

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: **RULE TITLE:**
 40D-8.624 Guidance and Minimum Levels for Lakes
PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.624 F.A.C., to delete the previously adopted guidance levels, and adopt new minimum and guidance levels for Lake Lowery located in Polk County.

SUBJECT AREA TO BE ADDRESSED: Establish guidance and minimum levels for Lake Lowery pursuant to Section 373.042, F.S.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702; 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, MFLs Program Lead, SWFWMD, 7601 U.S. Highway 301 North, Tampa, FL 33637, (813)985-7481, ext. 4272. A2016047-3

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: **RULE TITLE:**
 40D-8.624 Guidance and Minimum Levels for Lakes
PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.624 F.A.C., to delete the previously adopted guidance

levels, and adopt new minimum and guidance levels for Lake Juanita, Rainbow Lake, Little Moon Lake, and Horse Lake located in Hillsborough County.

SUBJECT AREA TO BE ADDRESSED: Establish guidance and minimum levels for Lake Juanita, Rainbow Lake, Little Moon Lake, and Horse Lake pursuant to Section 373.042, F.S.
RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 F.S.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 F.S.

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: SWFWMD Human Resources Director, (352)796-7211, ext. 4702; 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, MFLs Program Lead, SWFWMD, 7601 U.S. Highway 301 North, Tampa, FL 33637, (813)985-7481 (ext. 4272). A2016040-3

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

Section II

Proposed Rules

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: **RULE TITLE:**
 64E-3.003 Qualifications for Examination
PURPOSE AND EFFECT: To repeal the requirement to complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome (HIV/AIDS) as a condition of radiographic technology licensure, and update the applications accordingly.

SUMMARY: Repeal HIV/AIDS course completion as a prerequisite for radiologic technology licensure as it is no longer required by statute effective July 1, 2016.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that Rule 64E-3.003, Florida Administrative Code., will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s. 120.541(2)(a), Florida Statutes (F.S.) Therefore, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. RULEMAKING AUTHORITY: 381.0034, 468.303 F.S.

LAW IMPLEMENTED: 381.0034, 468.304 F.S.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brenda Andrews, 4052 Bald Cypress Way, Bin C21, Tallahassee, FL 32399-1741, (850)245-4266, brenda.andrews@flhealth.gov

FULL TEXT OF THE PROPOSED RULE:

64E-3.003 Qualifications for Examination.

(1) An applicant for certification as a Basic X-ray Machine Operator or Basic X-ray Machine Operator – Podiatric Medicine shall submit an application to the department on Form DH 1006 (7/16) ~~(10/09)~~, “Application for Basic X-ray Machine Operator or Basic X-ray Machine Operator – Podiatric Medicine,” incorporated ~~herein~~ by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02748> or <http://www.doh.state.fl.us/mqa/rad-tech>. Applicants for all other types of certification under this Chapter shall submit an application to the department on Form DH 1005 (7/16) ~~(10/15)~~, “Application for Radiologic Technology Certification,” which is incorporated ~~herein~~ by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06431> or <http://www.doh.state.fl.us/mqa/rad-tech>. All applicants must meet the qualifications prescribed by Section 468.304, F.S.

- (a) through (d) No change.
- (2) through (4) No change.

~~(5) The HIV/AIDS course required of all applicants by Section 381.0034(3), F.S., shall be at least 4 hours duration and contain instruction on:~~

~~(a) The modes of transmission, infection control procedures, clinical management, and prevention of HIV/AIDS; and,~~

~~(b) Current Florida law on HIV/AIDS and its impact on testing, confidentiality of test results, and treatment of patients.~~

Rulemaking Authority 381.0034, 468.303 FS. Law Implemented 381.0034, 468.304 FS. History–New 4-10-85, Formerly 10D-74.43, Amended 3-21-88, 9-17-92, Formerly 10D-74.043, Amended 3-4-08, 2-18-10, 6-11-13, 4-20-14, 4-27-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cynthia Becker, Bureau Chief, Bureau of Radiation Control.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 23, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 29, 2016

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ELDER AFFAIRS
Statewide Public Guardianship Office

RULE NOS.: RULE TITLES:
 58M-2.001 Professional Guardian Registration
 58M-2.011 Disciplinary Action and Guidelines
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 203, October 18, 2016 issue of the Florida Administrative Register.

The Department of Elder Affairs, based upon the expertise and experience of its staff within the Office of Public and Professional Guardians, determined a Statement of Estimated Regulatory Costs (SERC) was not necessary for Rules 58M-2.001 and 58M-2.011, Florida Administrative Code, and the rules will not require ratification by the Legislature.

DEPARTMENT OF HEALTH
Board of Massage Therapy

RULE NO.: RULE TITLE:
 64B7-31.001 Colon Hydrotherapy

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 231, November 30, 2016 issue of the Florida Administrative Register.

The Purpose and Effect shall now read:

PURPOSE AND EFFECT: This rule is being repealed because the rule text from this rule has been transferred to Rules 64B7-25.001 and 64B7-28.0042, F.A.C., rendering the rule unnecessary

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-2.0040 Sanitation Standards in K-12 Private Schools

The Department of Education hereby gives notice:

That on October 25, 2016, the Office of the Clerk for the Department of Education, received a petition for a waiver from subsection 6A-2.0040(7), F.A.C., Sanitation Standards in K-12 Private Schools. The petition, dated October 10, 2016, requests a variance permitting the school to provide drinking water for students in a format other than the slant jet type drinking fountains prescribed by rule. The petitioner is the Adam Nous Academy, located in Navarre, Florida.

Notice of the petition was published in Vol. 42, No. 212, F.A.R., on October 31, 2016. The Order on this petition was signed and approved on December 7, 2016. After a complete review of the petition, the Department finds that the Rule, as applied, will create a financial hardship for Petitioner. The Department further finds that one of Petitioner’s proposed alternative schemes would adequately comply with the concerns and purpose set forth by the rule’s underlying statute. Petitioner shall strictly adhere to the operating procedures outlined and adopted by the Order, and shall maintain a copy at its location during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Cathy Schroeder, Agency Clerk, Department of Education, 325 West Gaines St., Tallahassee, FL 32399 or email: cathy.schroeder@fldoe.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

The South Florida Water Management District (District) hereby gives notice:

On December 9, 2016, the District’s Governing Board issued SFWMD Order No. 2016-090-DAO-ROW to the City of Sweetwater (Application No. 16-0803-1M). The petition for waiver was received by the District on August 3, 2016. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 42, No. 154, on August 9, 2016. No public comment was received. This Order provides a waiver of the District’s criteria to allow for the construction of a pedestrian plaza, to be known as the “North Plaza”, consisting of planters/benches, pavers, low level lighting, campus information sign and security/call station within the north right of way of the C-4 Canal; Section 6/7, Township 54 South, Range 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsection 40E-6.011(4)&(6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed facilities will not interfere with the District’s current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 12, 2016, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Low Country LLC located in Naples. The above referenced F.A.C. addresses the requirement that each establishment have an approved

plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

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

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 2016, 9:00 A.M. or as soon thereafter as can be heard, A New Member Training will begin

PLACE: U.S. Toll Free: 1(877)809-7265, Participant passcode: 875 392 97#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The New Member Training is being conducted to train new members of the Commission.

A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.

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: Gretchen Kelley Brantley at (850)245-0455. 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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: December 19, 2016, 3:00 p.m., ET

PLACE: 1801 Hermitage Blvd, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: All responses to be publicly opened in regards to the Invitation to Negotiate, ITN 16-01, Customer Service and Records Administration Services.

A copy of the agenda may be obtained by contacting: The Florida Prepaid College Board, ITN Administrator by email: ITNinfo.Prepaid@myfloridaprepaid.com

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The Medicaid Drug Utilization Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 12, 2017, 2:00 p.m. – 5:00 p.m.

PLACE: Holiday Inn Tampa Westshore/Airport, 700 N. Westshore Blvd., Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting involves review and approval of drug use criteria and standards for both prospective and retrospective drug use reviews; application of criteria and standards in the DUR activities; review and report results of drug use reviews; recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting: Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The Medicaid Pharmaceutical & Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 13, 2017, 1:00 p.m. – 5:00 p.m.

PLACE: Holiday Inn Tampa Westshore/Airport, 700 N. Westshore Blvd., Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com.

The number of speakers is limited and will be accommodated in the order of notification to Mr. Hamilton. Because of unforeseen events that may cause changes, interested parties are encouraged to monitor the website at

http://www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.

A copy of the agenda may be obtained by contacting: Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

The Board of Chiropractic Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2017, 8:30 a.m.

PLACE: Sheraton Suites Ft. Lauderdale at Cypress Creek, 555 NW 62nd Street, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained at <http://floridaschiropracticmedicine.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: Anthony.Spivey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 6, 2017, 2:30 p.m.

PLACE: Meet-Me #: 1(888)670-3525, Participation Code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@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: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida

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

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

For more information, you may contact: Sheila Autrey at (850)245-4444, ext. 8210 or email her at sheila.autrey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 20, 2017, 2:30 p.m.

PLACE: Meet-Me #: 1(888)670-3525, Participation Code: 125-528-7056

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Jacoyia Hill at (850)245-4444, ext. 8215 or email her at jacoyia.hill@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: Jacoyia Hill at (850)245-4444, ext. 8215 or email her at jacoyia.hill@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jacoyia Hill at (850)245-4444, ext. 8215 or email her at jacoyia.hill@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

The Board of Speech-Language Pathology & Audiology announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2017, 9:00 a.m.

PLACE: RENAISSANCE WORLD GOLF VILLAGE, 500 South Legacy Trail, Saint Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Kama Monroe, Executive Director at (850)245-4161.

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: Kama Monroe, Executive Director at (850)245-4161. 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: Kama Monroe, Executive Director at (850)245-4161.

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: December 21, 2016, 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.

JUSTICE ADMINISTRATIVE COMMISSION

The Justice Administrative Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 16, 2016, 10:30 a.m.

PLACE: This meeting will be held via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Commission Meeting.

A copy of the agenda may be obtained by contacting: Barbara Siplin at (850)488-2415, Ext. 225 or via email at Barbara.Siplin@justiceadmin.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 3 days before the workshop/meeting by contacting: Barbara Siplin. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that The Department of Business and Professional Regulation, the Division of Alcoholic Beverages and Tobacco has declined to rule on the petition for declaratory statement filed by Tom Perugini on October 10, 2016. The following is a summary of the agency's declination of the petition:

The petitioner seeks the guidance of the Division as to the type of liquor license required to engage in the conduct described in the petition. The Division is the State Agency responsible for the administration and enforcement of the Beverage Law (Chapters 561, 562, 564, 565, 567, and 568, Florida Statutes) and has jurisdiction over this matter pursuant to the Beverage Law and to Section 120.565, Florida Statutes. Section 120.565, Florida Statutes, provides: (1) Any substantially affected person may seek a declaratory statement regarding an agency's opinion as to the applicability of a statutory provision, or of any rule or order of the agency, as it applies to the petitioner's particular set of circumstances. (2) The petition seeking a declaratory statement shall state with particularity the petitioner's set of circumstances and shall specify the statutory provision, rule, or order that the petitioner believes may apply to the set of circumstances. Rule 28-105.002, Florida Administrative Code, provides: A petition seeking a declaratory statement shall be filed with the clerk of the agency that has the authority to interpret the statute, rule, or order at issue and shall provide the following information: [...] (4) The statutory provision(s), agency rule(s), or agency order(s) on which the declaratory statement is sought. (5) A description of how the statutes, rules, or orders may

substantially affect the petitioner in the petitioner's particular set of circumstances. [...] The petition fails to cite a statutory provision, agency rule, or agency order on which the declaratory statement is sought and therefore, also fails to describe with particularity how the said statute, rule, or order substantially affects the petitioner's particular set of circumstances. Consequently, the Division finds that the petition fails to establish that petitioner is a substantially affected person so as to confer standing to seek a declaratory statement. The final Order Denying Petition for Declaratory Statement was filed on December 6, 2016.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1183 AGC.Filings@myfloridalicense.com.

Please refer all comments to: Magdalena Ozarowski, Esq., Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1245, Magdalena.Ozarowski@myfloridalicense.com. DS #: 2016-077, DBPR Ref #: 2016-049026.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

NONE

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN
DECEMBER 5, 2016 AND DECEMBER 9, 2016

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE

Division of Plant Industry

5B-57.007 12/5/2016 12/25/2016 42/196

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-8.624 12/8/2016 12/28/2016 42/213

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

59A-4.203 12/9/2016 12/29/2016 42/193

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

61C-1.002 12/8/2016 12/28/2016 42/209

Building Code Administrators and Inspectors Board

61G19-10.001 12/5/2016 12/25/2016 42/214

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

64B20-3.015 12/6/2016 12/26/2016 42/185

Certified Master Social Workers

64B25-28.012 12/9/2016 12/29/2016 42/163 42/223

Division of Environmental Health

64E-6.016 12/9/2016 12/29/2016 42/216

64E-11.001 12/9/2016 12/29/2016 42/216

64E-12.012 12/9/2016 12/29/2016 42/216

64E-14.001 12/9/2016 12/29/2016 42/216

64E-14.019 12/9/2016 12/29/2016 42/216

64E-18.001 12/9/2016 12/29/2016 42/216

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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.