

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-12.013 Continuing Education Requirements;
Specific Continuing Education Course
Requirements; and Cardiopulmonary
Resuscitation (CRP) Certification

PURPOSE AND EFFECT: The Board proposes the rule
amendment to perform a comprehensive review of the rule to
determine if there are any needed necessary changes or updates
and to determine if there are any necessary changes based on
the enactment of Chapter 2018-13, Laws of Florida (HB 21).

SUBJECT AREA TO BE ADDRESSED: Continuing
Education Requirements; Specific Continuing Education
Course Requirements; and Cardiopulmonary Resuscitation
(CPR) Certification.

RULEMAKING AUTHORITY: 456.013(9), 456.031,
466.004(4), 466.0135, 466.014 FS.

LAW IMPLEMENTED: 456.013(9), 456.031, 456.033,
466.0135, 466.014, 466.017(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer
Wenhold, Executive Director, Board of Dentistry/MQA, 4052
Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-
3258.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-12.0135 Licensees Excused from Continuing
Educational Requirements

PURPOSE AND EFFECT: The Board proposes the rule
amendment to perform a comprehensive review of the rule to
determine if there are any needed necessary changes or updates
and to determine if there are any necessary changes based on
the enactment of Chapter 2018-13, Laws of Florida (HB 21).

SUBJECT AREA TO BE ADDRESSED: Licensees Excused
from Continuing Educational Requirements.

RULEMAKING AUTHORITY: 466.004(4), 466.0135,
466.014 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033,
466.0135, 466.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer
Wenhold, Executive Director, Board of Dentistry/MQA, 4052
Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-
3258.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-13.0046 Citation Authority

PURPOSE AND EFFECT: The Board proposes the rule
amendment to perform a comprehensive review of the rule to
determine if there are any needed necessary changes or updates
and to determine if there are any necessary changes based on
the enactment of Chapter 2018-13, Laws of Florida (HB 21).

SUBJECT AREA TO BE ADDRESSED: Citation Authority.

RULEMAKING AUTHORITY: 456.077, 466.004(4) FS.

LAW IMPLEMENTED: 456.072(3)(a), 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer
Wenhold, Executive Director, Board of Dentistry/MQA, 4052
Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-
3258.

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-13.005 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule
amendment to perform a comprehensive review of the rule to
determine if there are any needed necessary changes or updates

and to determine if there are any necessary changes based on the enactment of Chapter 2018-13, Laws of Florida (HB 21).  
 SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 456.079(1) FS.

LAW IMPLEMENTED: 456.072(2), 456.079(1), 466.028 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Wenhold, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-17.0045      RULE TITLE: Standards for the Use of Controlled Substances for Treatment of Pain

PURPOSE AND EFFECT: The Board proposes the rule amendment to perform a comprehensive review of the rule to determine if there are any needed necessary changes or updates and to determine if there are any necessary changes based on the enactment of Chapter 2018-13, Laws of Florida (HB 21).

SUBJECT AREA TO BE ADDRESSED: Standards for the Use of Controlled Substances for Treatment of Pain.

RULEMAKING AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.017, 466.028(1)(p) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Wenhold, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.: 64B7-25.001      RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The board proposes the rule amendment is to update applications

SUBJECT AREA TO BE ADDRESSED: Update applications.  
 RULEMAKING AUTHORITY: 456.013(7), 456.017(1)(c), 480.035(7), 480.041(2), 480.042(1), 480.044 FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.0635, 480.041, 480.042, 480.044 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.: 64B7-26.003      RULE TITLE: Massage Establishment Operations

PURPOSE AND EFFECT: The board proposes the rule amendment is to update the rule with a substantial rewording.

SUBJECT AREA TO BE ADDRESSED: Update rule.  
 RULEMAKING AUTHORITY: 480.035(7), 480.043(2), FS.

LAW IMPLEMENTED: 480.043(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

Section II  
Proposed Rules

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:

64B8-40.003 Delegation of Powers and Duties

PURPOSE AND EFFECT: The purpose of the rule amendment is to update and clarify language authorizing the delegation of powers and duties to the Council.

SUMMARY: Update and clarify language.

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 concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board 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: 468.507 FS.

LAW IMPLEMENTED: 468.506 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: Allen Hall, Executive Director, Board of Medicine/Dietetics and Nutrition Practices Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-40.003 Delegation of Powers and Duties.

(1) Pursuant to Section 468.506, F.S., the Board delegates to the Council the following powers and duties:

(a) through (b) No change.

(c) Approval and denial of requests for exemption from employment disqualification pursuant to Section 435.07, Florida Statutes.

(d)(e) No change.

(2) No change.

Rulemaking Authority 468.507 FS. Law Implemented 435.07, 468.506 FS. History—New 4-9-89, Formerly 21M-46.003, 61F6-46.003, Amended 11-16-95, Formerly 59R-40.003, Amended 6-21-01, 11-10-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Practices Council

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 27, 2018

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:

64B16-27.820 Patient Counseling

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language regarding patient counseling from pharmacists.

SUMMARY: Language regarding patient counseling by pharmacists will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.022, 465.0155 FS.

LAW IMPLEMENTED: 465.0155 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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.820 Patient Counseling.

(1) Upon receipt of a new or refill prescription, the pharmacist shall ensure that a verbal and printed offer to counsel is made to the patient or the patient’s agent when present. If the delivery of the drugs to the patient or the patient’s agent is not made at the pharmacy the offer shall be in writing and shall provide for toll-free telephone access to the pharmacist. If the patient does not refuse such counseling, the pharmacist, or the pharmacy intern, acting under the direct and immediate personal supervision of a licensed pharmacist, shall review the patient’s record and personally discuss matters which will enhance or optimize drug therapy with each patient or agent of such patient. Such discussion shall be in person, whenever practicable, ~~or~~ by toll-free telephonic communication, or by an interactive audio and digital image format, and shall include appropriate elements of patient counseling. Such elements may include, in the professional judgment of the pharmacist, the following:

- (a) through (h) No change.
- (i) Action to be taken in the event of a missed dose; ~~and~~,
- (j) The potential for physical dependence, addiction, misuse, or abuse; and
- ~~(k)(j)~~ No change.
- (2) through (3) No change.

Rulemaking Authority 465.022, 465.0155 FS. Law Implemented 465.0155 FS. History—New 8-18-93, Formerly 21S-27.820, 61F10-27.820, 59X-27.820, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 25, 2018

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: RULE TITLE:

64B16-30.002 Minor Violations

PURPOSE AND EFFECT: The Board proposes the rule amendment to include additional minor violations in the rule.

SUMMARY: Additional minor violations will be included in the rule.

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

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

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

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

RULEMAKING AUTHORITY: 456.073(3), 465.005 FS.

LAW IMPLEMENTED: 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-30.002 Minor Violations.

(1) The Board sets forth the following guidelines for use by Department investigators when a licensee is in noncompliance of an initial offense of a minor violation. The Board deems the following violations, depending upon severity, to be consistent with Section 456.073(3), F.S.

(a) through (m) No change.

(n) Failure to have a continuously designated Prescription Department Manager or Consultant Pharmacist of Record, if the gap between designations is less than fifteen (15) business days – Rules 64B16-27.450 and 64B16-28.501, F.A.C.

(2) No change.

Rulemaking Authority 456.073(3), 465.005 FS. Law Implemented 456.073(3) FS. History–New 11-12-90, Formerly 21S-17.002, 21S-30.002, 61F10-30.002, 59X-30.002, Amended 12-9-98, 8-26-02, 11-7-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 19, 2018

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

RULE NO.: RULE TITLE:  
 64B20-5.005 Requirements for Renewal of Provisional License

PURPOSE AND EFFECT: The proposed rule development is intended to update the references to form SPA-5 and SPA-2A.

SUMMARY: Update rule language regarding requirements for renewal of provisional license.

**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, and the substance of the rule amendment, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary because the rule does not impose additional rights, obligations, or duties on any persons or any businesses, 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: 468.1155(4) FS.

LAW IMPLEMENTED: 468.1155(4) 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: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, Kama.Monroe@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-5.005 Requirements for Renewal of Provisional License.

(1) No change.

(2) Any person renewing a provisional license to practice speech-language pathology or audiology shall apply to the Department of Health. The application for renewal of provisional license shall be made on Form SPA-5 ~~(11/90)~~, Renewal of Provisional Licensure, which is incorporated by reference herein, and can be obtained from the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256.

(3) A provisional license shall be renewed upon receipt in the Board office of a completed application form, (SPA-5); completed Verification of Employment form (SPA-2A) (rev. ~~10/125/94~~), which is incorporated herein by reference and available from the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256; and the provisional license fee established by Rule 64B20-3.005, F.A.C.

(4) No change.

Rulemaking Authority 468.1155(4) FS. Law Implemented 468.1155(4) FS. History—New 3-14-91, Formerly 21LL-5.005, 61F14-5.005, Amended 3-20-95, 8-17-95, Formerly 59BB-5.005, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Speech-Language Pathology and Audiology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 15, 2018

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NOS.:	RULE TITLES:
5J-20.004	Liquefied Petroleum Gas Forms
5J-20.043	Out of Service Account Procedure
5J-20.044	Out-of-gas, Leak Call, and Interrupted Service Procedure
5J-20.045	Dispensing Units
5J-20.048	Storage of Cylinders Awaiting Use, Resale, or Exchange
5J-20.050	Installation of Unvented Room Heaters
5J-20.061	Qualifier and Master Qualifier Examinations; Applicant Qualifications
5J-20.065	Re-examination Procedures
5J-20.066	Reporting of Qualifier and Master Qualifier Vacancies
5J-20.071	Rate of Assessments; Effective Date
5J-20.072	Payment of Assessments; Penalties
5J-20.080	Enforcement Actions and Administrative Penalties

**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. 54, March 19, 2018 issue of the Florida Administrative Register.

5J-20.004 Liquefied Petroleum Gas Forms.

The following documents are hereby incorporated by reference and may be obtained from the Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500 or online as indicated.

(1) through (2) No change.

(3) FDACS-03504 (05/18) ~~(02/18)~~, LP Gas Examination Scheduling Request,

<http://www.flrules.org/Gateway/reference.asp?No=Ref->  
(4) through (47) No change.

Rulemaking Authority 527.0201, 527.06, 570.07(23) FS. Law Implemented 119.07(4)(c), 527.02, 527.0201, 527.021, 527.03, 527.04, 527.055, 527.06, 527.0605, 527.061, 527.11 FS. History—New 6-8-88, Amended 2-5-91, 3-18-92, Formerly 4B-1.034, Amended 7-20-95, 6-8-99, 7-28-14, Formerly 5F-11.004, Amended 6-28-17, \_\_\_\_\_.

5J-20.043 Out of Service Account Procedure.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86, Amended 2-6-90, 8-9-92, Formerly 4B-1.029, Amended 4-30-96, 9-2-02, 1-29-06, Formerly 5F-11.043, Amended \_\_\_\_\_.

5J-20.044 Out-of-gas, Leak Call, and Interrupted Service Procedure.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86, Amended 6-8-88, 2-6-90, 12-31-91, Formerly 4B-1.030, Amended 1-29-06, 7-28-14, Formerly 5F-11.044, Amended \_\_\_\_\_.

5J-20.045 Dispensing Units.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 6-8-88, Formerly 4B-1.032, Amended 3-15-94, 7-20-95, 6-5-97, 9-2-02, 1-29-06, 7-28-14, Formerly 5F-11.045, Amended \_\_\_\_\_.

5J-20.048 Storage of Cylinders Awaiting Use, Resale, or Exchange.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06(2) FS. History—New 2-5-91, Formerly 4B-1.035, Amended 7-20-95, 7-28-14, Formerly 5F-11.048, Amended \_\_\_\_\_.

5J-20.050 Installation of Unvented Room Heaters.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 1-24-95, Amended 1-29-06, 8-2-07, Formerly 5F-11.050, Amended \_\_\_\_\_.

5J-20.061 Qualifier and Master Qualifier Examinations; Applicant Qualifications.

(1) Applicants for examination for competency must submit FDACS-03504 (05/18) ~~(02/18)~~, LP Gas Examination Scheduling Request, as incorporated by reference in Rule 5J-20.004, F.A.C., along with the required non-refundable examination fee set forth in Sections 527.0201(1) or 527.0201(5)(a), F.S. Applicants will be scheduled for the next-available examination administration at the site designated by the applicant on this form.

(2) through (3) No change.

Rulemaking Authority 527.0201, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.061, Amended.

5J-20.065 Re-examination Procedures.

An applicant who fails any part of an examination is eligible to be re-examined on those parts failed. The applicant must submit FDACS-03504 (05/18) ~~(02/18)~~, LP Gas Examination Scheduling Request, as incorporated by reference in Rule 5J-20.004, F.A.C., and the applicable non-refundable examination fee as set forth in either Sections 527.0201(1) or 527.0201(5)(a), F.S., for the type of examination being taken. Re-examinations must be completed within 90 calendar days of the original examination; however, no examinee is permitted to retake the failed examination more than two times within the 90-day period. If the applicant does not successfully complete and obtain a passing grade on the examination re-take within the 90-day period, the examinee shall be given a failing grade. After a 30-day period, the applicant must reapply to retake the entire examination by submitting FDACS-03504 (05/18) ~~(02/18)~~, LP Gas Examination Scheduling Request, as incorporated by reference in Rule 5J-20.004, F.A.C., along with the required non-refundable examination fee referenced above. Rulemaking Authority 527.055, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.065, Amended.

5J-20.066 Reporting of Qualifier and Master Qualifier Vacancies.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.0201(6), 527.055, 527.06 FS. History—New 7-28-14, Formerly 5F-11.066, Amended.

5J-20.071 Rate of Assessments; Effective Date.

No change.

Rulemaking Authority 527.23(13) FS. Law Implemented 527.23(9), (11), (12) FS. History—New 7-8-98, Amended 1-1-14, Formerly 5F-11.071, Amended.

5J-20.072 Payment of Assessments; Penalties.

(1) through (2) No change.

~~(3) Failure to submit payment within the 45-day period will result in a 5% late penalty based on the original amount due. Payments withheld for more than 60 days will result in a 10% late penalty based on the original amount due. The department shall notify the payor of any payments not received at the end of the 60-day period. The late penalty and original amount of~~

~~the assessment shall be due and payable within 15 days of the department's notification to the payor. Penalties imposed for late payments shall not exceed \$3,000 for each offense, as provided in Section 527.13, F.S.~~

(3) ~~(4)~~ Failure to remit payment is a violation of Chapter 527, F.S., and subject to penalties provided therein in addition to payment of the assessment and penalty due.

Rulemaking Authority 527.23(13) FS. Law Implemented 527.12, 527.13, 527.23(9), (12) FS. History—New 7-8-98, Amended 1-1-14, Formerly 5F-11.072, Amended.

5J-20.080 Enforcement Actions and Administrative Penalties.

(1) This rule sets forth the guidelines the department will follow in imposing the penalties and enforcement actions authorized under Sections 527.13 and 527.14, F.S. The purpose of the guidelines is to give notice of the range of penalties which ~~normally~~ will be imposed for a single violation within a three (3) year period. The three-year period shall be based on the date of the last administrative enforcement action imposed for the same violation. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase penalties to be imposed. No aggravating factors will be applied to increase a fine imposed for a single violation above the statutory maximum of \$3,000 per violation. The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty and will be grounds for enhancement of penalties.

(2) through (9) No change.

(10) Violations. For the purposes of imposing the penalties and enforcement actions provided for in Sections 527.13 and 527.14, F.S., violations shall be designated as either “minor” or “major”.

(a) Minor Violations. A violation of Chapter 527, F.S., or this rule chapter is a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Minor violations shall result in imposition of a fine of up to \$1,000. The following violations shall be considered minor violations:

1. through 20. No change.

(b) No change.

Rulemaking Authority 120.695, 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New 7-28-14, Formerly 5F-11.080, Amended.

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:  
 6D-6.020 Discrimination Complaint Procedures for  
 Employment

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 80, April 24, 2018 issue of the Florida Administrative Register.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2018.

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:  
 6D-7.007 Code of Student Conduct

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 79, April 23, 2018 issue of the Florida Administrative Register.

Rulemaking Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(~~d~~)(e)10., FS. History—New 9-4-84, Formerly 6D-7.07, Amended 8-26-86, 5-5-87, 1-12-95, 2-24-03, Repealed.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2017.

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:  
 6D-7.0071 Student Rights and Responsibilities

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 80, April 24, 2018 issue of the Florida Administrative Register.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2018.

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:  
 6D-7.0073 Disciplinary Procedures and Disposition

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 80, April 24, 2018 issue of the Florida Administrative Register.

Rulemaking Authority ~~120.53(1)(b), 242.331(3)~~ 1002.36(4)(c), FS. Law Implemented ~~120.53(1)(b), 242.331(4)~~ 1002.36(4)(e), FS. History—New 5-5-87, Amended 10-26-94, \_\_\_\_\_.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2018.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 9, 2018.

**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

NOTICE IS HEREBY GIVEN that on April 26, 2018, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Twin Fountains Club, Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 18-4280

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (J2018005-1)

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.221 Conditions for Issuance of Standard Permits

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

On May 10, 201, the District’s Governing Board issued SFWMD Order No. 2018-015-DAO-ROW to City of Margate (Application No. 18-0206-1M). The petition for waiver was received by the District on February 14, 2018. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 44, No. 35 on February 20, 2018. No public comment was received. This Order



provides a waiver of the District's criteria for utilization of the District right of way for access. Specifically, the Order grants a waiver from paragraph 40E-6.221(3)(j), 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 prohibits the placement of building structures within the 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 use 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 May 15, 2018, 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 Faber Coe & Gregg of Florida Inc. located in Punta Gorda. 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 three compartment sink and 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:

61G6-6.017 Examination Scores

NOTICE IS HEREBY GIVEN that on May 11, 2018, the Electrical Contractors' Licensing Board, received a petition for variance or waiver filed by Glaubert Regalado, Jr. Petitioner is seeking a variance or waiver of subsection 61G6-6.017(1), Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of three (3) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 2601 Blair Stone Rd, Tallahassee, FL 32399-0751. Comments on this petition should be filed with the Electrical Contractors' Licensing Board at the above address, within 14 days of publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 22, 2018, by Carlos Santiago. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 22, of the February 1, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules," that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida.

The Board's Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be

met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 13, 2018, by Julian Javier Gonzalez. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 38, of the February 23, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida. The Board’s Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 6, 2018, by Michael Lawrence Kirkland. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 29, of the February 12, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida. The Board’s Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 23, 2018, by Tetiana Sagal. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 45, of the March 6, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida.

The Board’s Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-

28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 23, 2018, by Dulny Salazar. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 45, of the March 6, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida.

The Board’s Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on December 19, 2017, by Heather Doerr. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 22, of the February 1, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida.

The Board’s Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 24, 2018, by Allison Carter. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 29, of the February 12, 2018, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2018, in Jacksonville, Florida.

The Board’s Order, filed on April 24, 2018, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-

28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-606.400 Registration and Verification Requirements and Fees

NOTICE IS HEREBY GIVEN that on April 26, 2018, the Department of Environmental Protection, received a petition for variance from Lester Bullock (Petitioner), Chief Executive Officer of Victory Casino Cruises, LLC. The following re-notice of receipt have been made to the previously published notice of receipt in accordance with Section 120.542(6) F.S., published in Vol 44, No. 92, May 10, 2018, issue of the Florida Administrative Register. The petition requested a variance to allow use and maintain the waste water system (Dragonfly) without the existing water purity requirements for a five-year period from Rule 62-606.400, F.A.C., which exempts gambling vessels from the requirements to register the gambling vessel if it operates a marine waste treatment system that produces sterile, clear, and odorless reuse water without generating solid waste and that eliminates the need to pump out or dump waste. The activity is located on the Victory I Casino Vessel moored at 180 Christopher Columbus Drive, Cape Canaveral, Florida, 32920, in Brevard County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Environmental Protection, Division of Water Resource Management, Diana Turner, telephone: (850)245-8609, email: Diana.M.Turner@dep.state.fl.us, 2600 Blair Stone Road, M.S. 3500, Tallahassee, Florida 32399; during normal business hours, 8:00am to 5:00pm., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

The Board of Clinical Laboratory Personnel hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on March 22, 2016, by Bassam Abomoelak. The Notice of Petition for Waiver or Variance was

published in Volume 42, Number 58, of the March 24, 2016, Florida Administrative Register. The Petitioner was seeking a waiver or variance of paragraph 64B3-5.003(3)(a), Option 1, Florida Administrative Code, entitled “Technologist,” which sets forth the education, training/experience and examination requirements for a specialty licensure as a medical technologist. The Board considered the instant Petition at a duly-noticed public telephonic meeting held June 10, 2016. The Board’s Order, filed on July 5, 2016, granted the petition, finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B3-5.003(3)(a), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on May 14, 2018, the Board of Massage Therapy, received a petition for Diana Delino seeking a variance or waiver of Rule 64B7-32.002 and paragraph 64B7-32.003(1)(d), F.A.C. regarding proof of graduation. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail - kama.monroe@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

The Animal Industry Technical Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2018, 2:00 p.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Sub-committee conference call to discuss Bovine Viral Diarrhea Persistently Infected animals.

A copy of the agenda may be obtained by contacting: Stephen Monroe by telephone at (850)410-0944 or e-mail at [stephen.monroe@freshfromflorida.com](mailto:stephen.monroe@freshfromflorida.com).

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services  
 The Agricultural Feed, Seed and Fertilizer Advisory Council announces a public meeting and GoToMeeting to which all persons are invited.

DATE AND TIME: June 5, 2018, 10:00 a.m.  
 PLACE: IFAS Plant Science Research and Education Center, 2556 West Highway 318, Citra, Florida 32113 or via GoToMeeting at <https://global.gotomeeting.com/join/773567813> 1(888)670-3525, Pass code: 4118982807#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council discusses and makes recommendations regarding actions to be taken with respect to the regulation and enforcement of agricultural feed, seed and fertilizer.

A copy of the agenda may be obtained by contacting: The Bureau of Licensing and Enforcement, (850)617-7997 or from the Council website <http://www.freshfromflorida.com/Divisions-Offices/Agricultural-Environmental-Services/Business-Services/Agricultural-Feed-Seed-and-Fertilizer-Advisory-Council>

For more information, you may contact: Ms. Sarah Oglesby, Chief, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650, (850)617-7997, [Sarah.Oglesby@FreshFromFlorida.com](mailto:Sarah.Oglesby@FreshFromFlorida.com).

**DEPARTMENT OF EDUCATION**

State Board of Education  
 The Blind Services Foundation of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 30, 2018, 3:00 p.m.  
 PLACE: Teleconference Number: 1(888)670-3525, Participant Passcode: 1242528392#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Telephone: (850)245-0329, Email: [Selena.Sickler@dbs.fldoe.org](mailto:Selena.Sickler@dbs.fldoe.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 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Telephone: (850)245-0329, Email:

[Selena.Sickler@dbs.fldoe.org](mailto:Selena.Sickler@dbs.fldoe.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg. Room 1114, Tallahassee, FL 32399, Telephone: (850)245-0329, Email: [Selena.Sickler@dbs.fldoe.org](mailto:Selena.Sickler@dbs.fldoe.org).

**EXECUTIVE OFFICE OF THE GOVERNOR**

Division of Emergency Management  
 The Division of Emergency Management announces a public meeting to which all persons are invited.

DATES AND TIMES: July 12, 2018, 9:30 a.m.; July 12, 2018, 1:30 p.m.; July 13, 2018, 10:00 a.m.

PLACE: Hilton Cocoa Beach Oceanfront, 1550 North Atlantic Ave., Cocoa Beach, FL 32931

- GENERAL SUBJECT MATTER TO BE CONSIDERED:
1. The Training Task Force Meeting (TTF) will be held on Thursday, July 12, 2018 at 9:30 a.m.,
  2. The Local Emergency Planning Committee (LEPC) will be held on Thursday, July 12, 2018 at 1:30 p.m.,
  3. The State Emergency Response Commission (SERC) will be held on Friday, July 13, 2018 at 10:00 a.m.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

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: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970. 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**

West Florida Regional Planning Council  
 The Bay Area Resource Council (BARC) Technical Advisory Committee (TAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2018, 3:30 p.m.  
 PLACE: West Florida Regional Planning Council, 4081 E. Olive Road, Suite A, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Technical Advisory Committee (TAC) will meet on the same day and in the same location at 1:30 p.m. The TAC meeting we will have guest

speakers from EPA Gulf Ecology Division on “Characterizing Well-Being for the Nation: EPA’s Human Well-Being Index”. A copy of the agenda may be obtained by contacting: Katie Wilhelm, (850)-332-7976, ext. 280 or [katie.wilhelm@wfrpc.org](mailto:katie.wilhelm@wfrpc.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: Title VI Coordinator, (850)332-7976, ext. 220 or [titlevi@wfrpc.org](mailto:titlevi@wfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Katie Wilhelm, (850)332-7976, ext. 280 or [katie.wilhelm@wfrpc.org](mailto:katie.wilhelm@wfrpc.org).

**REGIONAL UTILITY AUTHORITIES**

Peace River/Manasota Regional Water Supply Authority  
The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 30, 2018, 9:30 a.m.

PLACE: Manatee County Administration Center, Commission Chambers, 1112 Manatee Ave West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: [www.regionalwater.org](http://www.regionalwater.org) or by contacting the Peace River Manasota Regional Water Supply Authority, located at 9415 Town Center Parkway, Lakewood Ranch, Florida 34202, by phone: (941)316-1776 or email: [peacriver@regionalwater.org](mailto:peacriver@regionalwater.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 2 days before the workshop/meeting by contacting: (941)316-1776. 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: (941)316-1776.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

The Board of Accountancy Chair and Vice Chair announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 24, 2018, 10:00 a.m., ET

PLACE: Conference call, dial in number: 1(888)670-3525; Pass code number: 1368986679#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Accountancy Chair and Vice Chair will meet to discuss the upcoming strategic planning meeting and any other business.

A copy of the agenda may be obtained by contacting: Denise Graves at (352)333-2505 or by email: [denise.graves@myfloridalicense.com](mailto:denise.graves@myfloridalicense.com)

For more information, you may contact: Denise Graves at (352)333-2505 or by email: [denise.graves@myfloridalicense.com](mailto:denise.graves@myfloridalicense.com).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Florida Communities Trust Governing Board announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2018, 10:30 a.m. – 11:30 a.m.

PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Room A-B, 3900 Commonwealth Blvd., Tallahassee, Florida 32399. Interested parties may participate via conference call by dialing toll-free: 1(888)670-3525 and entering participant code: 4161964727, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FCT Governing Board will consider the minutes from the March 21, 2018, meeting and any other business deemed necessary.

A copy of the agenda may be obtained by contacting: Linda Reeves, Florida Department of Environmental Protection, Office of Operations, Land and Recreation Grant Programs, 3900 Commonwealth Blvd., Mail Station 103, Tallahassee, Florida 32399, (850)245-2501, [Linda.Reeves@floridadep.gov](mailto:Linda.Reeves@floridadep.gov) or at <https://floridadep.gov/ooo/land-and-recreation-grants/content/fct-governing-board-meetings>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Linda Reeves using the contact information 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).

**DEPARTMENT OF HEALTH**

RULE NOS.:RULE TITLES:

64-4.001Definitions

64-4.002Application for Registration of Medical Marijuana Treatment Centers

The Department of Health, Office of Medical Marijuana Use announces a hearing to which all persons are invited.

DATE AND TIME: May 24, 2018, 10:30 a.m. – 12:00 Noon or until the conclusion of the hearing, whichever occurs first

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing will address the Department of Health, Office of Medical Marijuana Use’s proposed amendments for Rule 64-4.001, titled “Definitions,” and Rule 64-4.002, titled “Application for Registration of Medical Marijuana Treatment Centers,” as noticed in the May 1, 2018, Volume 44, Number 85 edition of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Courtney Coppola at Courtney.Coppola@flhealth.gov. A copy of the agenda will be available no later than one week prior to the hearing.

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: Courtney Coppola at Courtney.Coppola@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: Courtney Coppola at Courtney.Coppola@flhealth.gov.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2018, 8:00 a.m.

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting to discuss Board business.

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

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2018, 9:00 a.m. (ET)

PLACE: FWCJUA, 6003 Honore Ave, Suite 204, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director shall conduct interviews to evaluate and potentially select a respondent to the FWCJUA’s RFP for State

Legislative Lobbying Services issued on April 20, 2018 to provide said services to the FWCJUA for a minimum of one year.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or at www.fwcjua.com.

Section VII  
 Notice of Petitions and Dispositions  
 Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Speedy Cash Inc. dba LendingBear on May 15, 2018. The following is a summary of the agency’s disposition of the petition:

On February 15, 2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Speedy Cash Inc. dba LendingBear seeking a declaratory statement from the Office on whether Chapter 560, Florida Statutes permits licensed money service businesses to make deferred presentment loans to customers without taking a physical paper check. On May 15, 2018, the Office issued a Final Order. The Office determined that Petitioner may make deferred presentment loans to customers via electronic payment authorizations and electronic checks without taking a physical check, as per its FT2 money transmitter license, and pursuant to the requirements set forth in part IV, chapter 560, Florida Statutes, and as prescribed by related rules. Based on the information received from Petitioner, the Office is unable to make a determination at this time as to whether debit cards are permissible in lieu of a physical check for deferred presentment transactions. Therefore, the Office denies Petitioner’s request for declaratory statement as to only this question. Petitioner may report its unique loan number within the database. The requirements related to properly reporting the existence of said loans to the Office’s database in the absence of a physical check are set forth in chapter 560, Florida Statutes and related rules.

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

<https://real.flofr.com/ConsumerServices/SearchLegalDocuments/LDSearch.aspx#/searchLegalDocuments>.

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Doctor’s Associates, Inc. The petition seeks the agency’s opinion as to the applicability of Chapter 559, Florida Statutes, as it applies to the petitioner.

On May 15, 2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Doctor’s Associates, Inc. The petition seeks a declaratory statement from the Office on whether Petitioner’s proposed business model (of entering into franchise agreements with Florida franchisees and collects royalties, franchise fees, and advertising fees pursuant to such agreements. Petitioner will soon also begin collecting additional fees from Florida franchisees on behalf of a third party. The third party is a technology company that is providing software to certain Florida franchisees. Petitioner will be collecting the fees representing payments for the software owed to the third party from such Florida franchisees. Petitioner is not offering or extending credit to its Florida franchisees. Rather, it is collecting current amounts owed by the Florida franchisees to a third party on said third party’s behalf and remitting such amounts to said third party) requires registration as a commercial collection agency under Chapter 559, Florida Statutes.

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

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

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

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

NONE

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

NONE

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

NONE

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

NONE

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

DIVISION OF ADMINISTRATION ROOF REPLACEMENTS

As an architect/engineer, you are invited to submit a Statement of Qualifications (SOQ) to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, Division of Administration, hereinafter referred to as Owner.

The Department is seeking the professional services of an architect/engineer specializing in roofing for the survey and design drawings/specifications of the proposed roof replacements at the Conner Complex Administration Building, located at 3125 Conner Boulevard, and the Nathan Mayo Building, located at 407 S. Calhoun Street, Tallahassee, Florida. The anticipated budget is \$1,100,000.

PROJECT NAME & LOCATION: Division of Administration Roof Replacements located at 3125 Conner Boulevard, and the Nathan Mayo Building, located at 407 S. Calhoun Street, Tallahassee, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at [http://www.myflorida.com/apps/vbs/vbs\\_www.search\\_r2.crite ria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search_r2.crite ria_form), Bid Number SOQ/DA-17/18-65 or by calling the Purchasing Office at (850)617-7181.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: 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 to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for Category Two 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:** An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

Statements of Qualifications will be received and publicly opened:

**DATE AND TIME:** June 15, 2018 @ 2:00 p.m.

**PLACE:** Florida Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, Florida 32399, (850)617-7181.

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at [http://www.myflorida.com/apps/vbs/vbs\\_www.search\\_r2.criteria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search_r2.criteria_form). Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified bidder in accordance with Chapter 60D-5 by the Owner.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

#### STORM WATER IMPROVEMENTS AT THE PLANT CITY STATE FARMERS MARKET

As a contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Administration, hereinafter referred to as owner, for a storm water improvement project at the Plant City State Farmers Market, 1305 W. Dr. Martin Luther King Jr. Boulevard, Plant City, Florida. The project budget is estimated to be \$500,000.

The contractor shall provide all materials, labor and equipment necessary to successfully complete the project in accordance with the terms and conditions of the Invitation to Bid.

**PROJECT NAME AND LOCATION:** Storm Water Improvements at the Plant City State Farmers Market, located at 1305 W. Dr. Martin Luther King Jr. Boulevard, Plant City, Florida.

**SOLICITATION DOCUMENT:** The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System [http://www.myflorida.com/apps/vbs/vbs\\_www.search\\_r2.criteria\\_form](http://www.myflorida.com/apps/vbs/vbs_www.search_r2.criteria_form), Bid Number ITB/DA-17/18-66, or by calling the purchasing office at (850)617-7181.

**MANDATORY PRE-BID CONFERENCE/SITE VISIT:** Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held at 10:00 a.m., EST, on May 24, 2018, at the Plant City State Farmers Market located at 1305 W. Dr. Martin Luther King Jr. Boulevard, Plant City, Florida. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** 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 to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for category two, 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:** An entity or affiliate, who has been placed on the discriminatory vendor list, may not submit a bid on a contract to provide goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not award or perform work as a contractor, supplier, subcontractor or consultant under contract with any public entity and may not transact any business with any public entity.

**PERFORMANCE BOND AND LABOR AND MATERIAL**

**PAYMENT BOND:** Each bid shall be accompanied by a performance bond in the amount of one-hundred percent (100%) of the base bid price.

**BID BOND:** Each bid shall be accompanied by a bid bond guarantee payable to the Department in the amount of five percent (5%) of the base bid price.

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** June 15, 2018 @ 2:00 p.m.

**PLACE:** Florida Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8, Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the owner.

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#### DEPARTMENT OF EDUCATION

University of Florida

UF 634 UF Health JPI Ambulatory / Medical Office Building

#### NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

**Project:** UF-634, UF Health JPI Wildlight Ambulatory / Medical Office Building, Yulee, FL

The project consists of a two story approximately 43,200 GSF facility dedicated to provide diagnostic, imaging and other medical services to the surrounding community.

The total project budget is \$24,700,000, including site improvements, underground utilities, fees, surveys & tests, total building commissioning, furnishings & equipment, and contingencies. Target for building occupancy is October 1, 2019. LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council or other recognized certification entity is mandatory.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Construction Document stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; development of waste management strategies; and

development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction Documents. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement, may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. The selected applicant will also be required to provide insurance coverage for General Liability, Automotive Liability, Workers' Compensation, and Builder's Risk.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant firm's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity and liability insurance coverage.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any

supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Planning Design & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Planning Design & Construction office by 3:00 PM local time on Tuesday, June 12, 2018, Facsimile (FAX) submittals are not acceptable and will not be considered.

UF Planning Design & Construction  
 245 Gale Lemerand Drive / P.O. Box 115050  
 Gainesville, FL 32611-5050  
 Telephone: (352)273-4000  
 Internet: www.facilities.ufl.edu

**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, May 9, 2018 and 3:00 p.m., Tuesday, May 15, 2018.

Rule No.	File Date	Effective Date
5E-2.039	5/10/2018	5/30/2018
5E-2.041	5/10/2018	5/30/2018
6B-11.007	5/9/2018	5/29/2018
40D-8.624	5/10/2018	5/30/2018
40D-8.624	5/10/2018	5/30/2018
64B5-2.0146	5/15/2018	6/4/2018
64B6-4.004	5/15/2018	6/4/2018
65A-1.400	5/15/2018	6/4/2018

65A-1.900	5/15/2018	6/4/2018
68B-14.009	5/10/2018	6/11/2018
68B-49.001	5/10/2018	7/1/2018
68B-49.003	5/10/2018	7/1/2018
68B-49.004	5/10/2018	7/1/2018
68B-49.006	5/10/2018	7/1/2018
69B-151.201	5/15/2018	6/4/2018
69B-151.202	5/15/2018	6/4/2018
69B-151.203	5/15/2018	6/4/2018

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

State Revolving Fund Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 EL PORTAL, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that the Village of El Portal's project involving the construction of new stormwater collection and treatment facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$5,812,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850) 245-2967 or emailing to [thomas.montgomery@dep.state.fl.us](mailto:thomas.montgomery@dep.state.fl.us).

DEPARTMENT OF HEALTH

RULE NOS.:RULE TITLES:

64ER17-1 (64-4.001) Definitions

64ER17-2 (64-4.002) Application for Registration of Medical Marijuana Treatment Centers

The Department of Health, Office of Medical Marijuana Use announces a hearing to which all persons are invited.

DATE AND TIME: May 24, 2018, 9:00 a.m. – 10:00 a.m. or until the conclusion of the hearing, whichever occurs first

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing will address the Department of Health, Office of Medical Marijuana Use’s proposed repeal of Emergency Rules 64ER17-1 (64-4.001), titled “Definitions,” and 64ER17-2 (64-4.002), titled “Applications for Registration of Medical Marijuana Treatment Centers,” as noticed in the March 7, 2018, Volume 44, Number 46 edition of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Courtney Coppola at [Courtney.Coppola@flhealth.gov](mailto:Courtney.Coppola@flhealth.gov). A copy of the agenda will be available no later than one week prior to the hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least seven (7) days before the hearing by contacting: Courtney Coppola at [Courtney.Coppola@flhealth.gov](mailto:Courtney.Coppola@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: Courtney Coppola at [Courtney.Coppola@flhealth.gov](mailto:Courtney.Coppola@flhealth.gov).

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### 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.

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