

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.0035
RULE TITLE: Application for Provisional and/or Standard
Certification

PURPOSE AND EFFECT: The proposed rule amendment is to
update the rule text

SUMMARY: Update rule text.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS AND LEGISLATIVE
RATIFICATION:

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

The Agency has determined that the proposed rule is not
expected to require legislative ratification based on the
statement of estimated regulatory costs or if no SERC is
required, the information expressly relied upon and described
herein: During discussion of the economic impact of this rule at
its Board meeting, the Board, based upon the expertise and
experience of its members, determined that a Statement of
Estimated Regulatory Costs (SERC) was not necessary and that
the rule will not require ratification by the Legislature. No
person or interested party submitted additional information
regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.606, 468.609 FS.

LAW IMPLEMENTED: 468.609 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Robyn Barineau, Executive Director,

Board of Building Code Administrators and Inspectors, 1940
North Monroe Street, Tallahassee, FL 32399-0783, (850)717-
1394 or by electronic mail -
Robyn.Barineau@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.0035 Application for Provisional and/or Standard
Certification.

(1) Each individual who wishes to obtain a provisional
and/or standard certificate in any certificate category shall
submit the following to the Board:

(a) No change.

(b) An attestation affidavit describing in detail each
separate period of work experience listed in the application
form, signed by a licensed architect, engineer, contractor, fire
marshal, or building code administrator who has knowledge of
the applicant's duties and responsibilities during the period
indicated. The form that shall be used for this purpose shall be
provided by the Department and available on the Department's
website. Each attestation affidavit must include the name and
address of the applicant's employer during the work experience
period, the dates of employment, and a description of the
applicant's duties and responsibilities during the employment
including any supervisory responsibilities, in sufficient detail to
enable the Board to determine whether or not the applicant has
the experience required for certification.

(c) No change.

(d) Each applicant seeking to qualify for certification
through a combination of postsecondary education and work
experience shall submit an official copy of all college or
university transcripts which document the applicant's education
in addition to all required attestations affidavits of work
experience.

(e) through (f) No change.

(2) through (3) No change.

Rulemaking Authority 468.606, 468.609 FS. Law Implemented
468.609 FS. History—New 11-28-95, Amended 10-1-97, 2-23-99, 6-3-
03, 2-6-07, 10-4-07, 12-17-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Building Code Administrators and
Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 16, 2017

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

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-302.110: Reporting Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 129, July 5, 2017 issue of the Florida Administrative Register.

The statutory references are corrected to read as follows:

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 945.31 FS. History—New 8-1-01, Amended 11-4-04, 3-24-13, 7-1-13, 2-10-14, _____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER17-42: Retailer Application and Fee Schedule

SUMMARY: This emergency rule sets forth the provisions regarding the application(s) to be filed and related fees for persons desiring to contract with the Lottery as a retailer. This emergency rule replaces Emergency Rule 53ER13-66.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-42 Retailer Application and Fee Schedule.

(1) New Applicants.

(a) Any person interested in contracting with the Lottery as a retailer shall file Form DOL-129, Retailer Application; or Form DOL-129-1, Retailer Application in Spanish; or Form DOL-129C, Chain Account Retailer Application, as applicable.

(b) For the initial sales location, each applicant shall submit a fee of \$100.00 along with the appropriate retailer application set forth in paragraph (a), above.

(c) An application for an additional location must be submitted to the Lottery on Form DOL-129, DOL-129-1, DOL-129C, or Form DOL-129CA, Chain Account Retailer Additional Location Application, as applicable, and must be accompanied by a fee of \$25.00 for each additional location.

(d) Each applicant shall be subject to a background investigation, which can include fingerprinting.

(e) Organizations which are publicly traded on a national securities exchange must submit the following:

1. Form DOL-129C, including Section 4 entitled "Information on Publicly Traded Organizations"; and

2. Form DOL-374, Publicly Traded Organization Retailer Affidavit.

Form DOL-374 will be provided to the applicant during the application process and must be completed by a corporate officer or legal counsel to state whether the corporation, any of its executive officers or its chairperson has been convicted of, or entered a plea of guilty or nolo contendere to a felony committed in the preceding ten years, regardless of adjudication.

(f) Organizations which are not publicly traded on a national securities exchange shall be subject to the background investigation provisions set forth in accordance with rules of the Florida Lottery governing retailer applicant background investigations. A copy of the current rule can be obtained from the Florida Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-6573.

(2) Renewal Application.

Retailer contracts shall be renewed by execution of a new retailer contract. Prior to the expiration of a retailer contract, a retailer shall submit Form DOL-307, Application for Contract Renewal, or Form DOL-320, Application for Chain Account Contract Renewal, and a new retailer contract signed by the retailer, along with a fee of \$10.00 per location and \$25.00 for each new officer, director, or shareholder of 10% or more of the corporation since the last application. Renewal applicants shall be subject to a background investigation and fingerprinting may be required.

(3) Change of Location.

An application to change a location must be submitted to the Lottery at least thirty days in advance of the change, on Form DOL-129, DOL-129-1, or DOL-129C, as applicable, and must be accompanied by a fee of \$10.00.

(4) All application fees shall be non-refundable unless the initial application is denied because the applicant or the location fails the Lottery's marketing evaluation, in which case the application fee for that location shall be refunded to the applicant.

(5) Applications and subsequent contracts, if any, are not assignable or transferable to any person or entity.

(6) Any department, commission, agency, or instrument of the state, or its subdivisions, or

any municipality or county, that seeks a contract as a retailer shall bear the burden of securing approval of any other person, board, commission, agent, or instrumentality of the state, or its subdivisions, or municipality or county, which may have controlling authority over the applicant.

(7) The following forms are incorporated herein by reference and may be obtained by writing to the Department of

the Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-6573:

Form DOL-129, Retailer Application, revised 7/17.

Form DOL-129-1, Retailer Application in Spanish, revised 7/17.

Form DOL-129C, Chain Account Retailer Application, revised 7/17.

Form DOL-129CA, Chain Account Retailer Additional Location Application, revised 7/17.

Form DOL-374, Publicly Traded Organization Retailer Affidavit, revised 7/17.

Form DOL-307, Application for Contract Renewal, revised 7/17, and

Form DOL-320, Application for Chain Account Contract Renewal, revised 7/17

Forms DOL-129, DOL-129-1, DOL-129C, and DOL-129CA may also be obtained from the Lottery's website at www.flalottery.com.

(8) This emergency rule replaces Emergency Rule 53ER13-66.

Rulemaking Authority 24.105(15), 24.109(1), 24.112(1) F.S., Law Implemented 24.112 F.S. History—New 7-28-17, Replaces 53ER13-66.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 7-28-17.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER17-43: Retailer Applicant Background Investigation

SUMMARY: This emergency rule sets forth the provisions relating to Florida Lottery retailer applicant background investigations. This emergency rule replaces Emergency Rule 53ER12-67.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-43 Retailer Applicant Background Investigation.

(1) Background investigations shall be conducted on new applicants, renewal applicants and new officers, partners, directors, managing members as well as shareholders of ten percent (10%) or more interest in the business.

(2) Organizations that are publicly traded on a national securities exchange shall be required to submit the forms set forth in the rule governing retailer application and fee schedule. A copy of the current rule can be obtained from the Florida

Lottery's website at flalottery.com or Florida Lottery, Retailer Contracting Division, 250 Marriott Drive, Tallahassee, Florida 32399-6573. Investigation of any such organization shall include a review of its business credit report, financial statements, criminal history, and Lottery payment history, if any.

(3) The investigation by the Lottery of the owners, partners, managing members, corporate officers, directors and shareholders of organizations that are not publicly traded on a national securities exchange shall include the following:

(a) A sole proprietor's consumer credit history, criminal history and Lottery payment history, if any;

(b) A partner's consumer credit history, criminal history and Lottery payment history, if any;

(c) For limited partnerships and limited liability companies, the names of the managing members and general partner must be disclosed as well as any limited partner with ten percent (10%) or more interest in the business. These individuals will be investigated in the following areas:

1. Consumer credit history, if business credit information is unavailable or inconclusive;

2. Criminal history;

3. Lottery payment history, if any.

(d) For corporations, the names of all corporate officers and directors must be disclosed as well as shareholders of ten percent (10%) or more interest in the business. These individuals will be investigated in the following areas:

1. Consumer credit history, if business credit information is unavailable or inconclusive;

2. Criminal history;

3. Lottery payment history, if any.

(4) A retailer applicant shall be required to post a bond, certificate of deposit, or other security if it is determined during the background investigation that such requirement is necessary to secure payment of lottery proceeds.

Rulemaking Authority 24.109(1), 24.112(1) FS, Law Implemented 24.112(2) FS. History—New 7-28-17, Replaces 53ER12-67.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 7-28-17.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER17-44: Change in Retailer Condition or Retailer Ownership

SUMMARY: This emergency rule sets forth the provisions relating to notification by the retailer of a change in retailer condition or retailer ownership. This emergency rule replaces Emergency Rule 53ER05-12.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-44 Change in Retailer Condition or Retailer Ownership.

(1) Change in Retailer Condition.

A retailer or any person listed on the retailer's application or renewal application shall report to the Lottery any of the below-listed adverse events during the term of the retailer's contract:

(a) Arrest or conviction of, or entry of a plea of guilty or nolo contendere, regardless of adjudication, to an offense punishable as a felony or an offense involving dishonesty or gambling;

(b) Incurrence of a tax delinquency with the federal government or any taxing authority within the State of Florida;
or

(c) Commencement of a voluntary or involuntary bankruptcy case.

Notification shall be made in writing within fifteen days of the occurrence of the events listed in paragraphs (1)(a) and (b), above. Notification for commencement of a bankruptcy case shall be made immediately. Notification should be sent to Florida Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-6573.

(2) Change in Retailer Ownership.

(a) No Certificate of Authority or retailer contract is assignable or transferable between persons or locations. To avoid an interruption or termination of lottery ticket sales, any change in ownership of a retailer's place of business shall be preceded by the filing and approval of a Retailer Application as provided in accordance with rules of the Florida Lottery governing retailer applications, and the issuance of a new Certificate of Authority. A copy of the current rule governing retailer applications can be obtained from the Florida Lottery's website at flalottery.com, or by writing to the Florida Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-6573.

(b) Any of the following will be considered a change of ownership:

1. Sale of the business;
2. Change in the form of ownership of the business;
3. Change of general partners in a limited or general partnership; or
4. Death of a sole proprietor.

(c) A retailer shall notify the Lottery immediately of the occurrence or pending occurrence of any of the change of ownership conditions listed in the preceding subparagraphs.

(d) A retailer that is a corporation or limited liability company shall immediately notify the Lottery of any change of officers or directors, managing members, and transfers of 10 percent or more of its corporate stock.

Notification shall be given by filing a retailer application and following the procedures set out in accordance with rules of the Florida Lottery governing retailer applications. If as a result of its investigation the Lottery determines that any new officer, director, managing member or shareholder of 10 percent or more of the corporate stock would have caused the initial retailer application to be denied, the retailer will be given an opportunity to sever its relationship with the officer, director, managing member, or shareholder. If the retailer does not sever the relationship, the Lottery shall terminate the retailer contract. A non-refundable background investigation fee of \$25 per person investigated shall accompany the notice of change by the retailer.

(3) This emergency rule replaces Emergency Rule 53ER05-12.

Rulemaking Authority 24.109(1), 24.112(1) FS, Law Implemented 24.112 FS. History—New 7-28-17, Replaces 53ER05-12.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 7-28-17.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER17-45 GROUPER®

SUMMARY: This emergency rule describes the online terminal lottery game play feature, GROUPER®. This emergency rule replaces Emergency Rule 53ER17-24.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-45 GROUPER®.

(1) GROUPER® is a play feature that groups together select online terminal lottery games (which may include Draw games and/or Fast Play games) and provides extra value to the player by providing the group of tickets at a discounted purchase price. The specific online terminal games and purchase price for a GROUPER play will change from time to time as determined by the Lottery. The current GROUPER games and purchase

price are available on the Florida Lottery's website at flalottery.com.

(2) A GROUPER play cannot be player-selected or canceled.

(3) For Draw Games, the tickets in a GROUPER play will be Quick Pick tickets and will be for the next available drawing. If the Quick Pick numbers selected for a Draw game with a liability limit have been cut off for the day due to the game's liability limit being reached, the ticket will not print. In such instance, the player's purchase price will be automatically adjusted and the player will receive the remaining GROUPER tickets, including the promotional FREE ticket.

(4) The effective date of this rule is August 1, 2017.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History-New 8-1-17, Replaces 53ER17-24.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 8-1-17.

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-4.3030: Conditions for Issuance of Works of the District Permits

NOTICE IS HEREBY GIVEN that on May 31, 2017, the Suwannee River Water Management District received a petition for variance from Charles and Glenda Miller, 15677 NW 46th Lane, Chiefland, FL 32626, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from subsection 40B-4.3030(13) F.A.C., prohibiting construction, additions or reconstruction in the front 75 feet of an area immediately adjacent to and including the normally recognized bank of a water. Petitioner proposes to construct an upper-level addition to an existing house within the 75-foot setback from the Suwannee River. Petitioner proposes to demolish a portion of the existing house on ground level, remove an adjacent storage building, and remove two existing docks. The project is located in Township 12 South, Range 13 East, Section 32, Levy County. These rules are intended to set forth criteria for development activities within a Works of the District. The petition has been assigned Environmental Resource Permit number WOD-075-230221-1, House Addition.

A copy of the Petition for Variance or Waiver may be obtained by contacting Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

NOTICE IS HEREBY GIVEN that on July 24, 2017, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: Hilochee Mitigation Bank, LLC

Rule No.: 62-342.700, F.A.C.

Nature of the rule for which variance or waiver is sought: Variance from the requirements set forth in Section 373.4136, Florida Statutes, and Rule 62-342.700, Florida Administrative Code, for financial responsibility of the construction and implementation of Hilochee Mitigation Bank under Permit Number 43042047.000 in Polk County, Florida.

The Petition has been assigned tracking No. 2017043.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, Ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. (R2017043-1).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On July 27, 2017 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from St. Vincents Medical Center, filed June 9, 2017, and advertised on June 13, 2017 in Vol.43, No.114, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.27.3.1.1, 2.27.3.1.5, 2.27.3.3, 2.27.3.3.2, and 2.27.3.3.7, ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a three-position key-operated emergency operation recall switch and an illuminated visual signal for phase I emergency operation recall, phase II emergency in-car operation, door close button and car call fire operation, and fire operation panel because the Petitioner has

demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2017-089).

A copy of the Order or additional information may be obtained by contacting Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 18, 2017 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Luigy's Catering located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 43, No. 139, F.A.R., on July 19, 2017. The Order for this Petition was signed and approved on July 27, 2017. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures

and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on July 27, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bay Colony Beach Club at 8553 Bay Colony Drive, Naples, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Sections 2.4.1.5 and 2.15.9.2, as adopted by subsection 61C-5.001(1), Florida Administrative Code, and requests to install a retractable toe guard due to a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-120).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on July 20, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for BB&T Tower at 200 W Forsyth St, Jacksonville, FL. Petitioner seeks a variance of the requirements of an unspecified Section of A17.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code due to an economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-119).

A copy of the Petition for Variance or Waiver may be obtained by contacting Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dh.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on July 27, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for GTLA PROPERTIES LLC at 1597 The Greens Way, Jacksonville, FL. Petitioner seeks a variance of the requirements of Rules 2.1.1.6, 2.1.1.7, 2.6.5, 2.6.8, 2.7.1, and 2.10.1, ASME A18.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code due to an economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-121).

A copy of the Petition for Variance or Waiver may be obtained by contacting Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dh.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On July 20, 2017 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Blackwell Enterprises Inc. located in West Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 43, No. 141, F.A.R., on July 21, 2017. The Order for this Petition was signed and approved on July 28, 2017. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within DADA Unisex Beauty Salon Inc. (2800 N Military Trail Suite 114 West palm Beach, FL 33409), are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Kick-Ass Café & Grill (Blackwell Enterprises Inc.) and/or DADA Unisex Beauty Salon Inc. changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

A copy of the Order or additional information may be obtained by contacting Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

The Department of Economic Opportunity hereby gives notice: On May 10, 2017, the Department of Economic Opportunity (Department) received a petition for variance and waiver from the City of Palmetto (City). The petition sought a variance and waiver from subparagraph 73C-23.0041(6)(g)3, Florida Administrative Code, which requires the Engineer's Certification Letter, submitted as part of the Federal Fiscal Year 2017 Small Cities Community Development Grant application, to be addressed to the Chief Elected Official.

The notice of the petition was published in the May 26, 2017, issue of the Florida Administrative Register. On July 26, 2017, the Department issued an Order approving the City's petition. The City demonstrated that the purpose of the underlying statute had been achieved by other means and that the strict application of a rule would create a substantial hardship.

A copy of the Order or additional information may be obtained by contacting Stephanie Chatham, Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, Tallahassee, Florida 32399, Stephanie.chatham@deo.myflorida.com.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 31, 2017, 9:00 a.m. until conclusion

PLACE: Teleconference; dial 1(888)670-3525, then participant code 6583652830#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2018-2019 Museums Level 3A grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: the Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org/calendar.

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: Rachele Ashmore at rachele.ashmore@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).

For more information, you may contact Sarah Stage at (850)245-6459 or sarah.stage@dos.myflorida.com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Financial Emergency Board announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2017, 3:00 p.m.

PLACE: City Commission Chambers

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Financial Emergency Board for the City of Opa-locka to discuss the current state of the City's financial affairs and to consider action items related to the ongoing work of the Board.

A copy of the agenda may be obtained by contacting Blair Mathers at (850)717-9264.

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 Blair Mathers. 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).

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2017, 1:00 p.m.

PLACE: Madison County Emergency Operations Center, 1083 SW Harvey Greene Drive, Madison, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, FL 32653.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 10, 2017, 10:00 a.m.

PLACE: Madison County Emergency Operations Center, 1083 SW Harvey Greene Drive, Madison, FL

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

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, FL 32653.

Pursuant to the provisions of the Americans with Disabilities

Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. 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.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. John's River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 4, 2017, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. Johns River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL32177, sdavis@sjrwm.com, (407)659-4838, or by visiting the Council's website at harrischainoflakescouncil.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: The District Clerk at (386)329-4500. 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

Division of Purchasing

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

DATE AND TIME: August 7, 2017, 9:00 a.m. ET

PLACE: Department of Management Services, 4075 Esplanade Way, Room 152, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Management Services hereby provides notice of a Public Meeting for negotiators of DMS-16/17-018 Fully Insured Health Maintenance Organization Benefits and Self-Insured Health Services ITN to discuss the vendors' best and final offers and recommendation of award. There is no dial-in number available for this meeting. All members of the public

are welcome to attend at the time and place designated in the notice.

A copy of the agenda may be obtained by contacting: Sharita.Newman@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, (850)488-0439. 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 BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 23, 2017, 9:30 a.m.

PLACE: Teleconference: conference number 1(888)670-3525, participant code 4694532213

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee on Continuing Professional Education will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting Karan Lee, Florida Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karan Lee. 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: Karan Lee.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-28.015: Residential Mental Health Treatment

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

DATE AND TIME: August 16, 2017, 10:30 a.m. – 12:30 p.m. ET

PLACE: (1) Attend in person at Florida Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, Room

301G, Tallahassee, FL 32399-0700; (2) Via conference call, dial 1(888)670-3525, enter participant code 312 614 9586 #
GENERAL SUBJECT MATTER TO BE CONSIDERED:
Residential Mental Health Treatment.

A copy of the agenda may be obtained by contacting Jodi Abramowitz at (850)717-4189 or Jodi.abramowitz@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Jodi Abramowitz at (850)717-4189 or Jodi.abramowitz@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Jodi Abramowitz at (850)717-4189 or Jodi.abramowitz@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Office on Homelessness

The Office on Homelessness announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 2, 2017, 10:00 a.m.

PLACE: Conference call : dial toll-free 1(888)670-3525, enter participant code 701-539-8451#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Executive Committee Call: This conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik.braun@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik.braun@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik.braun@myflfamilies.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

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 received the petition for declaratory statement from Annabelle Gaudineer, In Re: Newth Gardens Association, Inc., Docket No. 2017036207, filed on July 27, 2017. The petition seeks the agency's opinion as to the applicability of N/A as it applies to the petitioner.

Whether the Association can enforce and assess fines against unit owners for violations of rules and regulations that the majority of unit owners have not been made aware of? Whether the Association is required to obtain approval by three-fourths of unit owners when enacting rules and regulations that affect the use and occupation of limited common elements?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539, Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Megan Silver, Senior Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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

**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 8:00 a.m., Monday, July 24, 2017 and 3:00 p.m., Friday, July 28, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5J-22.001	7/28/2017	8/17/2017
5J-22.002	7/28/2017	8/17/2017
5J-22.003	7/28/2017	8/17/2017
5J-22.004	7/28/2017	8/17/2017

5J-22.005	7/28/2017	8/17/2017
5J-22.006	7/28/2017	8/17/2017
5J-22.007	7/28/2017	8/17/2017
5J-25.005	7/28/2017	8/17/2017
5J-25.009	7/28/2017	8/17/2017
6A-2.0020	7/24/2017	8/13/2017
33-503.001	7/26/2017	8/15/2017
33-503.002	7/26/2017	8/15/2017
33-601.502	7/26/2017	8/15/2017
33-203.201	7/26/2017	8/15/2017
53ER17-42	7/28/2017	7/28/2017
53ER17-43	7/28/2017	7/28/2017
53ER17-44	7/28/2017	7/28/2017
53ER17-45	7/28/2017	8/1/2017
59G-4.085	7/24/2017	8/13/2017
61G20-1.001	7/24/2017	8/13/2017
61J1-4.010	7/27/2017	8/16/2017
69B-250.001	7/27/2017	8/16/2017
69B-250.002	7/27/2017	8/16/2017
69B-250.003	7/27/2017	8/16/2017
69E-121.010	7/27/2017	8/16/2017

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-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council
Request for Public Comments on the North Central Florida
Comprehensive Economic Development Strategy Report

The North Central Florida Regional Planning Council has published a draft of the Comprehensive Economic Development Strategy report for the North Central Florida Regional Planning Council region. Prior to adopting and submitting this report to the U.S. Economic Development Administration, a 30-day period of public comment is required. PUBLICATION: The draft 2018-2022 report is available for review on the North Central Florida Regional Planning Council website at www.ncfrpc.org. Copies are also available upon request from the business address listed at the end of this notice. DATE AND TIME: Public comment period is from publication of this notice through August 30, 2017, by 5:00 p.m. GENERAL SUBJECT MATTER TO BE CONSIDERED: The Comprehensive Economic Development Strategy for the North Central Florida Regional Planning Council region. Comments will be forwarded to the North Central Florida Regional Planning Council for consideration prior to adoption of the report at its September 28, 2017 meeting. COMMENTS: Comments should be received no later than August 30, 2017 by 5:00 p.m. and should be submitted either by emailing dopp@ncfrpc.org or by writing to: Steven Dopp, Senior Planner, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE OF PUBLIC PEER REVIEW SESSION

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

DATE AND TIME: Thursday, August 17, 2017, 9:00 a.m.

PLACE: South Florida Water Management District, Fort Myers Service Center, 1st Floor Conference Room, 2301 McGregor Boulevard, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a 1-day public session for independent scientific peer review of the District's reevaluation of the minimum flow criteria for the Caloosahatchee River Estuary.

A COPY OF THE SESSION SCHEDULE WILL BE AVAILABLE BY AUGUST 10, 2017 AT: <https://www.sfwmd.gov/our-work/mfl> under NEW Public Peer Review Session for the Caloosahatchee MFL Reevaluation. More information can be obtained at the above link.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this session is asked to advise the agency at least 5 days before the session by contacting the South Florida Water Management District Clerk at 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service at (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

Section XIII

Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.