for omitted information or the application shall be deemed incomplete and shall be withdrawn from further consideration and the fees shall be forfeited.

(8) An application for a certificate of exemption from health care clinic licensure shall be granted or denied by the Agency within 60 days of receipt of a completed application.

(9) A certificate of exemption, unless sooner surrendered or revoked, shall automatically expire two years from the date of issuance, and shall be renewable biennially, provided that the applicant and facility continues to meet the requirements established under Chapter 400, Part X, F.S., and Rule 59A-33.006, F.A.C.

(10) An application for renewal of the certificate of exemption should be submitted to the Agency 60 to 120 days prior to the date of expiration of the certificate of exemption.

(11) An application to change the name or address of the certificate of exemption should be submitted to the Agency 21 to 120 days in advance of the requested effective date.

(12) Whenever an entity discontinues operation, the entity shall notify the Agency in writing, prior to the discontinuance of operation, by submitting a letter to the Hospital and Outpatient Services Unit, 2727 Mahan Drive, Mail Stop #53, Tallahassee, Florida 32308 or via email at Hospitals@ahca.myflorida.com, including the effective date of closure. The entity shall remain responsible for retaining and appropriately distributing all medical records.

(13) If the applicant is required to register or file with the Florida Secretary of State, Division of Corporations, the principal, fictitious name and mailing addresses submitted with the licensure application for the applicant must be the same as the information registered with the Division of Corporations.

(14) An entity becomes a “clinic” as defined in Section 400.9905(4), F.S., when it does not qualify for an exemption, provides health care services to individuals, and bills third-party payers for those services. A facility or entity’s exempt status expires when a change occurs that negates a facility or entity’s qualification for the exemption. In such a case, the health care clinic must file with the Agency a license application under Sections 400.900-400.995, F.S. and shall be subject to all provisions applicable to unlicensed health care clinics. Failure to timely file an application for licensure of becoming a health care clinic will render the health care clinic unlicensed and subject the owners, medical or clinic directors and the health care clinic to sanctions under Sections 400.900-400.995, F.S.

(15) The Agency may deny or revoke a certificate of exemption as a health care clinic for the following actions by the applicant or owner:

(a) False representation of a material fact in the application for a certificate of exemption or omission of any material fact from the application.

(b) A violation of section 400.9905, F.S.

(c) A violation of this rule.

(16) Certificates of exemption are not transferable, directly or indirectly. They are valid only for the entity, qualifying owners, licenses, registrations, certifications and services provided under specific statutory exemptions and are valid only for the specific exemption claimed and granted. In order for a certificate of exemption to be valid, the entity must apply for and receive an amended certificate of exemption for changes of name or location.

Rulemaking Authority 400.9925 FS. Law Implemented 400.9905(4), 400.9925 FS. History—New 8-28-06, Amended 2-12-15,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jessica Munn  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/03/2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 08/14/2018

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-15.004      RULE TITLE: Licensure by Endorsement  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 194, October 4, 2018 issue of the Florida Administrative Register.

A Notice of Change was published in error in Vol. 44, No. 248, of the December 24, 2018, issue of the Florida Administrative Register (FAR). These changes supersede the changes published in the December 24, 2018, issue of the FAR and are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated September 11, 2018, and a meeting of the Board on December 12, 2018. The changes are as follows:

61G4-15.004 Certification Licensure by Endorsement; Examination Equivalency

(+) An applicant for certification license by endorsement as a certified general contractor, certified building contractor, or

certified residential contractor is considered to meet the requirement of having ~~have~~ taken an examination of substantial equivalency, pursuant to 489.115(3)(a), Florida Statutes, by completing the items having passed all of the examinations below:

(1)(~~a~~) Provide evidence of successfully passing the 2009-2018 or like version of The Commercial General Building Contractors examination of the National Association of State Contractors Licensing Agencies; and

(2)(~~b~~) Take and successfully pass or provide evidence of having passed The Business and Finance examination pursuant to 61G4-16.001(22), F.A.C; and

(3)(~~c~~) Provide verification of having taken and passed any proctored examination covering ~~An examination on~~ the Florida Building Code administered by or through the Department.

~~Rulemaking Specific Authority 489.108, 489.115(3) FS. Law Implemented 489.115(3) FS. History—New 1-10-80, Formerly 21E-15.04, 21E-15.004, Amended 7-18-94, 11-13-97, \_\_\_\_\_.~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-10.025  
 RULE TITLE: Advertising

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 233, December 3, 2018 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.: 69O-203.204  
 RULE TITLES: Filing, Approval of DMPO Plans, Rates and Related Forms  
 69O-203.205 Bundled Products.

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 238, December 10, 2018, issue of the Florida Administrative Register.

The Notice of Proposed Rule, filed on December 10, 2018, is being corrected to include the following information required by Section 120.54(3)(a)1., Florida Statutes:

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: Agency personnel familiar with the subject matter of the

repeal of these rules have performed an economic analysis of the repeal of these rule that show that the repeal of these rules are unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes, and the repeal of these rules will not require ratification by the Legislature.

**Section IV  
 Emergency Rules**

NONE

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

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.:  
 RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on January 22, 2019, it has issued an order granting a variance.

Petitioner's Name: David Elmore-file tracking No. 19-4294

Date Petition Filed: November 21, 2018

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought:

Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register:

November 28, 2018

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means to achieving the purpose of the statute implemented by rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org.

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on January 18, 2019, the South Florida Water Management District (District) received an amended petition for waiver from Broward County Water & Wastewater Services (Application No. 18-0227-6) for utilization of Works or Lands of the District known as the Hillsboro Canal. The project is for the installation of a buried parallel run 24” reclaimed water transmission main and associated infrastructure including two (2) above ground electrical service panels within the south right of way of the canal within Sections 26, 27, 28, 31, 32, 35 & 36, Township 47 South, Range 41 & 42 East. The petition seeks relief from

subsections 40E-6.011(4) & (6), Fla. Admin. Code, which prohibits the placement of permanent & semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District, and paragraph 40E-6.221(3)(j), Fla. Admin. Code, which governs the placement of parallel run transmission pipelines within Works or Lands of the District and prohibits parallel run facilities from encroaching more than 10' from the right of way line within Works and Lands of the District. A copy of the amended petition may be obtained from Julie Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Julie Russell, Office of Counsel.

**WATER MANAGEMENT DISTRICTS**  
 NOTICE IS HEREBY GIVEN that on January 22, 2019, South Florida Water Management District (District) received a request for withdrawal of a Petition for Waiver from Broward County Water and Wastewater Services, regarding Application No. 17-0227-6 for utilization of Works or Lands of the District known as the Hillsboro Canal; Sections 26, 27, 28, 31, 32, 35 & 36, Township 47 South, Range 41 & 42 East, Broward County. The District originally received the petition for waiver from Broward County on June 12, 2018, and Notice of receipt of the petition was published in the Florida Administrative Register, Vol. 44, No. 123, on June 25, 2018. The petition referenced an incorrect application number which has been corrected and resubmitted. No public comments were received. A copy of the withdrawal request may be obtained from Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or e-mail at jurussel@sfwmd.gov.

**DEPARTMENT OF ELDER AFFAIRS**  
 Federal Aging Programs  
 RULE NO.: RULE TITLE:  
 58A-5.036 Emergency Environmental Control for Assisted Living Facilities  
 The Department of Elder Affairs hereby gives notice: On 1/18/2019, the Department issued a Final Order granting Beneva Lakes Assisted Living Facility, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 09/28/2018, and noticed in FAR Volume 44, Number 202. Petitioner demonstrated that its current

temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.  
 A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

**DEPARTMENT OF ELDER AFFAIRS**  
 Federal Aging Programs  
 RULE NO.: RULE TITLE:  
 58A-5.036 Emergency Environmental Control for Assisted Living Facilities  
 The Department of Elder Affairs hereby gives notice: On 1/18/2019, the Department issued a Final Order granting Senior Housing Management d/b/a Colonia Assisted Living Facility at West Palm Beach, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/17/2018, and noticed in FAR Volume 44, Number 252. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.  
 A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

**DEPARTMENT OF ELDER AFFAIRS**  
 Federal Aging Programs  
 RULE NO.: RULE TITLE:  
 58A-5.036 Emergency Environmental Control for Assisted Living Facilities  
 The Department of Elder Affairs hereby gives notice: On 1/18/2019, the Department issued a Final Order granting Brentwood Retirement Community, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 09/28/2018, and noticed in FAR Volume 44, Number 202. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would

create a substantial hardship and/or violate principles of fairness

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Department of Elder Affairs hereby gives notice: On 1/18/2019, the Department issued a Final Order granting The Brookshire, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 09/28/2018, and noticed in FAR Volume 44, Number 202. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Department of Elder Affairs hereby gives notice: On 1/18/2019, the Department issued a Final Order granting Hidden Ranches Assisted Living Inc d/b/a Colonial Assisted Living at Miami, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/17/2018, and noticed in FAR Volume 44, Number 252. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Department of Elder Affairs hereby gives notice: On 1/18/2019, the Department issued a Final Order granting Edenborough Square Health Care Associates, LLC d/b/a Villas at Lakeside Oaks, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 9/28/2018, and noticed in FAR Volume 44, Number 202. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-27.001 College or University Requirements

NOTICE IS HEREBY GIVEN that on January 17, 2019, the Board of Accountancy, received a petition for variance or waiver filed by Khaled K. Ali. Petitioner is seeking a variance or waiver of paragraph 61H1-27.001(5)(a), Florida Administrative Code, that provides that a graduate of a four-year degree granting institution not accredited at the time the applicant's degree was received or at the time of filing application will be deemed to be a graduate of a four-year accredited college or university course provided an accredited college or university as defined by subsections 61H1-27.001(1) and (2), F.A.C., accepts applicant's non-accredited baccalaureate degree and the applicant satisfactorily completes at least 15 semester or 22 quarter hours, or the equivalent, in

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-10.034 Trade Names

NOTICE IS HEREBY GIVEN that on January 16, 2019, the Florida Real Estate Commission, received a petition for variance or waiver filed by Matthew Christian Real Estate LLC, d/b/a Home Town Realty, seeking a variance or waiver of Rule 61J2-10.034, Florida Administrative Code, which states in part that an individual broker, partnership or corporation may use a trade name and, if so, it must be disclosed upon the request for license, and be placed upon the registration or license. The trade name shall not be, and the Commission will refuse to issue a license containing a trade name which is the same as the real or trade name of another registrant or licensee registered or licensed with the Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

**Section VI**

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

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: January 30, 2019, 2:00 p.m. to conclusion

PLACE: Room 307, R.A. Gray Building, 500 South Bronough St., Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Meeting of the Friends of Florida History CSO. Finance and

Investment committee will meet at 2:00 p.m. followed by the full board meeting at 2:30 p.m.

A copy of the agenda may be obtained by contacting: Carol Bryant-Martin at (850)245-6449 or carol.bryant-martin@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Carol Bryant-Martin at (850)245-6449 or carol.bryant-martin@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Plant Industry

RULE NO.: RULE TITLE:

5B-38.009 The Lettuce Advisory Committee

The Division of Plant Industry announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2019, 12:00 Noon

PLACE: Everglades Research & Education Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: Products/services for area crop producers, Accu-Tab chlorination systems, Lettuce mosaic virus, Stemphyllium leaf spot & Downy mildew management

A copy of the agenda may be obtained by contacting: Christian Miller at (561)333-1718.

**REGIONAL PLANNING COUNCILS**

Northeast Florida Regional Planning Council

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

DATES AND TIMES: February 7, 2019, 9:00 a.m., Personnel, Budget & Finance Committee; February 7, 2019, 10:00 a.m., Board of Directors; immediately followed by CEO's retirement luncheon

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: (904)279-0880.

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 business days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 29, 2019, 10:00 a.m. ET

PLACE: Call 1(888)585-9008 and when prompted, enter conference room 413187475.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)907-6785 or casey.snipes@fchr.myflorida.com.

ACCESS POINT: The Florida Commission on Human Relations office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point.

For more information, you may contact: Casey Snipes at (850)907-6785 or casey.snipes@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: January 31, 2019, 8:00 a.m. or soon thereafter

PLACE: TBD - Orlando, FL (please call Ms. Sammons at (850)521-0500 ext. 114) for the exact location and time

GENERAL SUBJECT MATTER TO BE CONSIDERED: this is a meeting that was called by the governor to discuss, debate, identify and recommend substantive regulations that can be targeted for reduction or elimination.

Please call Ms. Sammons at (850)521-0500 ext. 114 for the exact location and time.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

Board of Optometry

The Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: February 8, 2019, 9:00 a.m.

PLACE: Mission Inn Resort, 10400 County Road 48, Howey-In-The-Hills, Florida 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure and discipline.

A copy of the agenda may be obtained by contacting: <https://floridasoptometry.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

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

DATE AND TIME: Friday, February 15, 2019, 1:00 p.m. – 3:00 p.m.

PLACE: Early Steps Stakeholder Workgroup-- Child Find, Friday, February 15, 2019 1:00 p.m. - 3:00 p.m. ET

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/628131613>

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, Access Code: 628-131-613

Joining from a video-conferencing room or system?

Dial: 67.217.95.2##628131613, Cisco devices: 628131613@67.217.95.2

First GoToMeeting? Let's do a quick system check: <https://link.gotomeeting.com/system-check>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Early Steps Child Find Stakeholder Workgroup will meet to discuss and develop sub-action steps for the child find goal and action steps outlined in the draft State Plan.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hannah.Norcini@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**FLORIDA HOUSING FINANCE CORPORATION**

The FHFC III, INC. announces a public meeting to which all persons are invited.

DATE AND TIME: February 1, 2019, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

PLACE: Tallahassee City Hall Commission Chambers, 300 South Adams Street, Tallahassee FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC III, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the February 1, 2019, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

If any person decides to appeal any decision made by FHFC III, Inc., with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

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: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197. 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 HOUSING FINANCE CORPORATION**

The FHFC II, INC. announces a public meeting to which all persons are invited.

DATE AND TIME: February 1, 2019, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

PLACE: Tallahassee City Hall Commission Chambers, 300 South Adams Street, Tallahassee FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC II, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the February 1, 2019, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

If any person decides to appeal any decision made by FHFC II, Inc., with respect to any matter considered at this meeting, he

or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

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: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197. 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 HOUSING FINANCE CORPORATION**

The FLORIDA HOUSING FINANCE CORPORATION announces a public meeting to which all persons are invited.

DATE AND TIME: February 1, 2019, 8:30 a.m. until adjourned

PLACE: Tallahassee City Hall Commission Chambers, 300 South Adams Street, Tallahassee FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.

3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.

4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.

5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.

6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.

7. Consideration of all necessary actions with regard to the Multifamily Bond Program.

8. Consideration of approval of underwriters for inclusion on approved master list and teams.

9. Consideration of all necessary actions with regard to the HOME Rental Program.

10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.

11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.

12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.

13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.

14. Consideration of all necessary actions with regard to the Homeownership Programs.

15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.

16. Consideration of Appeals from Requests for Applications funding selection with entry of final orders.

17. Consideration of workouts or modifications for existing projects funded by the Corporation.

18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.

19. Consideration of funding additional reserves for the Guarantee Fund.

20. Consideration of audit issues.

21. Evaluation of professional and consultant performance.

22. Such other matters as may be included on the Agenda for the February 1, 2019, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

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: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197. 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 HOUSING FINANCE CORPORATION**

The FLORIDA HOUSING FINANCE CORPORATION announces a public meeting to which all persons are invited.

DATE AND TIME: January 31, 2019, 4:00 p.m. until adjourned

PLACE: Florida Housing Finance Corporation, Seltzer Room, 6th Floor, 227 N. Bronough Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. The Committee will meet regarding the general business of the Committee.

2. Such other matters as may be included on the Agenda for the January 31, 2019, Audit Committee Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. 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: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: January 30, 2019, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685.

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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685.

GULF CONSORTIUM

The Gulf Consortium Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: January 31, 2019, 1:00 p.m. (ET)

PLACE: PLACE: Tallahassee Community College, Center for Innovation

350 S. Duval Street, Tallahassee, FL 32301 Dial-in Number: 1(571)317-3129, Access Code: 619-119-053

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Gulf Consortium will meet to discuss SEP project implementation and consultant contracts; hold board elections, and conduct other business at the discretion of the Board

A copy of the agenda may be obtained by contacting: General Manager at (407)629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto:Gulf.Consortium@balmoralgroup.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Manager at (407)629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto:Gulf.Consortium@balmoralgroup.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: General Manager at (407)629-2185 or [Gulf.Consortium@balmoralgroup.us](mailto:Gulf.Consortium@balmoralgroup.us).

THE VALERIN GROUP, INC.

The Florida Department of Transportation (FDOT) District One announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 31, 2019, 5:00 p.m.

PLACE: Indian Lake United Methodist Church, 6910 Deland Ave., Indian Lake Estates, FL 33855

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 439437-1

The Florida Department of Transportation (FDOT), District One, is holding a Public Hearing to discuss the improvements on State Road (SR) 60 from west of Tiger Lake Road to east of County Road (CR) 630 in Polk County.

The hearing is Thursday, January 31, 2019 at the Indian Lake United Methodist Church, 6910 Deland Avenue, Indian Lake Estates, FL 33855. FDOT will hold this hearing to give interested persons the opportunity to view plans and project materials depicting the improvements. The hearing will begin with an open house at 5:00 p.m., with a formal presentation beginning at 6:00 p.m., and followed by a public comment period. Participants may provide their verbal comments after the presentation to all present. FDOT will conduct this public hearing to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements.

Participants may also provide verbal comments directly to a court reporter before and after the formal presentation. Written comments may be submitted at the hearing, or sent by mail to David Jones, P.E., FDOT District One, 801 North Broadway Avenue, Bartow, FL 33830, or emailed to David.Jones@dot.state.fl.us, no later than February 11, 2019. All comments written and oral will become part of the project's public record.

Project improvements include closing two full median openings to the east and west of Tiger Lake Road, converting a full median opening east of Tiger Lake Road to an eastbound directional opening, and resurfacing the roadway from east of Tiger Lake Road to east of CR 630. The proposed project also includes drainage improvements, new signs and pavement markings.

FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Cynthia Sykes, District One Title VI Coordinator, at 1(863)519-2287, or email at Cynthia.Sykes@dot.state.fl.us at least seven days prior to the public meeting.

A copy of the agenda may be obtained by contacting: There is no agenda

For more information, you may contact: Project Manager, David Jones at 1(863)519-2253 or by email at David.Jones@dot.state.fl.us. You may also visit the project website at: [www.swflroads.com/sr60/tigerlaketocr630](http://www.swflroads.com/sr60/tigerlaketocr630).

#### CARPE DIEM COMMUNITY SOLUTIONS, INC.

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 7, 2019, 5:30 p.m. – 6:30 p.m. CT

PLACE: Callaway Arts and Conference Center, 500 Callaway Park Way, Callaway.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of this project is to construct a new two-lane rural roadway from U.S. 98 (Tyndall Parkway) to County Road (C.R.) 2315 (Star Avenue). Design improvements include a 10-foot multi-use path, and new signalization at Tyndall Parkway and Star Avenue intersections, and connection to Tram Road north of the Veteran's Affairs Nursing Home. The project is funded for right-of-way acquisition and construction. Bids for construction will be received summer 2021.

There will be no formal presentation; however, maps, drawings, and other information will be on display and FDOT representatives will be available to explain proposed improvements, answer questions, and receive comments. Additional project information will also be available at [www.nwflroads.com](http://www.nwflroads.com).

For more information, follow the Florida Department of Transportation District Three on Twitter @myfdot\_nwfl or like us on Facebook at [www.facebook.com/MyFDOTNWFL](http://www.facebook.com/MyFDOTNWFL).

A copy of the agenda may be obtained by contacting: Dean Mitchell, P.E., FDOT Project Manager, at (850)415-9016, or via email at [dmmitchell@hntb.com](mailto:dmmitchell@hntb.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 7 days before the workshop/meeting by contacting: Dean Mitchell, P.E., FDOT Project Manager, at (850)415-9016, or via email at [dmmitchell@hntb.com](mailto:dmmitchell@hntb.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: Dean Mitchell, P.E., FDOT Project Manager, at (850)415-9016, or via email at [dmmitchell@hntb.com](mailto:dmmitchell@hntb.com).

#### ANN POPE CONSULTING

The Department of Transportation and Public Works (DTPW) announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, January 29, 2019, 6:00 p.m.; Thursday, January 31, 2019, 6:00 p.m.

PLACE: St. Dominic Gardens (independent living facility) and Belen Jesuit Preparatory School (will be live streamed at [facebook.com/GoMiamiDade](http://facebook.com/GoMiamiDade))

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Transportation and Public Works (DTPW), has scheduled two Alternatives Workshops regarding the proposed rapid transit improvements for the East-West Corridor, along

State Road (SR) 836/Dolphin Expressway from Miami Intermodal Center (MIC) at Miami International Airport (MIA) to SR 90/US 41/SW 8th Street at SW 109th Avenue/Florida International University (FIU). The Alternatives Workshops will be held on Tuesday, January 29, 2019, at St. Dominic Gardens, located at 5909 NW 7th Street, Miami, FL 33126 and on Thursday, January 31, 2019, at Belen Jesuit Preparatory School, located at 500 SW 127th Avenue, Miami, FL 33184. These workshops will be held in an informal, open house format with a brief presentation at 6:15 p.m.

As a component of the Strategic Miami Area Rapid Transit (SMART) Plan, this project will consist of evaluating rapid transit alternatives. It will also include transit stations/stops as well as park-and-ride/transit terminal facilities.

Your participation will provide an opportunity for you to offer input on the development of the project.

A copy of the agenda may be obtained by contacting: Ms. Camila Perez via email at: Camila.Perez@miamidade.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Marcos Ortega at (786)469-5225 or in writing at Miami-Dade County Department of Transportation and Public Works, 701 NW 1st Court, 17th Floor, Miami, FL 33136, or via email at: Marcos.Ortega@miamidade.gov. Any persons who require translation services (free of charge) should also contact Mr. Ortega at least 7 days before the meeting. 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: Ann E. Pope, Senior Public Information Specialist, at (305)321-6011 or by email at SMARTEastWest@miamidade.gov.

### Section VII

#### Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF MANAGEMENT SERVICES  
Commission on Human Relations

NOTICE IS HEREBY GIVEN that the Florida Commission on Human Relations has declined to rule on the petition for declaratory statement filed by Mr. Elias Makere on October 25, 2018. The following is a summary of the agency's declination of the petition: A Final Order Denying Petition for Declaratory Statement was issued on January 22, 2019. The Florida Commission on Human Relations denied the petition because the Commission is unable to issue a declaratory statement on an

issue that is being simultaneously litigated in an administrative proceeding.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Florida Commission on Human Relations, c/o Tammy Barton, Clerk of the Commission, 4075 Explanade Way, Suite 110, Tallahassee, FL 32399; (850)907-6788; tammy.barton@fchr.myflorida.com.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Karen Larsen on November 26, 2018. The following is a summary of the agency's declination of the petition: The Division is unable to issue a declaratory statement without sufficient facts and competent, substantial evidence; and the petitioner is petitioning on behalf of the association in her capacity of president as opposed to petitioning as the association's qualified representative.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

### Section VIII

#### Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

### Section IX

#### Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

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

NONE

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

DEPARTMENT OF MANAGEMENT SERVICES  
 Division of Building Construction  
 DOH-18039000-Low Bid  
 ADVERTISEMENT TO BID CONSTRUCTION  
 January 23, 2019  
 PROPOSALS ARE REQUESTED FROM QUALIFIED ELECTRICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES (DMS) HEREINAFTER REFERRED TO AS OWNER, FOR THE PROJECT REFERENCED BELOW:  
 RFQ NUMBER: RFQ-REDM18/19-21  
 PROJECT NO: DOH-18039000  
 PROJECT NAME & LOCATION: Design and Construction of Full Generator Installation, Department of Health, Building 4052, 4052 Bald Cypress Way, Tallahassee, Florida 32399  
 ESTIMATED CONSTRUCTION COST: \$475,000.00  
 MANDATORY DEPARTMENT OF MANAGEMENT SERVICES PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility to submit bid proposals five (5) calendar days prior to the bid opening date. If bidder has been previously prequalified by the Department of Management Services for the current biennium (September 1 through August 31) of even numbered years, please verify pre-qualification is still valid. Prequalification requirements are outlined in the Non-Technical Specification Instruction to Bidders under Article B-2 "Bidder Qualification Requirements and Procedures". Please call (850)413-9588 for information on requirements for pre-qualification with the Department of Management Services.  
 After the bid opening, the low bidder may be required to provide additional financial and bidding qualifications in accordance with Florida Administrative Rule 60D-5.004. These requirements are outlined in the Non-Technical Specifications Instruction to Bidders under Article B-22 "Qualifications for Award of Contract".

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:**  
 Under section 287.017 Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services and/or construction or repair of a public building or public work and may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** Under subsection 287.134(2) Florida Statutes, entities or affiliates who have been placed on the State of Florida's discriminatory vendor list may not submit a bid or proposal on this contract.

**COOPERATION WITH THE INSPECTOR GENERAL:**  
 Pursuant to section 20.055(5), Florida Statutes, the bidder who is awarded the contract and its subcontractors understand and will comply with their duty to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing.

**BID BOND:** If the Base Bid or the Base Bid plus the sum of any alternates exceed \$100,000, the bidder shall enclose a certified check, cashier's check, treasurer's check, bank draft or Bid Bond in the amount of not less than five percent (5%) of the Bid, payable to the Owner as a guarantee for the purpose set out in Instructions to Bidders. (Failure to submit a bid bond will result in disqualification)

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount exceeds \$100,000.00, a Performance Bond and a Labor and Material Payment Bond will be required and will be issued with the award of contract.

**PRE-BID MEETING: (MANDATORY)**  
 Date and Time: January 31, 2019, 2:00 p.m.  
 Place: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399 (Building 4052 Front Lobby)

**SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:**

Date and Time: February 13, 2019, 2:00 p.m.  
 Place: DMS, 4050 Esplanade Way, Tallahassee, Florida 32399 (Suite 315K)

**PROPOSAL:** Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

**ARCHITECT-ENGINEER:** McGinniss & Fleming Engineering, Inc., 820 East Park Avenue, Suite I-200, Tallahassee, Florida  
**TELEPHONE:**(850)681-6424 (ext. 5#)

**DEPOSIT:** N/A

Full sets of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$50.00 per set. Electronic file can be made available free-of-charge, upon request by the contractor.

**DISABILITY ACCESS:** Pursuant to the provisions of the Americans with Disabilities Act according to 286.26 Florida Statutes, any person requiring special accommodations to participate in this meeting/bid opening is asked to advise the agency at least 48 hours before the meeting by contacting Elvie Rubio at (850)487-0796. 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).

**CONTRACT AWARD:** The Notice of Award Recommendation will be posted on the DMS Opportunities website at [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu) within 72 hours (business day) after the bids are opened. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted within this time frame, then all bidders will be notified by e-mail or fax when the award is posted. If no protest is filed per Section B-19 of the Instructions to Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

**J. KOKOLAKIS CONTRACTING, INC.**

Lee County Port Authority Southwest Florida International Airport Airport Traffic Control Tower & Terminal Radar Approach Control Facility

Request for Bids - Southwest Florida International Airport (RSW) Airport Traffic Control Tower and Tracon (ATCT)

DeAngelis Diamond Construction, LLC hereby solicits Sealed Bids from qualified subcontractors or firms for the construction of the new approximately 205' tall Air Traffic Control Tower and adjacent Terminal Radar Approach Control (TRACON) facility along with associated site work for the building site and nearby Antenna (RTR) site. The following Trade Packages are included in this Request for Bids:

Concrete Masonry	Composite Metal Panels	Painting	Fire Sprinklers
Precast Concrete	Fireproofing	Specialties (DIV 10)	Plumbing
Structural Steel Framing	Doors, Frames, Hardware & Installation	Signage	HVAC
Misc. Metal and Metal Accents	Storefront & Glazing Systems	Residential Appliances	Electrical

Cabinetry & Architectural Paneling	Drywall / Framing & Insulation/Foam-in-Place Insulation	Window Shades ATCT Roller Shades	Site Work
Waterproofing / Caulking	ACT Ceilings	Systems Furniture	Special Foundations Concrete Piles
Roofing	Flooring/Terrazzo	Elevator	Landscaping, Sod & Irrigation
Rough Carpentry	Cranes & Buckhoist	Termite Control	Acoustic Wall Panels
Metal Trusses & Decking	Scissor Type Industrial Dock Lift		

**Bid Bond:** Bidders with a bid of \$100,000 or more shall provide a 5% Bid Bond or a Cashier's Check for 5% of the Proposal amount made out to DeAngelis Diamond Construction and must be included with the Proposal.

**Payment and Performance Bond:** Bidders with a bid of \$100,000 or more shall be able to provide a 100% Payment & Performance Bond prior to commencement of work. Additionally, all Bidders with work associated with the envelope, structure and MEP shall provide a 100% Payment and Performance Bond prior to commencement of work regardless of contract amount.

**Signature Requirement:** All forms including but not limited for Proposal Form, Subcontractor Registration Form, Trade Package Scope Document, etc. shall be properly signed by an Officer of the company. Additionally, all forms submitted shall be initialed by the Proposer acknowledging that he/she has read all documents enclosed with the Proposal Submittal.

Bids must be in accordance with the plans and specifications and must be on specific trade package scopes as presented in the specifications. DeAngelis Diamond terms and conditions of the contract, indicated in the project manual, will be the governing document regardless of any statements to the contrary noted in the bidder's form of proposal. Bidders must use the proposal forms for each trade package for which bidder wishes to submit a bid.

Bidder must agree to all terms and conditions of the Sample Subcontractor Agreement provided in the Project Manual or provide a rider for the terms and conditions to the CM/GC team for review.

A NON-MANDATORY Prebid meeting will be held on February 6, 2019 at 1:00PM. The Pre-Bid meeting will be held at the LCPA Airport and Training Conference Center 15924 Air Cargo Lane, Fort Myers, FL 33913.

SITE VISIT will follow directly after the Pre-Bid meeting on February 6, 2019 from 3:00PM to 5:00PM.

Sealed Bids will be received at the office of DeAngelis Diamond, 6635 Willow Park Drive, Naples, FL 34109 at 12:00PM on February 21, 2019.

Bids will be opened and read aloud starting at 2:00PM on February 21, 2019 at the LCPA Airport and Training Conference Center 15924 Air Cargo Lane, Fort Myers, FL 33913.

Drawings and specifications will be issued via electronic link. DeAngelis Diamond Construction, LLC and the Lee County Port Authority endeavor to maximize participation of Woman, Minority-owned Business Enterprises and Disadvantaged Business Enterprises in their projects. Each bidder should strive to meet or exceed the minimum percentage goals established.

No bidder may withdraw his bid within a period of one hundred and eighty (180) days after the actual date of opening thereof. The Construction Manager reserves the right to waive any formalities, technicalities, or irregularities in; or reject any or all bids; or to re-advertise for bids and award or refrain from awarding the Contract for the work.

Americans with Disabilities Act Notice: Any person needing special accommodations should contact Lauren Schuster, Project Support Specialist at DeAngelis Diamond, at phone number 239-594-1994, or email lauern.schuster@deangelisdiamond.com.

DeAngelis Diamond, on behalf of the Lee County Port Authority, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, January 16, 2019 and 3:00 p.m., Tuesday, January 22, 2019.

Rule No.	File Date	Effective Date
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2-40.007	1/18/2019	2/7/2019
14-15.012	1/17/2019	2/6/2019
14-61.0016	1/17/2019	2/6/2019
14-86.001	1/17/2019	2/6/2019
14-86.002	1/17/2019	2/6/2019
14-86.003	1/17/2019	2/6/2019
14-86.004	1/17/2019	2/6/2019
14-86.005	1/17/2019	2/6/2019
14-86.006	1/17/2019	2/6/2019
40D-8.624	1/22/2019	2/11/2019
61J2-3.011	1/22/2019	2/11/2019
61J2-24.002	1/22/2019	2/11/2019
61J2-24.003	1/22/2019	2/11/2019
64B9-3.0025	1/22/2019	2/11/2019
64B9-4.017	1/17/2019	2/6/2019
64B9-8.006	1/22/2019	2/11/2019
64B19-11.005	1/17/2019	2/6/2019
65C-31.001	1/18/2019	2/7/2019
65C-31.004	1/18/2019	2/7/2019
65C-31.006	1/18/2019	2/7/2019
65C-31.007	1/18/2019	2/7/2019
65C-31.008	1/18/2019	2/7/2019
65C-31.009	1/18/2019	2/7/2019
65C-31.010	1/18/2019	2/7/2019
65C-31.011	1/18/2019	2/7/2019
65C-41.001	1/18/2019	2/7/2019
65C-41.003	1/18/2019	2/7/2019
65C-41.005	1/18/2019	2/7/2019
68-1.010	1/18/2019	2/7/2019
74-2.002	1/16/2019	2/5/2019

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

**DEPARTMENT OF STATE  
GUIDELINES AVAILABLE FOR PUBLIC LIBRARY  
CONSTRUCTION GRANT PROGRAM**

Applications for the Public Library Construction Grant program must be submitted online using the Department of State Grants System. The deadline for submitting an application is 11:59 p.m. Eastern on April 1, 2019.

Guidelines for the Public Library Construction Grant applications are available on the Florida Department of State’s Division of Library and Information Services website. You may also request guidelines from Marian Deeney by email at marian.deeney@dos.myflorida.com, by phone at (850)245-6620, by fax at (850)245-6643 or by mail at: Marian Deeney, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR  
VEHICLES**

Division of Motor Vehicles  
Naples Motorsports, Inc., for the establishment of KARM vehicles

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Karma Automotive Distribution LLC, intends to allow the establishment of Naples Motorsports, Inc., as a dealership for the sale of automobiles manufactured by Karma Automotive LLC (line-make KARM) at 1250 Airport Road South, Naples, (Collier County), Florida 34104, on or after February 18, 2019. The name and address of the dealer operator(s) and principal investor(s) of Naples Motorsports, Inc., are dealer operator(s): Todd Rosenthal, 1250 Airport Road South, Naples, Florida 34104; principal investor(s): Todd Rosenthal, 1250 Airport Road South, Naples, Florida 34104.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Peter Salzer, Karma Automotive Distribution LLC, 9950 Jeronimo Road, Irvine, California 92618.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant’s compliance with the provisions of Chapter 320, Florida Statutes.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR  
VEHICLES**

Division of Motor Vehicles  
Lender Services, Inc. for the establishment of ICON low speed vehicles

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Icon EV, LLC, intends to allow the establishment of Lender Services, Inc., d/b/a Buggyworx as a dealership for the sale of low-speed vehicles manufactured by Icon EV, LLC (ICON) at 705 New Warrington Road, Pensacola, (Escambia County), Florida 32506, on or after February 21, 2019.

The name and address of the dealer operator(s) and principal investor(s) of Lender Services, Inc., are dealer operator(s): Dale Sylvia, 705 New Warrington Road, Pensacola, Florida 32506; principal investor(s): Dale Sylvia, 705 New Warrington Road, Pensacola, Florida 32506.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roy F. Williams, Icon EV, LLC, 203 Kelsey Lane, Suite E, Tampa, Florida 33619.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

LSV Store, Inc. for the establishment of ICON low speed vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Icon EV, LLC, intends to allow the establishment of LSV Store, Inc., as a dealership for the sale of low-speed vehicles manufactured by Icon EV, LLC (ICON) at 1314 East Las Olas Boulevard, Suite 95, Ft. Lauderdale, (Broward County), Florida 33301, on or after February 21, 2019.

The name and address of the dealer operator(s) and principal investor(s) of LSV Store, Inc., are dealer operator(s): Garrett Krause, 1314 East Las Olas Boulevard, #95, Ft. Lauderdale, Florida 33301; principal investor(s): Garrett Krause, 1314 E Las Olas Boulevard, #95, Ft. Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roy F. Williams, Icon EV, LLC, 203 Kelsey Lane, Suite E, Tampa, Florida 33619.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the

Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

North Florida Custom Carts LLC for the establishment of ICON low speed vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Icon EV, LLC, intends to allow the establishment of North Florida Custom Carts LLC, as a dealership for the sale of low-speed vehicles manufactured by Icon EV, LLC (line-make ICON) at 11390 US Highway 1 North, Ponte Vedra, (St Johns County), Florida 32081, on or after February 21, 2019.

The name and address of the dealer operator(s) and principal investor(s) of North Florida Custom Carts LLC are dealer operator(s): Tammi Noon, 11390 US Highway 1 North, Ponte Vedra, Florida 32081, principal investor(s): Tammi Noon, 11390 US Highway 1 North, Ponte Vedra, Florida 32081.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roy F. Williams, Icon EV, LLC, 203 Kelsey Lane, Suite E, Tampa, Florida, 33619.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

Board of Pilot Commissioners

Pilotage Rate Review Committee Notice of Intent to Modify Port Everglades Rates of Pilotage

To all interested parties; the Pilotage Rate Review Committee has determined that as of February 11, 2019 the rates of pilotage at Port Everglades are MODIFIED to the following:

1. The formula for calculation pilotage rates shall be:

$$(\text{Length Rate} * \text{Length "LOA"}) + (\text{Beam Rate} * \text{Beam}) + (\text{Draft Rate} * \text{Draft}) + (\text{GT Rate} * \text{GT})$$

2. The initial rates in dollars per foot shall be:

	Vessels of less than 10,000 GT	Vessels of 10,000 GT or greater
Length Rate (min 100 ft.):	0.75000	1.00000
Beam Rate (min 30 ft.):	3.75000	5.00000
Draft Rate (min 18 ft.):	22.50000	30.00000
GT Rate (min 5,000 GT):	0.01050	0.01400

3. Additional fees shall be:

a) Detention of pilots: 25% of pilotage fee per hour after the first one half hour. In no case, may a delay in departure caused by a medical emergency or force majeure be considered a detention;

b) Cancellation of Pilot: 25% of pilotage fee;

c.) Late Payment Charge: 1.5% per month after 30 days from date of invoice submission;

4. All other existing rates will remain unchanged.

5. The draft rate for vessels with a draft of 31 feet 0 inches or greater shall increase by 6.0% each year for 10 consecutive years starting on the anniversary date one year following the effective date of this rate.

6. All other rates shall increase by 2.5% for the first 5 years followed by 2.0% for the next 5 years starting on the anniversary date one year following the effective date of this rate.

A complete copy of the Notice of Intent to Modify Rates issued in this cause may be obtained by contacting the Executive Director of the Committee at Department of Business and Professional Regulation, P. O. Box 5377, Tallahassee, Florida 32314-5377

NOTICE OF HEARING RIGHTS

You may seek review of this Order, pursuant to Sections 120.569 and 120.57, Florida Statutes, by filing a petition with the Executive Director of the Committee at Department of Business and Professional Regulation, P. O. Box 5377, Tallahassee, Florida 32314-5377, within 21 days of the publication of this Order. If you dispute any material fact upon which the Committee's decision is based, you may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes; your petition must contain the information required by Rule 28-106.201, Florida Administrative Code, including a statement of the material facts which are in dispute. If you do not dispute any material fact, you may request a hearing before the Committee pursuant to Section 120.57(2), Florida Statutes; your petition must include the information required by Rule 28-106.301, Florida Administrative Code.

Pursuant to Section 120.573, Florida Statutes, you are hereby notified that mediation pursuant to that section is not available.

Unless a proper WRITTEN request for a hearing is received on or before the above-stated deadline or if a request for hearing is made, but the request is subsequently withdrawn, this Notice shall become a FINAL ORDER.

DEPARTMENT OF HEALTH  
Board of Massage Therapy  
Notice of Emergency Action

On January 18, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Gazelle G. Baumgard, L.M.T., License No.: MA 40111. Department orders that the Emergency Suspension of License be lifted.

DEPARTMENT OF HEALTH  
Board of Nursing  
Notice of Emergency Action

On January 18, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of Certificate with regard to the certificate of Maegan F. Weir, C.N.A., Certificate No.: CNA 250649. Department orders that the Emergency Suspension of Certificate be lifted.

DEPARTMENT OF HEALTH  
Board of Nursing  
Notice of Emergency Action

On January 18, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of Certificate with regard to the certificate of Mary E. Scott, C.N.A., Certificate No.: CNA 130422. Department orders that the Emergency Suspension of Certificate be lifted.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On January 18, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of Certificate with regard to the certificate of Felecia P. Baker, C.N.A., Certificate No.: CNA 314672. Department orders that the Emergency Suspension of Certificate be lifted.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On January 18, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of Certificate with regard to the certificate of Natasha L. Robinson, C.N.A., Certificate No.: CNA 129074. Department orders that the Emergency Suspension of Certificate be lifted.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On January 18, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of Certificate with regard to the certificate of Mona L. Chatelain, C.N.A., Certificate No.: CNA 269157. Department orders that the Emergency Suspension of Certificate be lifted.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On January 18, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Sheryl Lynn Powers, R.N., License # RN 9231509. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On January 18, 2019r 21, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Paul V. Ghigliotti, L.P.N., License # PN 981221. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State

Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

INDEX TO RULES FILED BETWEEN  
JANUARY 14, 2019 AND JANUARY 18, 2019

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF LEGAL AFFAIRS**

2-40.007	1/18/2019	2/7/2019	44/241	
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**DEPARTMENT OF EDUCATION**

**Florida Polytechnic University**

6C13-10.002	1/15/2019	2/4/2019	Newspaper	
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**DEPARTMENT OF TRANSPORTATION**

14-15.012	1/17/2019	2/6/2019	44/238	
14-61.0016	1/17/2019	2/6/2019	44/218	
14-86.001	1/17/2019	2/6/2019	44/223	
14-86.002	1/17/2019	2/6/2019	44/223	
14-86.003	1/17/2019	2/6/2019	44/223	44/247
14-86.004	1/17/2019	2/6/2019	44/223	44/247
14-86.005	1/17/2019	2/6/2019	44/223	
14-86.006	1/17/2019	2/6/2019	44/223	

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Cost Management and Control**

59B-12.001	1/15/2019	2/4/2019	44/185	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

61G3-21.002	1/15/2019	2/4/2019	44/236	
61G3-21.003	1/15/2019	2/4/2019	44/236	
61G3-21.004	1/15/2019	2/4/2019	44/236	
61G3-21.006	1/15/2019	2/4/2019	44/236	
61G3-21.009	1/15/2019	2/4/2019	44/236	
61G3-21.010	1/15/2019	2/4/2019	44/236	
61G3-21.012	1/15/2019	2/4/2019	44/236	

**DEPARTMENT OF HEALTH**

**Board of Nursing**

64B9-4.017	1/17/2019	2/6/2019	44/237	
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**Board of Psychology**

64B19-11.005 1/17/2019 2/6/2019 44/235

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

65C-31.001 1/18/2019 2/7/2019 44/241  
 65C-31.004 1/18/2019 2/7/2019 44/241  
 65C-31.006 1/18/2019 2/7/2019 44/241  
 65C-31.007 1/18/2019 2/7/2019 44/241  
 65C-31.008 1/18/2019 2/7/2019 44/241  
 65C-31.009 1/18/2019 2/7/2019 44/241  
 65C-31.010 1/18/2019 2/7/2019 44/241  
 65C-31.011 1/18/2019 2/7/2019 44/241  
 65C-41.001 1/18/2019 2/7/2019 44/202 44/244  
 65C-41.003 1/18/2019 2/7/2019 44/202 44/244  
 65C-41.005 1/18/2019 2/7/2019 44/202 44/244

**FISH AND WILDLIFE CONSERVATION COMMISSION**

68-1.010 1/18/2019 2/7/2019 44/247

**Marine Fisheries**

68B-32.004 1/15/2019 2/4/2019 44/244  
 68B-32.009 1/15/2019 2/4/2019 44/244

**AGENCY FOR STATE TECHNOLOGY**

74-2.002 1/16/2019 2/5/2019 44/183 44/219  
 44/241

**LIST OF RULES AWAITING LEGISLATIVE REVIEW/ APPROVAL PURSUANT TO SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

60FF1-5.009 7/21/2016 \*\*/\*\*/\*\*\*\* 42/105

**DEPARTMENT OF HEALTH**

**Board of Medicine**

64B8-10.003 12/9/2015 \*\*/\*\*/\*\*\*\* 39/95 41/49

**DEPARTMENT OF FINANCIAL SERVICES**

**Workers' Compensation Claims**

69L-3.009 12/5/2018 \*\*/\*\*/\*\*\*\* 44/210

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.