

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Real Estate Commission

RULE NO.:       RULE TITLE:

61J2-1.011       License Fees and Examination Fees

**PURPOSE AND EFFECT:** The purpose of the amendment is to temporarily reduce the biennial license fee by 50% beginning July 1, 2019 and ending June 30, 2021. The fee will return to the current amount on July 1, 2021.

**SUBJECT AREA TO BE ADDRESSED:** Reduction of biennial license fee.

**RULEMAKING AUTHORITY:** 475.05 FS.

**LAW IMPLEMENTED:** 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 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: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Lori.Crawford@myfloridalicense.com.

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

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Real Estate Commission

RULE NO.:       RULE TITLE:

61J2-10.026       Team or Group Advertising

**PURPOSE AND EFFECT:** The purpose of the rule development to clarify that in advertisement, which contain a team or group name, that the team or group name cannot be in larger print than the broker's name.

**SUBJECT AREA TO BE ADDRESSED:** The rule text.

**RULEMAKING AUTHORITY:** 475.05, 475.25(1)(c) FS.

**LAW IMPLEMENTED:** 475.25 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: : Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Lori.Crawford@myfloridalicense.com.

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

#### DEPARTMENT OF HEALTH

##### Board of Opticianry

RULE NO.:       RULE TITLE:

64B12-16.003       Apprenticeship Requirements and Training Program

**PURPOSE AND EFFECT:** The Board proposes the development to update the incorporated form referenced in the rule.

**SUBJECT AREA TO BE ADDRESSED:** Update incorporated form.

**RULEMAKING AUTHORITY:** 484.005, 484.007(1)(d)4. FS.

**LAW IMPLEMENTED:** 456.0635, 484.002, 484.007(1)(d)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: Janice E. Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3253.

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

#### DEPARTMENT OF CHILDREN AND FAMILIES

##### Family Safety and Preservation Program

RULE NO.:       RULE TITLE:

65C-30.015       New Reports Received, Removal, and Placement of Children

**PURPOSE AND EFFECT:** The Department intends to amend Rule 65C-30.015, F.A.C., New Reports Received, Removal and Placement of Children, to address the needs of minor parents in care.

**SUBJECT AREA TO BE ADDRESSED:** Children in care who become parents

**RULEMAKING AUTHORITY:** 39.012, 39.0121(2), FS.

**LAW IMPLEMENTED:** 39.401, 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: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4470.

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

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

RULE NOS.:	RULE TITLES:
73B-20.0011	Scope and Purpose
73B-20.003	Form of Appeal
73B-20.004	Filing an Appeal or Request to Reopen
73B-20.005	Time for Filing Appeal
73B-20.007	Late Filing of Appeals
73B-20.010	Consolidation
73B-20.012	Disqualification and Substitution of Appeals Referee
73B-20.014	Scheduling of Hearings
73B-20.015	Notice of Hearing
73B-20.016	Continuances
73B-20.017	Nonappearance of Parties
73B-20.022	Withdrawal
73B-20.024	Conduct of the Hearing
73B-20.025	Decision
73B-20.026	Post Decision Communication
73B-20.027	Appeal to the Unemployment Appeals Commission

PURPOSE AND EFFECT: The purposes and effects of the rule revisions are to incorporate new forms; add email addresses; clarify existing procedures; and incorporate new procedures.

SUBJECT AREA TO BE ADDRESSED: The proposed rule revisions clarify the scope and purpose of the rules; address new forms for filing notices of appeal and continuance requests and a revised informational form; add email addresses that can be used to file appeals and motions; clarify the grounds for disqualification and substitution of appeals referees; add advance call requirement prior to a scheduled hearing; clarify evidentiary, notice, and hearing procedures; incorporate new appeals magistrate procedures; expand definition of "holiday" to include emergency tolling orders; and provide procedures for rendering corrected decisions.

RULEMAKING AUTHORITY: 443.012(11) FS.  
 LAW IMPLEMENTED: 443.031; 443.151(3), (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: Anne Marie Frazee, Deputy General Counsel, Reemployment Assistance Appeals Commission, Suite 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685 ext. 139, anne.frazee@raac.myflorida.com

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

**Section II  
Proposed Rules**

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

RULE NO.: 60FF1-5.003      RULE TITLE: E911 State Grant Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the language and incorporated application form.

SUMMARY: To update the language and application form.  
 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: 365.172(6)(a)11, FS.  
 LAW IMPLEMENTED: 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) 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: Matthew Matney, Chairman, E911 Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950.

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF1-5.003 E911 State Grant Programs.

The E911 State Grant program assists Florida counties with the installation of Enhanced 911 (E911), Phase II and Next Generation 911 systems.

(1) No change.

(2) Definitions.

(a) "Enhanced 911" (E911): means an enhanced 911 system or enhanced 911 service that is an emergency telephone system or service that provides a subscriber with 911 service and, in addition, directs 911 calls to appropriate public safety answering points by selective routing based on geographical location from which the call originated, or as otherwise provided in the state plan under s. 365.71, and that provides for automatic number identification and automatic location-identification features. As defined by Section 365.172(3)(h), F.S., and as referenced in the State E911 Plan under Section 365.171, F.S.

(b) through (d) No change.

(e) "Public Safety Answering Point" (PSAP): means the public safety agency that receives incoming 911 requests for assistance and dispatches appropriate public safety agencies to respond to the requests in accordance with the state E911 plan. As defined by Section 365.172(3)(a), F.S., and as referenced in the State E911 Plan under Section 365.171, F.S.

(f) No change.

(3) General conditions.

(a) Each county applying for E911 State Grant funds shall complete and submit W Form 3A, "Application for the E911 State Grant Program," revised 02/2019 ~~1/2018~~, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-08936>, or

State of Florida E911 Board  
ATTN: Administrative Staff  
4030 Esplanade Way, Suite 135F  
Tallahassee, Florida 32399-0950

The applicant must provide the completed, signed Application Form, and the associated quotes, and the E911 Board Form 6A, "County E911 Fiscal Information," incorporated in E911 Board Rule 60FF1-5.006, F.A.C. The grant application must be

postmarked or delivered by hand or email to: E911BoardElectronicGrantReports@dms.myflorida.com on or before the submission date specified in the E911 Board notification of a State E911 Program as published in the Florida Administrative Register.

(b) through (f) No change.

(g) Should two or more counties jointly apply for a grant, the lead county will be required to complete and submit a grant application detailing the funds requested. The lead county is responsible for the funds. In addition, one combined grant application detailing the entire project and memorandum of understanding (MOU) or inter-local agreement of all counties involved shall be submitted. The combined grant application shall comply with General Conditions items 5.5 and 5.6. The lead county shall be responsible for payment of the vendors' invoices and will submit the request for reimbursement to the Board. Two or more counties may apply for a joint grant, but each county must complete and submit W Form 3A as requested and indicated.

(h) through (j) No change.

(k) All E911 State Grant funds shall be accounted for separately from other grantee funds. Grant funds may be used only between the beginning and ending dates of the grant, unless an extension is authorized by the E911 Board. Extension of time will not be granted unless the county has executed a contract for the grant equipment and/or services, or demonstrates good cause for failure to execute a contract within twenty-four ~~twelve~~ months of award. Good cause documentation shall include a new project timeline schedule. Grant extensions shall be limited to a maximum of one additional year when approved by the E911 Board.

(l) Upon written request and accompanying documentation justifying the need, a county may receive a progress disbursement with a completed Financial Reimbursement of Expenditures Reporting Form, with the vendor invoice, and county certification that the specific grant items including all tasks and deliverables included in the funding request are complete. Within 45 days of receipt of funding, the grantee shall submit verification of vendor payment.

(m) Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and status of the grant project. Quarterly reports shall include an updated Application Form #12, Budget/Quarterly Expenditure Report (item #12) and a completed Appendix III Quarterly Report Form. The reports are due 30 days after the end of the reporting period, which ends March 31, June 30, September 30, and December 31. Updated Grant Budget/Expenditure Forms, Quarterly Report Forms, Request for Change Forms, and Final Budget/Expenditure Report Forms and associated information should be emailed to E911Board-ElectronicGrantReports@dms.myflorida.com. The Quarterly

and Final Budget/Expenditure Reports will be considered late if not received by the E911 Board Staff prior to the next scheduled E911 Board Meeting after the due date. Quarterly Reports, and Change Requests shall be signed by the county 911 coordinator. Emailed reports from the county 911 coordinator shall be considered as meeting this signature requirement.

(n) ~~At project completion, Aa final report, Form #12, shall be submitted within 90 days of project completion, based on the same reporting periods described in subsection (3).~~ The County shall determine the project’s completion date to be either the final payment date or the initiation date of the warranty period. ~~Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the Financial Reimbursement Expenditures Reporting Form.~~

(o) through (q) No change.

(r) ~~Property or Equipment obtained by a grant must be used consistent with the grant award. Responsibility for property and equipment obtained under a grant cannot be transferred under any circumstances.~~ If a sale or transfer of such property or equipment occurs within five years after a grant ends, funds must be returned to the E911 Board on a pro rata basis, unless the property or equipment has become obsolete.

(s) through (u) No change.

(v) Responsibility for grant funding and any failure to perform the minimum level of service required by the grant application and the application scope of work cannot be transferred ~~under any circumstances~~ from the County. Failure to perform the scope of work or expenditure of funds for other than allowable 911 costs as stated in the grant application shall require the county to return the awarded funds to the E911 Board.

Rulemaking Authority 365.172(6)(a)11. FS. Law implemented 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) FS. History–New 12-7-08, Amended 10-27-10, Formerly 60FF-5.003, Amended 8-25-11, 9-2-12, 10-22-13, 8-31-14, 9-23-15, 5-31-16, 1-10-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 18, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 07, 2018

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-6.005  
RULE TITLE: Procedures for Collecting Samples from Racing Animals

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal this rule identified as no longer necessary.

SUMMARY: Rule 61D-6.005, F.A.C. has been supplanted by Rules 61D-6.0051 and 61D-6.0052, F.A.C.

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

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

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

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: 120.80(4)(a), 550.0251(3), 550.2415(12), (13) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.1155, 550.2415 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: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

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

61D-6.005 Procedures for Collecting Samples from Racing Animals.

Rulemaking Authority 120.80(4)(a), 550.0251(3), 550.2415(12), (13) FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155, 550.2415 FS. History–New 10-20-96, Amended 12-15-97, 11-19-01, 6-15-15, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Bryan Barber, Division of Pari-Mutuel Wagering,  
 bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd.,  
 Tallahassee, FL 32399, (850)717-1761.

NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Halsey Beshears, Secretary, Department  
 of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 5, 2019

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

NONE

**Section IV**  
**Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER19-20      RULE TITLE: 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 Florida Lottery as a retailer and modifies provisions of Rule 53ER17-42 identified during a rule review conducted in connection with the Florida Lottery’s conversion to a new gaming system.

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:

53ER19-20 Retailer Application and Fee Schedule.

(1) New Applicants.

(a) Any person interested in contracting with the Florida 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 Florida 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 may include fingerprinting when it is determined by the Florida Lottery to be necessary to adequately complete the background investigation.

(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 any of the corporate 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 the rule of the Florida Lottery governing retailer applicant background investigations. A copy of the current rule can be obtained from the Florida Lottery’s website at flalottery.com or from the Florida Lottery’s retailer website at retailerwizard.flalottery.com.

(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 when it is determined by the Florida Lottery to be necessary to adequately complete the background investigation.

(3) Change of Location.

An application to change a location must be submitted to the Florida 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:

Form DOL-129, Retailer Application, revised 4/19,

Form DOL-129-1, Retailer Application in Spanish, revised 4/19,

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 be obtained from the Florida Lottery's website at flalottery.com or from the Florida Lottery's retailer website at retailerwizard.flalottery.com. Forms DOL-374, DOL-307 and DOL-320 may be obtained by contacting the Florida Lottery's Retailer Contracting office at (850) 487-7714 or at RCSupport@flalottery.com.

(8) The effective date of this emergency rule is April 15, 2019.

(9) This emergency rule replaces Emergency Rule 53ER17-42, F.A.C.

Rulemaking Authority 24.105(15), 24.109(1), 24.112(1) F.S., Law Implemented 24.105(2), 24.112 F.S. History-New 4-15-19, Replaces 53ER17-42.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:

53ER19-21 Retailer Applicant Background Investigation

SUMMARY: This emergency rule sets forth the provisions relating to Florida Lottery retailer applicant background investigations and modifies provisions of Rule 53ER17-43 identified during a rule review conducted in connection with the Florida Lottery's conversion to a new gaming system.

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:

53ER19-21 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 the retailer application and fee schedule. A copy of the current rule can be obtained from the Florida Lottery's website at flalottery.com or from the Florida Lottery's retailer website at retailerwizard.flalottery.com . 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.

(5) The effective date of this emergency rule is April 15, 2019.

(6) This emergency rule replaces Emergency Rule 53ER17-43, F.A.C. Rulemaking Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(2) FS. History—New 4-15-19, Replaces 53ER17-43.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER19-22 Granting Retailer Contracts and Certificates of Authority

SUMMARY: This emergency rule sets forth the provisions relating to granting a retailer contract and the issuance of a Certificate of Authority and modifies the provisions of Rule 53ER13-14 identified during a rule review conducted in connection with the Florida Lottery’s conversion to a new gaming system.

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:

53ER19-22 Granting Retailer Contracts and Certificates of Authority.

(1) Retailer contracts shall authorize the sale of lottery tickets.

(2) Retailer contracts shall have a term of four years and shall be renewable upon successful completion of the renewal process. Renewed retailer contracts shall be executed prior to the expiration of an existing contract. If a renewal contract is not executed prior to expiration of the current contract, the retailer’s ticket sales and terminal activity shall be immediately terminated.

(3) Following complete execution of the retailer contract, the Florida Lottery shall issue a Certificate of Authority to each retailer for purposes of display. The Certificate of Authority shall bear the name of the contracted retailer and the address of the contracted premises. The Certificate of Authority shall be posted at all times in a conspicuous location on the premises accessible to the public and is not assignable or transferable.

(4) The Florida Lottery is authorized to provide a temporary Certificate of Authority to a contracted retailer for the sale of lottery tickets at a special event. Special events are

public activities throughout the State of Florida, such as fairs, festivals, concerts and sporting events, in which the Florida Lottery participates as a sponsor.

(5) The effective date of this emergency rule is April 15, 2019.

(6) This emergency rule replaces Emergency Rule 53ER13-14, F.A.C. Rulemaking Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112 FS. History—New- 4-15-19, Replaces 53ER13-14.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER19-23 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 and modifies provisions of Rule 53ER17-44 identified during a rule review conducted in connection with the conversion to a new gaming system.

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:

53ER19-23 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 first be sent via email to Florida Lottery RCSupport@flalottery.com followed

by a letter of notification 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 from the Florida Lottery's retailer website at retailerwizard.flalottery.com.

(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) The effective date of this emergency rule is April 15, 2019.

(4) This emergency rule replaces Emergency Rule 53ER17-44, F.A.C.

Rulemaking Authority 24.109(1), 24.112(1) FS, Law Implemented 24.112 FS. History—New 4-15-19, Replaces 53ER17-44.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER19-24  
 RULE TITLE: Retailer Accountability

SUMMARY: This emergency rule sets forth the provisions relating to Florida Lottery retailer ticket and financial accountability and modifies provisions of Rule 53ER17-55 identified during a rule review conducted in connection with the Florida Lottery's conversion to a new gaming system.

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:

53ER19-24 Retailer Accountability.

(1) Ticket Accountability. Each retailer shall be accountable for all online terminal game lottery tickets generated, all Scratch-Off game lottery tickets (also known as instant game lottery tickets) accepted, and all funds collected by the retailer for the sale of lottery tickets. The term "online terminal game" shall include Draw games and Fast Play games.

(a) Online Terminal Game Lottery Ticket Accountability. Each retailer is liable to the Florida Lottery ("Lottery") for all online terminal game lottery tickets generated by any employee or representative of that retailer, less canceled online terminal game lottery tickets and online terminal game lottery tickets returned for adjustment credit. The adjustment credit criteria and procedures are set forth below.

1. A retailer may receive a sales adjustment credit under the following circumstances:

a. The online terminal game lottery ticket did not print and the transaction is marked with an asterisk (\*) on the Transaction History Report; provided the retailer mails the online terminal game Transaction History Report to the Lottery within thirty (30) days of the transaction date, or

b. The online terminal game lottery ticket misprints or is miscut and the dollar amount is visible and provided the retailer mails the online terminal game lottery ticket along with a Request for Adjustment Form DOL-493, revised 04/19, to the Lottery within thirty (30) days of the transaction date. Form DOL-493 is incorporated by reference and may be obtained from the Florida Lottery's website at flalottery.com or from the Florida Lottery's retailer website at retailerwizard.flalottery.com.

2. A retailer may also receive adjustment credit under the following circumstances provided the retailer reports the issue to the Lottery within two (2) hours of the sale; before the game closes for the next available draw; or before the end of the gaming day, whichever occurs first (collectively the “reporting window”).

a. The online terminal game lottery ticket did not print and the transaction is not marked with an asterisk (\*) on the Transaction History Report.

b. The online terminal game lottery ticket misprints or is miscut and the dollar amount is not visible, or

c. The online terminal game lottery ticket cannot be canceled by the terminal but nothing appears to be wrong with the ticket and the ticket barcode will not scan.

For the circumstances set forth in sub-subparagraphs (1)(a)2.b. and c., above, the retailer must mail the online terminal game lottery ticket to the Lottery within thirty (30) days of the transaction date.

3. The Lottery will approve adjustment credit requests submitted outside the reporting window for online terminal game lottery ticket transactions that occur during a documented system failure that impacts network communications and that is outside the retailer’s control.

4. The mailing address for submission of sales adjustment documentation is: Florida Lottery, Games Administration, 250 Marriott Drive, Tallahassee, 32399-9939. Online terminal game lottery tickets submitted to the Florida Lottery for adjustment credit shall become the property of the Florida Lottery and shall not be returned to the retailer.

(b) Scratch-Off Game Lottery Ticket Accountability. Retailers shall accept books of Scratch-Off game lottery tickets for sale on a consignment basis in accordance with the Lottery’s inventory management system.

1. A retailer may receive a sales adjustment credit under the following circumstances:

a. A ticket is miscut while dispensing from a vending machine and the ticket is not saleable. The play area on the front of the ticket must not be scratched off for credit to be considered. The retailer submitting the ticket for adjustment must be the owner of the book.

b. A ticket has a quality control issue such as non-scratchable latex.

2. Scratch-Off game lottery tickets submitted to the Florida Lottery for adjustment credit shall become the property of the Florida Lottery and shall not be returned to the retailer.

3. Books of Scratch-Off game lottery tickets accepted by a retailer shall be settled for payment by one of the following three methods:

a. Settlement by the retailer.

b. Automatic settlement to occur as established by the Lottery within a maximum of ninety (90) days after a book has

been activated for sale or after ninety percent (90%) of low-tier prizes have been redeemed, whichever occurs first, except as set forth in subparagraph (2)(g)3., below, or

c. Settlement of books by a Lottery representative during inventory management because books are no longer in the retailer’s onsite inventory.

4. A complete inspection of all Scratch-Off game lottery ticket inventory will be conducted by a Lottery representative at least once per quarter. During such inventory, books in a “received” status on the inventory management system that are not physically present at the retail location will be reported as missing and the retailer will be charged fifty percent (50%) of the sales value of the book, less sales commission. Books in an “active” status on the inventory management system that are not physically present at the location will be settled.

(2) Financial Accountability.

(a) Each retailer shall maintain an open commercial bank account for all amounts collected from ticket sales until such amounts have been collected by the Lottery. All amounts received by each retailer from the operation of the Lottery, less the amount retained as compensation for the sale and cashing of tickets and the amount paid out as prizes, shall be held in a bank account prior to collection by the Lottery on the designated day of collection.

(b) The amount owed by a retailer to the Lottery will be electronically transferred from the retailer’s bank account to the Lottery on a designated day each week. If the transfer is unsuccessful due to insufficient funds, a second attempt will automatically be made.

(c) A retailer is authorized to use its commercial bank account or a separate commercial bank account for lottery purposes.

(d) A retailer shall notify the Lottery of a change in its bank account at least six (6) days in advance of such change becoming effective.

(e) A retailer shall maintain its bank account for a minimum of thirty (30) days after the termination date of its retailer contract.

(f) Each retailer shall complete form DOL-103, Electronic Fund Transfer Authorization Form, revised 07/13 and return the form to the Lottery at the time of application or in advance of a bank account change. Form DOL-103 is incorporated herein by reference and may be obtained from the Florida Lottery’s website at flalottery.com or the Florida Lottery’s retailer website at retailerwizard.flalottery.com. The form authorizes the Lottery to debit or credit the retailer’s bank account through electronic funds transfers.

(g) The following procedures apply to Electronic Funds Transfer (EFT) delinquencies:

1. For purposes of this rule, an Electronic Funds Transfer delinquency is defined as an unsuccessful attempt to

electronically transfer funds from a retailer's bank account to the Lottery in payment of the retailer's weekly settlement activity. If both the first and second weekly attempts to transfer funds fail, the failures together shall count as only one delinquency.

2. For all delinquencies, the retailer's ability to sell online terminal game lottery tickets and order Scratch-Off game lottery tickets shall be suspended.

3. For a first or second delinquency in a twelve-month period, the retailer shall be required to pay the delinquency in full plus applicable service charges prior to reactivation of its ability to sell online terminal game lottery tickets and order Scratch-Off game lottery tickets. Upon the occurrence of a second delinquency, the automatic book settlement period established in sub-subparagraph (1)(b)3.b., above, will be shortened to a timeframe established by the Lottery for a minimum of six (6) months. The retailer's collection activity will be reviewed during the first January or July occurring after the expiration of six (6) months from the date of delinquency. If the retailer has incurred no additional delinquencies during that time, the automatic book settlement period will revert to the established pre-delinquency automatic book settlement period. If the retailer incurs additional delinquencies while in the shortened book settlement period and the retailer's contract is not terminated, the shortened book settlement period will remain in effect, and the retailer's account will be reviewed at the next scheduled review period.

4. For a third delinquency in a twelve-month period, the retailer shall be required to pay the delinquency in full plus applicable service charges and post a certificate of deposit or performance bond with the Florida Lottery prior to reactivation of its ability to sell online terminal game lottery tickets and order Scratch-Off game lottery tickets. The amount of the security shall not exceed twice the retailer's average weekly ticket sales as determined by the Lottery.

5. For a fourth delinquency in a twelve-month period, a review of the retailer account will be performed by the Lottery to determine if the retailer's contract will be terminated. In making its determination, the Lottery will review factors such as the retailer's Lottery accounts receivable transactions and Lottery sales history. If the retailer contract is not terminated and the amount of the retailer's posted security is less than the statutorily authorized maximum of twice the retailer's average weekly ticket sales, the Lottery will increase the amount of the required security to the maximum amount.

6. The Lottery is authorized to terminate a retailer's contract prior to a fourth delinquency in a twelve-month period if the Lottery determines that such action is necessary in order to protect the state's financial interests.

7. For purposes of calculating the number of delinquencies occurring in a twelve-month period, an unsuccessful transfer on

the first weekly attempt will not be counted as a separate delinquency if the transfer on the second weekly attempt is successful.

8. For each delinquency, the retailer shall be assessed a non-refundable service charge of fifteen dollars per incident or five percent of the amount due per incident, whichever is greater, up to a maximum of one hundred-fifty dollars. The Lottery will assess only one service fee to retailer chain accounts that use the same bank account for all stores. The assessed fee shall be five percent of the total amount due for all locations up to a maximum of one hundred-fifty dollars. Payment of the delinquent settlement amount and any applicable service charges is due immediately from the retailer and prior to online terminal game sales and the ability to order Scratch-Off game lottery tickets being reinstated.

9. An unsuccessful transfer on the first weekly attempt will not result in assessment of a service charge if the second weekly attempt is successful. Only one service charge will be assessed if both the first and second attempts are unsuccessful.

10. If the Lottery determines that it is in its best financial interest, taking into consideration factors such as the amount of the delinquency and the length of time the delinquency and/or service charges are outstanding, the Lottery district office will be instructed to settle the sold Scratch-Off tickets and pick up any remaining Scratch-Off ticket inventory. A retailer's access to computerized Lottery transactions will be limited to redeeming winning tickets and printing reports until Lottery Headquarters has received notification of payment in full.

11. To satisfy an EFT delinquency, the retailer may:

a. Deposit a Cashier's check or money order made payable to the Florida Lottery into a specified Lottery bank account,

b. Wire transfer the funds into a specified Lottery bank account, or

c. Deliver a Cashier's check or money order to a Lottery office.

12. The Lottery will accept a prepayment for the settlement amount if the prepayment is received by the Lottery prior to 5:00 p.m. (Eastern Time) on the day before the EFT would normally occur. A service charge will not be applied to the first three (3) prepayments made by a retailer in a twelve-month period, nor will the first three (3) prepayments be counted as a delinquency against the retailer; however, retailers who make more than three (3) prepayments in a twelve-month period will be assessed a service charge as described in subparagraph (2)(g)8., above, for each additional prepayment. The Lottery will waive the service charge upon a showing of good cause by a retailer, e.g., the circumstances necessitating prepayment are attributable to the retailer's bank or to the Lottery. Failure by the Lottery to impose a service charge does not constitute a waiver of its right to impose a service charge for any subsequent prepayment.

13. The Lottery will actively pursue collection of all delinquencies that are not paid through the process described above.

(3) The effective date of this emergency rule is April 15, 2019.

(4) This emergency rule replaces Emergency Rule 53ER17-55, F.A.C.

Rulemaking Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(1), (11), 24.114 FS. History—New 4-15-19, Replaces 53ER17-55.

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: April 15, 2019.

## DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

553ER19-25 Retailer Responsibilities

SUMMARY: This emergency rule sets forth the provisions relating to the responsibilities of Florida Lottery retailers and modifies provisions of Rule 53ER07-18 identified during a rule review conducted in connection with the Florida Lottery's conversion to a new gaming system.

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:

### 53ER19-25 Retailer Responsibilities.

(1) The Florida Lottery ("Lottery") shall contract with specified retailers to sell lottery tickets.

(2) Except as otherwise specified herein, the term "equipment" shall be inclusive of communications equipment (inside and outside), terminal related peripherals, jackpot signs, play stations, vending machine equipment, and any other Lottery property. All equipment provided to the retailer by the Lottery or its vendors shall remain the property of the Lottery or its vendors, and retailers shall acquire no interest whatsoever in the equipment.

#### (3) Terminal.

(a) The retailer shall meet the training standards established by the Lottery relating to operation of the terminal and the sale of lottery products.

(b) Retailers shall be responsible for meeting terminal installation requirements as specified by the Lottery, including but not limited to, electrical circuitry; counter, roof and building space; and conduit, if applicable. All expenses associated with

the items required to be furnished by Retailer shall be the sole responsibility of Retailer.

(c) Retailers shall provide a minimum amount of space as determined by the Lottery at the location of the terminal for proper ventilation, maintenance, and material loading and removing.

(d) Retailers shall position the transaction monitor so that as a transaction occurs it is displayed and in full view of the player making the ticket purchase.

(e) Retailers shall safeguard ticket stock, replenish ticket stock, and clear paper jams as required on the terminal and/or terminal printer.

(f) Retailers shall use due diligence and care when operating the terminal and shall immediately notify the Lottery's designated hotline of any network communication problem or terminal malfunction. If the terminal's barcode scanner is lost by a retailer, the retailer shall be responsible for the cost of replacement.

(4) Playstation and Lottery Sales Materials. Retailers shall provide a space for a lottery playstation at a prominent location within the store that is approved by the Lottery. In determining whether to approve playstation placement, the Lottery will seek to optimize the promotional value and player convenience to be derived from the playstation, also considering factors such as the retailer's floor plan and customer traffic flow. All playstations must be Lottery-approved. Retailers shall maintain an adequate supply of pencils, play slips, claim forms, brochures and other Lottery materials for use by players as provided by the Lottery or authorized vendor. Retailer shall display and maintain in prominent locations point of sale materials provided by the Lottery, including, but not limited to electronic displays and odds pieces.

#### (5) Vending Machine.

(a) If a retailer's contract provides for the sale of lottery tickets from a vending machine, the retailer shall meet the training standards established by the Lottery relating to operation of the vending machine.

(b) The Lottery shall approve the placement of the vending machine in the retailer's store. Once placement is made, the vending machine cannot be moved without consent of the Lottery. Any approved relocation of a vending machine shall be made by the Lottery's vendor.

(c) The vending machine shall be in direct line of sight of store personnel. The retailer is required to monitor the vending machine during business hours and must know the procedure to disable the vending machine remotely. If a person under the age of 18 attempts to purchase lottery tickets through the vending machine, store personnel must deactivate the vending machine. At least one person must be on duty at all times the vending machine is operational; however, at least two persons must be

on duty at any retailer location which has violated Section 24.1055, Florida Statutes.

(d) Retailers shall be responsible for meeting vending machine installation requirements as specified by the Lottery.

(e) The vending machine inventory shall be determined by the Lottery as set forth by the Plan-O-Gram. The retailer shall ensure that an adequate supply of inventory is available and that the vending machine remains fully stocked and is operational during business hours.

(f) The retailer's responsibilities with respect to maintaining the vending machine are:

1. stocking of Scratch-Off tickets,
2. stocking of Draw game ticket stock,
3. removal of currency at least daily,
4. printing reports,
5. replacing printer paper and clearing paper jams,
6. keeping machine and surrounding area clean and free of obstruction,
7. keeping area around machine well lit, and
8. ensuring that only Lottery-approved signage and messages are displayed on the machine, including any electronic message display device(s).

(g) Retailer shall call the vending machine vendor's hotline to report any problems that cannot be resolved by the retailer in accordance with the Vending Machine User Manual. This number should be called as soon as it is determined that service or telephone support is needed.

(h) Retailer shall allow only Lottery personnel or authorized service technicians with proper identification access to the vending machine. Retailer shall not perform mechanical or electrical maintenance on the vending machine unless instructed by the Lottery.

(i) If a key to the vending machine is lost by the retailer, the machine must be fitted with new locks and a new key issued for security reasons, all at the retailer's expense.

(j) If a remote deactivation device is lost by the retailer, the retailer shall pay the cost of replacement.

(k) If the cash collection box is lost or damaged by the retailer, the retailer shall pay the cost of replacement.

(6) General Provisions.

(a) Retailers shall pay a weekly service charge as determined by the Lottery, taking into consideration factors such as salary costs, travel costs, the cost of materials, and associated administrative expenses. A retailer will not be assessed a service charge for promotional or additional terminals.

(b) Retailers shall pay all electrical utility charges in connection with operation of the equipment.

(c) Retailers shall provide access to Lottery equipment to Lottery or vendor personnel presenting proper identification.

(d) Retailers shall be responsible for the physical security of all equipment and shall be responsible for the cost of replacement of any lost equipment.

(e) Material not authorized by the Lottery shall not be displayed at or dispensed from the playstation or other equipment.

(f) The Lottery will review occurrences of negligent, intentional or unintentional damage to equipment by retailer or its employees and determine whether to recover the cost of such damages by considering factors such as the remedial steps, if any, taken by the retailer to prevent such occurrences in the future.

(g) Retailers shall not attempt to perform any mechanical or electrical maintenance or repairs on equipment except as authorized by the Lottery or its vendors.

(7) The effective date of this emergency rule is April 15, 2019.

(8) This emergency rule replaces Emergency Rule 53ER07-18, F.A.C. Rulemaking Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(1) FS. History—New 4-15-19, Replaces 53ER07-18.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.:       RULE TITLE:  
53ER19-26       Payment of Prizes by Retailers

SUMMARY: This emergency rule sets forth the provisions relating to the payment of prizes by retailers and modifies provisions of Rule 53ER12-11 identified during a rule review conducted in connection with the Florida Lottery's conversion to a new gaming system.

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:

53ER19-26 Payment of Prizes by Retailers.

(1) A retailer shall pay all winning lottery tickets valued at less than \$600 that are validated through the retailer's terminal. A retailer is prohibited from compensating a player for less than the full value of the prize amount of the winning lottery ticket.

(2) A retailer shall ensure that sufficient funds are available by cash, check, or money order before validating any ticket to pay a prize.

(3) A player who submits a ticket valued at less than \$600 to the Florida Lottery for payment that has been validated by a retailer will be instructed to return to the same retailer to receive payment. In such case, the Lottery will return the validated ticket to the player.

(4) A retailer shall pay any winning ticket valued at \$50 or less in cash unless it is impossible or impracticable to do so due to a company or store policy that for safety or security reasons limits the amount of cash available to the clerk, or an applicable local government ordinance limits the amount of cash available to the clerk. In such case, the retailer shall make payment by check or money order.

(5) A retailer shall pay any winning ticket greater than \$50 but less than \$600 by cash, check, or money order. No charge or fee shall be imposed by a retailer on a player for paying a winning ticket by cash or check. Additionally, no charge or fee shall be imposed by a retailer on a player for a money order when it is the sole method of payment available to the retailer.

(6) If a retailer validates a ticket valued at \$600 or more, the retailer shall provide the player with the original ticket, the continuation ticket, if one was issued, and the player claim instructions ticket produced by the retailer terminal. The retailer shall instruct the claimant to submit a claim to the Florida Lottery for tickets valued at \$600 or more or when any dispute arises regarding the amount or validity of an apparent winning ticket or when an apparent winning ticket will not validate using the terminal.

(7) A retailer shall be held responsible for and will not receive credit for any prize paid for a ticket that was not a winner or that was recorded in the gaming system as paid by another retailer.

(8) A retailer shall not pay any winning ticket valued at \$600 or more. A retailer who violates this subsection and fails to furnish the Lottery with the complete name, address and tax identification number of the player to whom payment was made so that the Lottery can file a Form W-2G shall be charged backup withholding pursuant to Internal Revenue Service (IRS) regulations, as well as a non-refundable \$50 service charge to offset any penalties and interest imposed by the IRS. If the IRS imposes penalties and interest in excess of \$50, the retailer's account will be adjusted in the amount of any excess. The Lottery is authorized to reimburse the retailer only upon receipt of documentation establishing that the ticket was paid in full and a determination that no fraud or other violation has been committed.

(9) A retailer shall offer to return all non-winning lottery tickets to the player.

(10) If a retailer violates any provision of this rule, the retailer shall be subject to suspension or termination in accordance with rules of the Florida Lottery governing suspension and termination of retailer contracts. A copy of the

current rule can be obtained from the Florida Lottery's website at [flalottery.com](http://flalottery.com) or from the Florida Lottery's retailer website at [retailerwizard.flalottery.com](http://retailerwizard.flalottery.com).

(11) The effective date of this emergency rule is April 15, 2019.

(12) This emergency rule replaces Emergency Rule 53ER12-11, F.A.C.

Rulemaking Authority 24.105(9)(e), 24.109(1), 24.112(1), 24.115(1) FS. Law Implemented 24.112(1), 24.115 FS. History – New 4-15-19, Replaces 53ER12-11.

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: April 15, 2019.

#### DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER19-27 Retailer Compensation

SUMMARY: This emergency rule sets forth the provisions relating to retailer compensation and modifies provisions of Rule 53ER13-46 identified during a rule review conducted in connection with the Florida Lottery's conversion to a new gaming system.

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:

#### 53ER19-27 Retailer Compensation.

(1) Sales Commission. Retailers shall be paid a sales commission of five percent on the purchase price of each Scratch-Off game (also known as an instant game) and each online terminal game ticket sold by them or issued as a prize in accordance with these rules unless a different compensation structure is contractually agreed upon by the Lottery and a retailer. The number of Scratch-Off tickets sold or issued as prizes will be determined by full or partial book settlements.

(2) Cashing Commission. Retailers shall be paid a one percent cashing commission on the prize value of each lottery ticket with a prize value less than \$600 cashed by them. As used herein, "cashing" shall mean a transaction wherein a retailer validates a ticket and pays a prize either by cash, check, money order, or by issuance of a free ticket(s), and the Lottery processes the paid ticket for credit to the retailer. Free tickets shall be valued at their retail sales price.

(3) Sales commissions, including bonus commissions, paid to retailers for Scratch-Off ticket sales shall be subject to recoupment by the Florida Lottery if settled tickets are subsequently returned to the Lottery.

(4) The Lottery is authorized to conduct retailer incentive promotions in which additional compensation is provided to retailers as bonus commissions or promotional prizes.

(5) Sales and cashing commissions, as well as bonus commissions and promotional prizes awarded in a retailer promotion, will be considered compensation to a retailer and will be reported to the Internal Revenue Service by the Florida Lottery.

(6) No retailer or employee of a retailer shall request or accept compensation for the performance of duties authorized pursuant to the retailer's contract, other than the compensation stated in the retailer's contract and these rules. This prohibition includes, but is not limited to, the redemption of winning tickets. No charge or fee shall be imposed by a retailer on a player for paying a winning ticket by cash or check. Additionally, no charge or fee shall be imposed by a retailer on a player for payment of a prize by money order when that is the sole method of payment made available by the retailer.

(7) The effective date of this emergency rule is April 15, 2019.

(8) This emergency rule replaces Emergency Rule 53ER13-46, F.A.C. Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), FS. History—New 4-15-19, Replaces 53ER13-46.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.:        RULE TITLE:  
53ER19-28        Play it Again  
SUMMARY: This emergency rule sets forth the provisions for the Play it Again play feature available with lottery Draw games.  
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER19-28 Play it Again

(1) "Play it Again" is a play feature that allows a player to replay a previously purchased Florida Lottery Draw game ticket. If requested by a player, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, number of panels, number of advance play drawings, draw time and play type for PICK games, and any add-on features as the

original ticket, except as follows. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings available due to implementation of an advance play countdown for the Draw game for which the original ticket was purchased. Tickets older than sixty (60) days cannot be replayed. Tickets purchased using the Play it Again feature are subject to the same cancellation provisions as the original ticket.

(2) The effective date of this emergency rule is April 15, 2019.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9) FS. History-New 4-15-19.

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: April 15, 2019.

**DEPARTMENT OF THE LOTTERY**

RULE NO.:        RULE TITLE:  
53ER19-29        Replacement of Obsolete Emergency Rules  
SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete by the Department of the Lottery.  
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:

53ER19-29 Replacement of Obsolete Emergency Rules.

(1) The following Department of the Lottery emergency rules relating to Florida Lottery games, a promotion or obsolete emergency rules are being replaced because the games have ended, the promotion has concluded, or the provisions of the rules are obsolete. This emergency rule shall replace the following emergency rules:

<u>Rule Number</u>	<u>Rule Title</u>
<u>53ER07-17</u>	<u>Block Ticket Sales</u>
<u>53ER16-12</u>	<u>Game Number 1301, MONEY STASH</u>
<u>53ER16-32</u>	<u>Game Number 1313, MONOPOLY™ \$5,000,000 FLORIDA EDITION</u>
<u>53ER16-48</u>	<u>Game Number 1319, QUICK CASH</u>
<u>53ER16-51</u>	<u>Game Number 1322, GOLD RUSH DOUBLER</u>
<u>53ER17-10</u>	<u>Game Number 1336, HIT \$5,000!</u>

<u>53ER17-11</u>	<u>Game Number 1337, MONEY BAG MULTIPLIER</u>
<u>53ER17-33</u>	<u>Game Number 1350, \$500 A WEEK FOR LIFE</u>
<u>53ER17-36</u>	<u>Game Number 1353, \$5,000 A WEEK FOR LIFE</u>
<u>53ER17-49</u>	<u>Game Number 1358, FULL OF \$500'S</u>
<u>53ER18-57</u>	<u>Fast Play Replay Second Chance Promotion</u>
<u>53ER19-10</u>	<u>Replacement of Obsolete Emergency Rules</u>

(2) The effective date of this emergency rule is April 15, 2019.

Rulemaking Authority - 24.109(1) FS. Law Implemented - 24.109(1) FS. History – New 4-15-19, Replaces 53ER07-17, 53ER16-12, 53ER16-32, 53ER16-48, 53ER16-51, 53ER17-10, 53ER17-11, 53ER17-33, 53ER17-36, 53ER17-49, 53ER18-57, 53ER19-10.

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: April 15, 2019.

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

### DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on March 28, 2019, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from ROYAL LIVING AT POMPANO ALF INC. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to [alfrulecomment@elderaffairs.org](mailto:alfrulecomment@elderaffairs.org).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at [doeapublicrecords@elderaffairs.org](mailto:doeapublicrecords@elderaffairs.org), (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

### AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 05, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005180. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing [LTCstaff@ahca.myflorida.com](mailto:LTCstaff@ahca.myflorida.com).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing [LTCstaff@ahca.myflorida.com](mailto:LTCstaff@ahca.myflorida.com).

### AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005182. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing [LTCstaff@ahca.myflorida.com](mailto:LTCstaff@ahca.myflorida.com).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing [LTCstaff@ahca.myflorida.com](mailto:LTCstaff@ahca.myflorida.com).

### AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005183. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing [LTCstaff@ahca.myflorida.com](mailto:LTCstaff@ahca.myflorida.com).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Westminster Pines, Inc. d/b/a Westminster St. Augustine, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005185. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Suncoast Manor Retirement Community, Inc. d/b/a Westminster Suncoast, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005187. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005188. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Wesley Manor, Inc. d/b/a Westminster Woods on Julington Creek, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005189. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 5, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Presbyterian Retirement Communities, Inc. d/b/a Westminster Oaks, seeking additional time beyond May 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005190. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Health Facility and Agency Licensing  
 RULE NO.: RULE TITLE:  
 59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 8, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from New Horizon NH, L.L.C. d/b/a The Lodge Health and Rehabilitation Center, seeking additional time beyond June 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005302. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Health Facility and Agency Licensing  
 RULE NO.: RULE TITLE:  
 59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 9, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Gardens Health NH LLC d/b/a The Gardens Health & Rehabilitation Center, seeking additional time beyond June 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005330. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Health Facility and Agency Licensing  
 RULE NO.: RULE TITLE:  
 59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 9, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Jackson Heights NH, L.L.C. d/b/a Unity Health and Rehabilitation Center, seeking additional time beyond June 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005332. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Health Facility and Agency Licensing  
 RULE NO.: RULE TITLE:  
 59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on April 9, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Palm Court NH, L.L.C. d/b/a Wilton Manors Health & Rehabilitation Center, seeking additional time beyond June 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019005333. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

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 April 11, 2019, 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 Phoenix Catering Group LLC located in Doral. 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.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 11, 2019, 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 Chefs of the Caribbean LLC located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

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

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

NOTICE IS HEREBY GIVEN that on April 10, 2019, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48.0072(21)(b) F.A.C. (2016) from

Society of St. Vincent De Paul South Pinellas, Inc. for Ozanam Village III, requesting to extend the deadline for the firm loan commitment by sixty (60) days.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

NOTICE IS HEREBY GIVEN that on April 11, 2019, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-21.003(1)(b) F.A.C. (2018) from Orlando Leased Housing Associates XI, LLLP, requesting a waiver of the rule prohibiting Petitioner from making any changes in its ownership structure prior to the Preliminary Determination being issued.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

NOTICE IS HEREBY GIVEN that on April 11, 2019, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-21.003(1)(b) F.A.C. (2018) from Vero Beach Leased Housing Associates III, LLLP, requesting a waiver of the rule prohibiting Petitioner from making any changes in its ownership structure prior to the Preliminary Determination being issued.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration  
 Division of Bond Finance  
 Financial Services Commission  
 Office of Insurance Regulation  
 Office of Financial Regulation  
 Department of Veterans' Affairs  
 Department of Highway Safety and Motor Vehicles  
 Department of Law Enforcement  
 Department of Revenue  
 Administration Commission  
 Florida Land and Water Adjudicatory Commission  
 Board of Trustees of the Internal Improvement Trust Fund  
 Department of Environmental Protection

**DATES AND TIMES:** April 23, 2019, 9:00 a.m., **NOTE; THIS MEETING HAS BEEN CANCELLED**

**The April 23, 2019 Cabinet Meeting and the April 17, 2019 Cabinet Aides Meeting have been canceled.**

**PLACE:** Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to

Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The **Division of Bond Finance** of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The **Financial Services Commission** will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Department of Veterans' Affairs** will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The **Department of Law Enforcement** will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The **Department of Revenue** will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The **Administration Commission** will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S.,

comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The **Florida Land and Water Adjudicatory Commission** will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The **Board of Trustees of the Internal Improvement Trust Fund** will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The **Department of Environmental Protection** will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting: the Governor's Cabinet Affairs Office, (850)488-5152.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

**REGIONAL PLANNING COUNCILS**

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2019, 11:00 a.m.

PLACE: 950 Lake Carillon Dr, St Petersburg, FL 33716, Van Gogh Room

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Tampa Bay Regional Planning Council Leadership Forum for Post Disaster Recovery. A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.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: Wren Krahl, Wren@tbrpc.org.

**REGIONAL PLANNING COUNCILS**

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2019, 10:00 a.m.

PLACE: City of Stuart Fire Rescue, 800 SE Martin Luther King Jr. Boulevard, Stuart, FL 34994

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Treasure Coast Local Emergency Planning Committee will hold its quarterly meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at 772 221-4060 or lgulick@tcrpc.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 5 days before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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).

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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

**REGIONAL PLANNING COUNCILS**

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2019, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Avenue, Stuart, Florida 34994

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a meeting of Council's Comprehensive Economic Development Committee

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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 5 days before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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).

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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The South Florida Water Management announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Thursday, April 18, 2019, 5:00 p.m. – 8:00 p.m.; Friday, April 19, 2019, 9:00 a.m. – 11:00 a.m., Loxahatchee River Watershed Restoration Project (LRWRP)

**PLACE:** Thursday, April 18, 2019, 5:00 p.m. – 8:00 p.m., Town of Jupiter Community Center, 200 Military Trail, Room A/B, Jupiter, FL 33458; Friday, April 19, 2019, 9:00 a.m. – 11:00 a.m., South Florida Water Management District Headquarters, 3301 Gun Club Road, B-1 Auditorium, West Palm Beach, FL 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The U.S. Army Corps of Engineers (Corps) Jacksonville District announce a series of public meetings to develop an Integrated Project Implementation Report and Environmental Impact Statement consistent with the National Environmental Policy Act (NEPA) for the Loxahatchee River Watershed Restoration Project (LRWRP).

The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in these meetings. No Governing Board action will be taken.

The Draft LRWRP Integrated PIR/EIS was released for public review on March 22, 2019 and is available at:

<https://usace.contentdm.oclc.org/digital/collection/p16021coll7/id/10265>

The comment period ends May 6.

Submit comments by email: LoxRiverComments@usage.army.mil

Submit comments by mail: Dr. Ann Hodgson, U.S. Army Corps of Engineers Jacksonville District, P.O. Box 4970, Jacksonville, FL 32232-0019

Additional Information is available on the Corps website at <https://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/Loxahatchee-River-Watershed-Restoration-Project/>.

A copy of the agenda may be obtained by contacting: Erica Skolte, (561)340-1527 or Erica.A.Skolte@usace.army.mil.

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: District Clerk, (561)682-6805. 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: Erica Skolte, 561-340-152, or Erica.A.Skolte@usace.army.mil.

**DEPARTMENT OF ELDER AFFAIRS**

Division of Volunteer and Community Services

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

**DATE AND TIME:** April 26, 2019, 9:00 a.m.

**PLACE:** Florida State Capitol Building Room 216, 400 South Monroe Street

Tallahassee, Florida 32399 or by Phone 1(888)585-9008  
Participant ID: 600 513 360 #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** In accordance with Section 430.501, Florida Statutes, the Alzheimer's Disease Advisory Committee will be holding a quarterly meeting in order to fulfill its duties in advising the Department of Elder Affairs in the performance of its duties under this act regarding legislative, programmatic, and administrative matters that relate to those living with Alzheimer's disease and their caretakers.

A copy of the agenda may be obtained by contacting: Pete Cohen at cohenp@elderaffairs.org or (850)414-2034.

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: Pete Cohen at cohenp@elderaffairs.org or (850)414-2034. 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: Pete Cohen at cohenp@elderaffairs.org or (850)414-2034.

#### DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The DEPARTMENT OF ELDER AFFAIRS announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2019, 1:00 p.m.

PLACE: 4040 Esplanade Way, Room 225F, Tallahassee, FL 32399 or by Phone 1(888)585-9008 Participant ID: 600 513 360#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Memory Disorder Clinic Coordinators will be holding a quarterly meeting in order to fulfill their duties as described in contract with the Department of Elder Affairs.

A copy of the agenda may be obtained by contacting: Tracey Aittama at AittamaT@elderaffairs.org or (850)414-2343.

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: Tracey Aittama at AittamaT@elderaffairs.org or (850)414-2343. 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: Tracey Aittama at AittamaT@elderaffairs.org or (850)414-2343.

#### DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 19, 2019, 9:00 a.m.

PLACE: Conference Call; Conference Line Number: 1(888)585-9008; Conference Room Number: 600 513 360#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Miami. The goal of the DCCI Task Force is to engage communities across the state to be more Dementia-Caring, promote better care for Floridians affected by dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Laura Copeland, Department of Elder Affairs, (850)414-2020, CopelandL@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Laura Copeland, Department of Elder Affairs, (850)414-2020, CopelandL@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Laura Copeland, Department of Elder Affairs, (850)414-2020, CopelandL@elderaffairs.org.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.640 Withlacoochee Basin TMDLs

The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: May 15, 2019, 1:30 p.m.

PLACE: Dunnellon Library, 20351 Robinson Road, Dunnellon, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on draft nutrient total maximum daily loads (TMDLs) for impaired waters in the Withlacoochee Basin, to be adopted in Rule 62-304.640, F.A.C. The draft TMDLs to be presented at the public workshop are for Wilson Head Spring (WBID 1329R), Blue Spring (Citrus County) (1329S), and Gum Springs (1338A). These nutrient TMDLs, if adopted, will constitute site-specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(48)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2) for these particular waters. The Department will accept written comments on the draft TMDLs, as well as the establishment of these nutrient TMDLs as site-specific interpretations of the narrative nutrient criterion, through May 24, 2019. Written comments should be directed to: Erin Rasnake, Program Administrator, Florida Department of Environmental Protection, MS 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Erin.Rasnake@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Shamyah Gibson, Department of Environmental Protection, MS 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8449.

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: Ms. Shamyah Gibson, (850)245-8449. 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

Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on August 2, 2018 in volume 44/150.

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

PLACE: Crowne Plaza Downtown, 304 W. Colonial Drive, Orlando, Florida, 32801, (407)843-8700

PURPOSE: To discuss general board business.

A copy of the agenda may be obtained by visiting [www.floridasmentalhealthprofessions.gov](http://www.floridasmentalhealthprofessions.gov). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office by phone to (850)245-4292 at least one week prior to the meeting.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on August 2, 2018 in volume 44/150.

DATE AND TIME: August 15, 2019, 8:00 a.m. ET

PLACE: DoubleTree by Hilton Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida, 32812, (407)856-0100

PURPOSE: To discuss general board business.

A copy of the agenda may be obtained by visiting [www.floridasmentalhealthprofessions.gov](http://www.floridasmentalhealthprofessions.gov). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System

at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office by phone to (850)245-4292 at least one week prior to the meeting.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling

The Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on August 21, 2018 in volume 44/163.

DATE AND TIME: November 14, 2019, 8:00 a.m. ET

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the-Hills, Florida, 34737, 1(800)874-9053

PURPOSE: To discuss general board business.

A copy of the agenda may be obtained by visiting [www.floridasmentalhealthprofessions.gov](http://www.floridasmentalhealthprofessions.gov). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office by phone to (850)245-4292 at least one week prior to the meeting.

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialist

The Department of Health, Board of Hearing Aid Specialist, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on January 17, 2019 in volume 45/12.

DATE AND TIME: July 12, 2019, 10:00 a.m. ET

PLACE: Renaissance Hotel, 6677 Sea Harbor Drive, Orlando, FL, 32821, (407)351-5555

PURPOSE: To conduct general board business.

A copy of the agenda may be obtained by visiting [www.floridashearingaidspecialists.gov](http://www.floridashearingaidspecialists.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is

to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4292 at least one week prior to meeting date.

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**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

The Board of Hearing Aid Specialists announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 11, 2019, 10:00 a.m. ET

**PLACE:** 1(888)585-9008, When prompted, enter conference room # 599-196-982

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct general Board business.

A copy of the agenda may be obtained by contacting: [www.floridashearingaidspecialists.gov](http://www.floridashearingaidspecialists.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4292 at least one week prior to meeting date.

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**DEPARTMENT OF HEALTH**

**Board of Nursing**

The Board of Nursing announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** April 23, 2019, 10:30 a.m.

**PLACE:** Toll Free Number – 1(888)585-9008, 275-112-502

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>

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: 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.

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**DEPARTMENT OF HEALTH**

**Board of Opticianry**

The Department of Health, Board of Opticianry, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on January 4, 2019 in volume 45/03.

**DATE AND TIME:** April 26, 2019, 12:00 Noon ET

**PHONE NUMBER:** 1(888)585-9008 when prompted, enter conference room # 599-196-982

**PURPOSE:** To conduct general board business.

A copy of the agenda may be obtained by visiting [www.floridasopticianry.gov](http://www.floridasopticianry.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4292 at least one week prior to meeting date.

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**DEPARTMENT OF HEALTH**

**Board of Opticianry**

The Department of Health, Board of Opticianry, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on January 4, 2019 in volume 45/03.

**DATE AND TIME:** July 26, 2019, 12:00 Noon ET

**PHONE NUMBER:** 1(888)585-9008 when prompted, enter conference room # 599-196-982

**PURPOSE:** To conduct general board business.

A copy of the agenda may be obtained by visiting [www.floridasopticianry.gov](http://www.floridasopticianry.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is

to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4292 at least one week prior to meeting date.

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**DEPARTMENT OF HEALTH**

**Board of Opticianry**

The Department of Health, Board of Opticianry, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on January 4, 2019 in volume 45/03.

**DATE AND TIME:** October 25, 2019, 12:00 Noon ET

**PHONE NUMBER:** 1(888)585-9008 when prompted, enter conference room # 599-196-982

**PURPOSE:** To conduct general board business.

A copy of the agenda may be obtained by visiting [www.floridasopticianry.gov](http://www.floridasopticianry.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4292 at least one week prior to meeting date.

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**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

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

**DATE AND TIME:** May 23, 2019, 9:00 a.m.

**PLACE:** Teleconference – 1(888)585-9008, Participant Code: 744469610.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: (850)245-4474.

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: (850)245-4474. 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: (850)245-4474.

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**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

The Department of Health, Board of Athletic Training, announces a CORRECTION as to the Board Office contact number needed to obtain any meeting material or special accommodations for the official Board meeting which was published in the Florida Administrative Register on January 17, 2019 in volume 45/12.

**DATE AND TIME:** July 11, 2019, 9:00 a.m. ET

**PLACE:** Embassy Suites, 4955 Kyngs Heath Road, Kissimmee, FL, 34746, (407)597-4000

**PURPOSE:** To conduct general board business.

A copy of the agenda may be obtained by visiting [www.floridasathletictraining.gov](http://www.floridasathletictraining.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and the evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at least one week in advance by phone to (850)245-4292.

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**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

The Board of Athletic Training announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 17, 2019, 12:30 p.m. ET

**PLACE:** 1(888)585-9008 when prompted, enter conference room 599-196-982#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct general board business.

A copy of the agenda may be obtained by contacting: [www.floridasathletictraining.gov](http://www.floridasathletictraining.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and the evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations

due to disability or physical impairment should contact the Board Office at least one week in advance by phone to (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Thursday, April 18, 2019, 9:00 a.m.

PLACE: Charlotte Behavioral Health, 1700 Education Avenue, Conference room #1, Punta Gorda, FL 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: on-going Charlotte County Community Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones, (239)895-0257.

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: Stephanie Jones, (239)895-0257. 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 CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:RULE TITLES:

- 65C-44.001 Definitions
- 65C-44.002 Types of Guardianship Assistance
- 65C-44.003 Determination of Guardianship Assistance Payments
- 65C-44.004 Guardianship Assistance Agreement
- 65C-44.005 Non-recurring Guardianship Expenses
- 65C-44.006 Extension of Guardianship Assistance Agreement
- 65C-44.007 Redetermination of Guardianship Assistance Payment and Extended Guardianship Assistance Payment

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

DATE AND TIME: April 25, 2019, 12:30 p.m. – 2: 00 p.m. (E.T.)

PLACE: (1) Attending in person at: Florida Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, Room 302H, Tallahassee, FL 32399-0700

(2) Via conference call: Conference call #: 1(888)585-9008, Participant code: 764-921-413

GENERAL SUBJECT MATTER TO BE CONSIDERED: Guardianship Assistance Program rules.

A copy of the agenda may be obtained by contacting: Jodi Abramowitz at (850)717-4470 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)717-4470 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).

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:

69A-37.059 Types of Instructor Certificates Issued

The DEPARTMENT OF FINANCIAL SERVICES announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2019, 3:00 p.m. – 5:00 p.m.

PLACE: 11655 NW Gainesville Road, Ocala, Florida 34482

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop is being conducted to receive input and consider proposed changes to the above-referenced rule, including, but not limited to, definitions for “Certified Training Center” and “Class Offering Approval.”

A copy of the agenda may be obtained by contacting: Mark Harper, Assistant Superintendent, telephone: (352)369-2829, email: Mark.harper@myfloridacfo.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: Mark Harper, Assistant Superintendent, telephone: (352)369-2829, email: Mark.harper@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

The Department of Economic Opportunity (DEO) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 24, 2019, 9:00 a.m.

PLACE: Department of Economic Opportunity, Caldwell Building, 107 E. Madison Street, Room B-050, Tallahassee, Florida 32399, Tele-conference Number: 1(888)585-9008, Conference Code: 717-433-638

GENERAL SUBJECT MATTER TO BE CONSIDERED: Federal regulations related to the Department of Energy funding requests require states, such as Florida, that are applying for Weatherization Assistance Program funding, to prepare a State Plan as part of the application process. Another part of this process is providing the public an opportunity to review and comment on the contents of the State Plan.

The Florida Department of Economic Opportunity is holding a public hearing on Wednesday, April 24, 2019, to receive comments regarding the State of Florida's Weatherization Assistance Program (WAP) State Plan.

**APPEALS INFORMATION:** If a person decides to appeal any decision of the Florida Department of Economic Opportunity with respect to any matter considered at the public meeting, he or she will need a record of the proceeding, and for such purposes he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

A copy of the agenda may be obtained by contacting: Mr. Azhar Mahboob, Community Program Manager, Weatherization Assistance Program, Florida Department of Economic Opportunity, 107 East Madison Street, MSC 400, Tallahassee, Florida 32399-4120, phone: (850)717-8456, fax: (850)488-2488, email: Azhar.mahboob@deo.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 five (5) days before the workshop/meeting by contacting: DEO at (850)717-8450. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-501.301 Law Libraries

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate Rodney McCutcheon, DC# 037023 on April 11, 2019. The following is a summary of the agency's disposition of the petition: As an inmate of the Florida Department of Corrections, Rodney McCutcheon, DC# 037023, may only participate in administrative proceedings that are brought pursuant to paragraph 120.54(3)(c) and subsection (7), Florida Statutes. Pursuant to subsection 120.81(3), Florida Statutes, the Petitioner lacks standing to bring a Petition for Declaratory Statement, and the Department lacks jurisdiction to issue a declaratory statement in this case.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Shaveon Nelson, 501 South Calhoun Street, Tallahassee, Florida 32399, shaveon.nelson@fdc.myflorida.com, (850)717-3605.

#### DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.101 Care of Inmates

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate Jacques Edwards, DC# 188017 on April 11, 2019. The following is a summary of the agency's disposition of the petition: As an inmate of the Florida Department of Corrections, Jacques Edwards, DC# 188017, may only participate in administrative proceedings that are brought pursuant to paragraph 120.54(3)(c) and subsection (7), Florida Statutes. Pursuant to subsection 120.81(3), Florida Statutes, the Petitioner lacks standing to bring a Petition for Declaratory Statement, and the Department lacks jurisdiction to issue a declaratory statement in this case.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Shaveon Nelson, 501 South Calhoun Street, Tallahassee, Florida 32399, shaveon.nelson@fdc.myflorida.com, (850)717-3605.

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from Neurointernational Healthcare, LLC, on March 27, 2019. The petition seeks the agency's opinion as to the applicability of Sections 400.462, 429.02, and 429.14, Florida Statutes as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration via mail at 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, via e-mail at Richard.Shoop@ahca.myflorida.com, or via telephone at (850) 412-3671.

Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Agency. The motion should be filed with the Agency Clerk at the above address within twenty one (21) days of publication of this notice. Any petition for leave to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement

from Jon Whitehouse. The petition seeks the agency's opinion as to the applicability of whether Petitioner is required to be licensed by the Division in order to lawfully conduct the activities described in the petition as it applies to the petitioner. A copy of the Petition for Declaratory Statement may be obtained by contacting: Courtney Conner Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco 2601 Blair Stone Road, Tallahassee, FL 32399-2202, Please refer all comments to: Courtney.Conner@myfloridalicense.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 Wirex USA Inc. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

Withdrawal of Petition. On 1/28/2019, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Wirex USA Inc. The original petition sought a declaratory statement from the Office on whether its proposed business model (to utilize a third party cryptocurrency custodian to buy/sell/exchange orders from customers on Wirex USA's platform and hold the crypto funds in wallets they, the custodian, maintain), falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. \*\*\*\*\* On 4/10/2019 the Petition was WITHDRAWN.

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)410-9889, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, 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 ENVIRONMENTAL PROTECTION

DEP RFP 2019019 Marketing-Creative Content Development
The Florida Department of Environmental Protection is requesting Proposals from multiple, qualified, vendors that specialize in Marketing-Creative Content Development. The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs\_www.main\_menu

OWEN-AMES-KIMBALL COMPANY

Lovers Key State Park New Visitors Center
Notice of Bid/Request for Proposal

INVITATION TO BID

BID DATE: May 14, 2019

PROJECT: Lovers Key State Park New Visitors Center

Owen-Ames-Kimball is proudly the Construction Manager serving the Florida Department of Environmental Protection for construction of the upcoming New Visitors Center at Lovers Key State Park. The project will consist of approximately 7,000 SF of building which includes an elevated deck, classrooms, restrooms, parking, and utilities. The design is by Sweet-Sparkman Architects, consisting of concrete slabs and pre-cast structural columns, CMU, structural steel, casework, hollow metal and wood doors and aluminum windows and storefront, drywall partitions, acoustical ceilings, flooring, painting, fire sprinklers, plumbing, HVAC and electrical. The project will also include all site improvements for vehicle and pedestrian circulation, parking, storm water management, hardscape,

landscape, irrigation, utilities, lighting, and other civil infrastructure to support the school.

Sealed Bids will be received at the offices of Owen-Ames-Kimball, 11941 Fairway Lakes Drive, Fort Myers, FL 33913 by 12:00 Noon on May 14, 2019. See bid documents for additional information on submitting a bid.

Bid documents are available electronically by contacting Robin Dailey (239)561-4141 or email rdailey@oakfl.com. Do not contact the Architect or Owner for information on this project. All inquiries should be directed to srichards@oakfl.com.

**NEIGHBORHOOD MEDICAL CENTER**

Neighborhood Medical Center RFQ

**PROJECT FACT SHEET**

Design/Build Selection

Renovations to 2613 S. Monroe Street Tallahassee, FL

For Neighborhood Medical Center (No. 03-2019)

**PROJECT DESCRIPTION**

The project will renovate approximately 8,000 SF of existing space in the existing former Hancock Bank building located at 2613 South Monroe, Tallahassee, Florida. It is envisioned that the renovated facility will create spaces to accommodate medical and dental exam rooms, a laboratory, pharmacy, administrative offices, lobby, reception areas, storage, and break/conference rooms. Additional building envelope/facade work, mechanical work, civil engineering and landscape design may also be necessary. All project design work including exterior site and building envelope work, interior architectural design, and MEP and voice/data is to be included. All aspects of this renovation will be ADA compliant. Basic demolition work is expected to begin by May 10, 2019. Design work is expected to be completed by August 15, 2019.

**SELECTION CRITERIA**

Selection will be made based on design/build qualifications, including experience and design ability; successful completion of similar/related projects; and qualifications of the proposed firm's personnel and staff consultants.

**SELECTION SCHEDULE**

The anticipated schedule for selection, award and negotiation is as follows:

Submissions Due: 5:00 p.m. on Friday, April 19, 2019

Selection Decision: no later than Friday, April 26, 2019

Negotiation/Contract: no later than Friday, May 3, 2019

All Respondents will be notified in writing of the Selection Committee's final decision.

**INSTRUCTIONS**

Response shall be typed, number each page consecutively, including letter of interest, licenses, resumes, supplemental information, etc. Submittals must be limited to 40 pages. Covers, table of contents and divider tabs will not count as

pages, provided no additional information is included on those pages. Provide FIVE bound copies (plus one electronic copy on USB) of the submittal. Any submittals exceeding the 40-page limit will be disqualified. Do not list more than the required five projects.

Project Team Registration/Lic. #

Construction:

Architecture:

Mechanical Engineering:

Electrical Engineering:

Civil Engineering:

Structural Engineering:

**1. APPLICANT'S PERSONNEL:**

a. List total number of applicant's personnel, for the applicant office location, by skill group (e.g. project managers, estimators, project engineers, superintendents, registered architects/engineers, technical staff, drafters, etc.)

b. Provide resumes for each individual listed in section 1.a above.

c. Provide a reproduction of the current Florida Contractor's license and the current Florida Architect's license for the applicant Design/Build Team.

**2. EXPERIENCE/REFERENCES:**

a. List the five projects for which the applicant has provided/is providing design/build services which are most related to this project. In determining which projects are most related, consider: related size and complexity; how many members of the proposed team worked on the listed project; how recently the project was completed. List the projects in priority order, with the most related project listed first. Two of these projects must have been completed by the proposed design/build team as Architect/Contractor on those singular projects.

b. For each of the listed projects, provide the following information: construction cost (original contract cost and final construction cost), current phase of development, estimated (or past) completion date, type of construction services provided (design/build, CM at risk with GMP, CM-agency, general contractor-low bid, negotiated general contract, subcontractor to prime), Owner's contact person and telephone number.

**3. SUBMISSION OF RFQ:**

Responses should be addressed as follows, and may be submitted in a sealed envelope at the front desk of the location below:

Jeanne' Freeman, MSP, MSW, Chief Executive Officer, Neighborhood Medical Center, Inc., 872 West Orange Avenue, Tallahassee, FL 32310

Sealed envelope should be clearly marked in the lower left-hand corner as follows:

Request for Qualifications No: 03-2019 for Design/Build Services

See INSTRUCTIONS for additional information.

Late submissions will not be considered.  
 For additional information, contact: Jeanne' Freeman, MSP,  
 MSW, Chief Executive Officer, Neighborhood Medical Center,  
 Inc., (850)577-1558,  
 JFreeman@NeighborhoodMedicalCenter.org.

**Section XII  
 Miscellaneous**

DEPARTMENT OF STATE  
 Index of Administrative Rules Filed with the Secretary of State  
 Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below  
 list of rules were filed in the Office of the Secretary of State  
 between 3:00 p.m., Friday, April 5, 2019 and 3:00 p.m.,  
 Thursday, April 11, 2019.

Rule No.	File Date	Effective Date
40D-8.624	4/8/2019	4/28/2019
53ER19-19	4/10/2019	4/10/2019
53ER19-20	4/11/2019	4/15/2019
53ER19-21	4/11/2019	4/15/2019
53ER19-22	4/11/2019	4/15/2019
53ER19-23	4/11/2019	4/15/2019
53ER19-24	4/11/2019	4/15/2019
53ER19-25	4/11/2019	4/15/2019
53ER19-26	4/11/2019	4/15/2019
53ER19-27	4/11/2019	4/15/2019
53ER19-28	4/11/2019	4/15/2019
53ER19-29	4/11/2019	4/15/2019
61G6-9.002	4/10/2019	4/30/2019
61G6-9.004	4/10/2019	4/30/2019
61G6-9.006	4/10/2019	4/30/2019
61G6-9.009	4/10/2019	4/30/2019
61G6-9.012	4/10/2019	4/30/2019
61G6-9.014	4/10/2019	4/30/2019
61H1-27.001	4/10/2019	4/30/2019
64B8-13.005	4/9/2019	4/29/2019
64B20-6.002	4/9/2019	4/29/2019

68A-13.004	4/9/2019	7/1/2019
68A-15.006	4/9/2019	7/1/2019
68A-15.061	4/9/2019	7/1/2019
68A-15.063	4/9/2019	7/1/2019
<b>LIST OF RULES AWAITING LEGISLATIVE                  APPROVAL SECTIONS 120.541(3), 373.139(7)                  AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 State Revolving Fund Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 CLEWISTON, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that the City of Clewiston's project involving the rehabilitation of existing wastewater transmission facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$1,893,425. 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 State Revolving Fund Program  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 MACCLENNY, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that the City of MacClenny's project involving the rehabilitation of existing wastewater transmission facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$20,218,000. 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).

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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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