



**DEPARTMENT OF COMMERCE**

**Division of Workforce Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
73B-21.002	Form of Appeal
73B-21.003	Filing an Appeal
73B-21.0031	Computation of Time
73B-21.0032	Dismissal
73B-21.005	Notice to Parties
73B-21.008	Review by the Commission
73B-21.009	Record on Appeal to the Commission
73B-21.010	Briefs and Motions
73B-21.011	Newly Discovered Evidence
73B-21.012	Orders of the Commission

**PURPOSE AND EFFECT:** The purpose of the rule revisions is to clarify existing appeal procedures and to incorporate new appeal procedures and standards of review of the Reemployment Assistance Appeals Commission with the effect of optimizing accessibility for the parties and efficiency in the review process.

**SUMMARY:** Rule 73B-21.002 (Form of Appeal) revisions clarify what constitutes the form an appeal and removes language regarding how to file an appeal, which is relocated to Rule 73B-21.003. Rule 73B-21.003 (Filing an Appeal) is reorganized as follows: language regarding how to file an appeal, as set forth in Rule 73B-21.002 (Form of Appeal), is relocated in this section; language regarding computing time periods is deleted from this section and relocated to Rule 73B-21.0031 (Computation of Time); language regarding the dismissal of untimely appeals is deleted from this rule and relocated to Rule 73B-0032 (Dismissal); and language regarding who may file an appeal is deleted since that is already provided by statute. Rule 73B-21.0031(Computation of Time) provides how to compute time periods, as formerly set forth in Rule 73B-21.003 (Filing an Appeal). Rule 73B-21.0032 (Dismissal) establishes the grounds and procedures for dismissing an appeal. Rule 73B-21.005 (Notice to Parties) is revised to clarify when a document is deemed filed and served. Rule 73B-21.008 (Review by the Commission) revisions modify the standard of review of a referee’s legal conclusion; add a standard of review for procedural error; and remove language regarding the Commission’s authority to issue written orders, which is relocated to Rule 73B-21.012 (Order of the Commission). Rule 73B-21.009 (Record on Appeal to the Commission) is renumbered for clarity; other revisions delete language mandating the Commission to grant a motion for extension of time to file a brief when made in connection with a request for the record. Rule 73B-21.010 (Briefs and Motions) is revised as follows: to allow for filing documents by email or fax; to require the Commission to provide the parties notice, after resolution of an untimeliness issue, whether the case will be resolved on the merits and, if so, a new briefing schedule;

and to clarify existing rule language. Rule 73B-21.011 (Newly Discovered Evidence) is revised to permit the Commission to investigate administrative records in connection with its review in certain circumstances and to establish procedures for when the Commission considers such records. Rule 73B-21.012 (Orders of the Commission) revisions remove language that the Commission shall review the record because it is superfluous to that provided in Rule 73B-21.008 (Review by the Commission); add language that was previously set forth in Rule 73B-21.008 setting forth the Commission’s authority to reverse, modify, or remand a referee’s decision; and remove the requirement that the Commission shall furnish a copy of the order to the Florida Department of Commerce, since such orders are transmitted and made available to the Department by way of the Department's online system.

**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.

In so determining, the agency prepared a checklist for each rule to assess the necessity for a SERC.

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 proposed rules to be amended establish procedures for the Commission's appellate level review and have no economic impact. Based on the information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rules will not require legislative ratification.

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

**RULEMAKING AUTHORITY:** 443.012(11) FS.

**LAW IMPLEMENTED:** 443.151(4)(b)-(d) 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:** Katie Sabo, Executive Senior Attorney, Reemployment Assistance Appeals Commission, 1211 Governors Square Blvd., Ste. 300, Tallahassee, FL 32301, (850)692-0157, katie.sabo@raac.myflorida.com.

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

**73B-21.002 Form of Appeal.**

(1) ~~A written appeal statement that is responsive to and expresses disagreement with an adverse referee’s decision shall be accepted as an appeal. The written appeal statement should include any allegation(s) of error with respect to the referee’s decision and/or the proceedings below and factual and/or legal support for the allegations. Allegations of error not specifically set forth in the appeal statement may be considered forfeited. An appeal of an appeals referee’s decision may be filed on line at the Florida Department of Commerce website at <http://www.floridajobs.org/RAACIAP>, (A100RAAC(O) Florida Reemployment Assistance Appeals Commission Request for Review), Rev. 04/12, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01661>, incorporated herein by reference, or at any of the following locations:~~

~~(a) By facsimile (FAX), courier service, in person or mail to the Reemployment Assistance Appeals Commission (1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301, facsimile (FAX) number (850)488-2123); or~~

~~(b) By facsimile (FAX), courier service, in person or mail to the central appeals office maintained by the Department of Economic Opportunity Office of Appeals (physical address: Caldwell Building MSC #347, 107 East Madison Street, Tallahassee, FL 32399-4143; mailing address: P.O. Box 5250, Tallahassee, FL 32399-5250; facsimile (FAX) number (850)617-6504).~~

~~(2) An appeal shall be in writing and should contain the following:~~

~~(a) The claimant’s name and last four digits of the claimant’s social security number;~~

~~(b) The name, tax account number, and mailing address of the employer or employers involved;~~

~~(c) The email address of the appellant; and~~

~~(d)(e) The referee decision docket number of the case being appealed.~~

~~(3) The following shall constitute acceptable methods of appeal:~~

~~(a) Any legible written notice filed in accordance with these rules which expresses disagreement with or otherwise indicates a desire to appeal;~~

~~(3)(b) To assist a party in ensuring all the information listed in subsection (2) is included, an appeal may be filed online as provided by paragraph 73B-21.003(1)(a), F.A.C., or by completing Any person entitled to file an appeal may obtain an appeal form (A100RAAC(E) (English) Reemployment Assistance Appeals Commission Request For Review, Rev. XX/XX 04/12; <http://www.flrules.org/Gateway/reference.asp?No=Ref-01662>); (A100RAAC(S) (Spanish), Solicitud de Revisión Por la Comisión de Apelaciones de Asistencia al Reempleo, Rev.~~

~~XX/XX~~

~~04/12,~~

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01663>); (A100RAAC(C) (Creole), Komisyon Dapèl Asistans Reyanochoj Demann Pou Revizyon, Rev. XX/XX 04/12, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01664>), incorporated herein by reference, at the Department’s website at <http://www.floridajobs.org/RAforms>. Use of the form is not mandatory; however, whatever instrument used should include the information required in subsection (2), and a concise statement of any and all allegations of error with respect to the referee’s decision, and factual and legal support for these challenges. Allegations of error not specifically set forth in the request for review may be considered waived.~~

~~(4)(e) Failure to include all of the information listed in subsection (2), and paragraph (3)(b), will not constitute cause for rejection of the appeal, but may result in a delay in processing the appeal.~~

~~(5)(4) With leave from the Commission, an amended appeal may be filed in the manner prescribed by rule for filing an original appeal.~~

~~Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 60BB-6.02, Amended 8-20-86, 8-7-01, Formerly 38E-2.002, 60BB-6.002, Amended 10-4-12,\_\_\_\_\_.~~

**73B-21.003 Method of Filing an Appeal.**

~~(1) Appeals may be filed with the Commission; Any person who is entitled by law to notice of an appeals referee’s decision may file an appeal of that decision within 20 calendar days after the mailing of notice of the appeals referee’s decision to the parties at their last known addresses or, if not mailed, within 20 calendar days after the date of delivery of such notice.~~

~~(a) Online at <https://raaciap.floridajobs.org>;~~

~~(b) By facsimile (FAX), (850)488-2123; or~~

~~(c) By mail, courier service, or in-person, 1211 Governors Square Boulevard, Suite 300, Tallahassee, FL 32301.~~

~~(2) If an appeal is submitted to the Florida Department of Commerce, the Department will forward the appeal to the Commission. The filing date for purposes of computing timeliness of the appeal will be calculated as set forth in Rule 73B-21.0031, F.A.C. However, submitting an appeal to the Department may result in a delay in processing the appeal. Appeals filed to the locations specified in Rule 73B-21.002, F.A.C., by mail are filed when postmarked by the United States Postal Service. Appeals filed at the locations specified in Rule 73B-21.002, F.A.C., by hand delivery, courier service, or facsimile (FAX) are filed when date stamped at the authorized location. Appeals filed through the Department website as provided in Rule 73B-21.002, F.A.C., shall be considered to have been filed on the date the confirmation number is issued.~~

~~(3) An appeal delivered in person or by facsimile transmission will be date stamped by a Commission or Florida Department of Commerce employee on the date hand delivered or the date placed on the document by the Department or Commission fax system. The Internet filing system shall post on the appeal the date the confirmation number is issued and the appeal was successfully received by the system.~~

~~(4) In computing any period of time prescribed or allowed by these rules, the date of rendition of a decision, order, notice, or the filing of an appeal from which a designated period of time begins to run shall not be counted. The last day of the period shall be counted unless it is a Saturday, Sunday or holiday, in which event, the period shall run until the end of the next day that is not a Saturday, Sunday or holiday. As used in this rule, holiday means:~~

~~(a) Those dates so designated by the Section 110.117, F.S.;~~

~~(b) Any other day on which the Office of the Clerk of the Commission is closed; and,~~

~~(c) Any other day on which the United States Postal Service is closed.~~

~~(5) An application for review which is not filed within the time allowed by law shall be dismissed by the Commission for lack of jurisdiction. The dismissal decision shall be limited to findings of fact and a conclusion of law regarding the timeliness of the application for review.~~

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(b), (c), (d) FS. History—New 5-22-80, Formerly 38E-2.03, Amended 8-20-86, 1-5-93, 8-7-01, Formerly 38E-2.003, 60BB-6.003, Amended 11-1-12, 12-6-16, \_\_\_\_\_.*

### **73B-21.0031 Computation of Time**

The following rules apply in computing any period of time stated in days as prescribed by Section 443.151(4)(b)6., F.S., or allowed by this chapter.

(1) Periods of time shall be calculated in consecutive calendar days.

(2) Days shall be counted beginning with the day following the date of rendition of a decision, order, notice, or the filing of an appeal. The last day of the period shall be counted unless it is a Saturday, Sunday, or holiday, in which event, the period shall run until the end of the next day that is not a Saturday, Sunday, or holiday. For the purpose of this section, "holiday" means:

(a) Those dates so designated by Section 110.117, F.S.;

(b) Any other day on which the Office of the Clerk of the Commission is closed;

(c) Any other day on which the United States Postal Service is closed; and

(d) Any other day covered by an order issued pursuant to Florida Rule of General Practice and Judicial Administration

2.205(a)(2)(B)(iv) that suspends, tolls, or otherwise grants relief from time deadlines for the area in which the appellant resides.

(3) Appeals mailed are deemed filed when postmarked by the United States Postal Service. Appeals delivered in person or by courier are deemed filed when date stamped at the authorized location. Appeals sent by facsimile are deemed filed on the date recorded by the Commission's fax system or the date received by the Department. Appeals submitted through the Department's website are deemed filed on the date the confirmation number is issued, which the internet filing system shall post on the appeal.

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(c), (d) FS. History—New \_\_\_\_\_.*

### **73B-21.0032 Dismissal.**

(1) An appeal which is not filed within the time allowed by law shall be dismissed by the Commission for lack of jurisdiction. Prior to dismissing an appeal for untimeliness, a party shall have the opportunity to explain the reason for the untimely appeal and/or establish a legal basis for the Commission to exercise jurisdiction. The Commission may issue an order to show cause and consider the appellant's response, if timely filed.

(2) In addition to the ground for dismissal set forth in subsection (1), the Commission may dismiss an appeal if:

(a) The appeal is not responsive to or does not express disagreement with a referee's decision as required by subsection 73B-21.002(1), F.A.C.;

(b) The appealed referee's decision is not adverse to the appellant;

(c) The appeal was docketed in error;

(d) There is no disputed issue to be decided; or

(e) The matter is moot.

(3) A dismissal order issued pursuant to this rule shall be in writing and specify the grounds for dismissal.

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(c), (d) FS. History—New \_\_\_\_\_.*

### **73B-21.005 Notice to Parties.**

(1) No change.

(2) A copy of all briefs, motions, documents and correspondence filed with the Commission shall be served by the filing party on the opposing party or parties. Briefs, motions, documents and correspondence are considered filed and served when received by the Commission.

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 38E-2.05, Amended 8-20-86, Formerly 38E-2.005, 60BB-6.005, Amended \_\_\_\_\_.*

**73B-21.008 Review by the Commission.**

(1) ~~The Commission shall review the appeals referee's decision to determine: whether the fairness of the proceedings or the correctness of the decision may have been impaired by a material error in procedure; whether the findings of fact are supported by competent, substantial evidence in the record; and whether the legal conclusions are in accord with the law. The review conducted by the Commission shall be limited to matters contained within the official record which was before the appeals referee and such new evidence as is accepted by the Commission pursuant to Rule 73B-21.011, F.A.C.~~

(2) ~~The Commission's review shall be limited to the matters contained within the record on appeal as provided in Rule 73B-21.009, F.A.C. The Commission may relinquish jurisdiction and direct the taking of additional evidence by an appeals referee or other hearing officer. The evidence shall be taken as prescribed by rule for the taking of evidence in hearings before referees. Unless otherwise directed, jurisdiction shall revert to the Commission for final disposition.~~

(3) ~~The Commission shall review the appeals referee's decision to determine whether the findings are supported by competent substantial evidence in the record and the legal conclusions are in accord with the essential requirements of the law. By written decision, the Commission shall affirm, modify, or reverse the referee's decision, or shall remand with instructions.~~

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(c), (d) FS. History—New 5-22-80, Formerly 38E-3.02, Amended 8-20-86, Formerly 38E-3.002, 60BB-7.002, 73B-22.002, Amended \_\_\_\_\_.*

**73B-21.009 Record on Appeal to the Commission.**

(1) The contents of the record on appeal ~~before~~ ~~to~~ the Commission shall consist ~~only~~ of:

(a) ~~The official record that was before the appeals referee, including:~~

~~1.(a)~~ All notices, pleadings, motions, intermediate rulings, and evidence received or considered by the appeals referee or other hearing officer, as well as all proffers of proof, objections and rulings thereon;

~~2.(b)~~ All department memoranda or data submitted to the appeals referee or other hearing officer, provided that such memoranda or data were submitted prior to disposition of the appeal, after notice of the submission to all parties;

~~3.(c)~~ All matters placed upon the record after an ex parte communication pursuant to Section 120.66(2), F.S.; ~~and~~

~~4.(d)~~ The audio recording of the proceedings made by or under the supervision of the appeals referee or other hearing officer;

(b)(e) The decision of the appeals referee or special examiner, if any;

(c)(f) The notice of docketing of the appeal of the referee's decision by the ~~Reemployment Assistance Appeals~~ Commission, or the order of the Commission removing the proceedings to itself or initiating review upon its own motion;

(d)(g) ~~Newly discovered~~ Evidence accepted by the Commission pursuant to ~~as meeting the requirements of~~ Rule 73B-21.011, F.A.C.

(2) Copies of the Record.

(a) Copies of the record or portions thereof may be obtained by parties or their representatives upon written request.

(b) Parties, other than claimants, shall be required to pay a duplication charge not in excess of actual cost.

(c) ~~A timely motion for extension of time to file a brief, when filed in conjunction with a request for the record, or portions thereof, will be granted.~~

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 38E-3.03, Amended 8-20-86, 1-5-93, Formerly 38E-3.003, 60BB-7.003, Amended 10-4-12, Formerly 73B-22.003, Amended \_\_\_\_\_.*

**73B-21.010 Briefs and Motions.**

(1) Any party may file a brief setting forth the party's position and argument in support thereof. The appellant's brief shall be filed with the Commission and served on the appellee within 15 days of the filing of the appeal application for review. An answer brief shall be filed within 15 days after service of the appellant's brief. If the appellant does not file a brief, the appellant elects to waive its right to file a brief; in that event, the appellee may, nevertheless, file a brief no not later than 30 days after the appeal application for review was filed. The original and two copies of the brief shall be filed with the Commission. Unless otherwise allowed by the Commission, no other briefs may be filed. Briefs not timely filed may not be considered by the Commission.

(2) No change.

(3) ~~Except as provided in Rule 73B-21.009, F.A.C., a~~ A request for an extension of time, postponement or continuance must be filed in writing and shall be granted by the Commission upon a showing of good cause.

(4) A motion to extend the time for filing briefs, when filed within the limits prescribed in subsection (1), above, shall toll the time prescribed until the Commission, by written order, grants or denies the request. An order granting the motion shall state the number of days the time limit is extended. An order denying the motion shall state when the time for filing recommences, again commences to run. If the Commission has previously denied a motion to extend the time for filing a brief on the merits because the appeal was untimely filed, and the untimely appeal is later accepted as timely filed, the Commission shall notify all parties by written order that the

appeal will proceed to the review process described in Rule 73B-21.008, F.A.C. The order shall state the time for briefing.

(5) Briefs, motions or requests may be transmitted filed by hand delivery, courier, mail, email or fax to the Office of the Clerk of the Commission and shall be considered filed when received by the Commission ~~or by depositing the document in the United States mail in a properly addressed envelope with sufficient postage affixed thereto.~~ A copy of all briefs, motions, or requests shall be served on the opposing party or parties by hand delivery, courier, or by mail.

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 38E-3.04, Amended 8-20-86, Formerly 38E-3.004, 60BB-7.004, 73B-22.004, Amended.*

**73B-21.011 Supplemental Newly Discovered Evidence.** Notwithstanding subsection 73B-21.008(2), F.A.C., the Commission can consider supplemental evidence under the circumstances as set forth in this rule. Any evidence considered under this rule will be marked as an exhibit and moved into the record.

(1) Newly Discovered Evidence.

~~(a)(1) A party may request~~ Upon written request, the Commission ~~may~~ to consider newly discovered evidence if such evidence is material to the outcome of the case and could not have reasonably been discovered prior to the hearing before the appeals referee.

~~(b)(2) The request shall be in writing and shall include a clear and concise description of the evidence and a statement demonstrating. The requesting party shall demonstrate that the evidence is material to the outcome of the case and that it could not have been reasonably discovered prior to the hearing by an exercise of due diligence.~~

~~(c)(3) Before~~ When the Commission grants a party's request to enter new evidence into the ~~official~~ record on appeal, the opposing party shall be given the opportunity to examine the evidence and offer rebuttal.

(2) Administrative Records.

(a) If the record on appeal indicates that material evidence could be present in the administrative records of the Florida Department of Commerce, the Commission will investigate whether such evidence exists.

(b) If potentially material evidence is found, the Commission shall give the party or parties an opportunity to examine the evidence and will issue an order to show cause as to why that evidence should not be considered before moving the evidence into record on appeal.

(c) In lieu of issuing an order to show cause, the Commission may remand the case to the appeals referee for supplemental proceedings where the evidence raises a fact issue within the province of the referee to decide or requires

additional testimony from the party or parties to supplement or explain the evidence.

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 38E-3.05, Amended 8-20-86, Formerly 38E-3.005, 60BB-7.005, 73B-22.005, Amended.*

**73B-21.012 Orders of the Commission.**

(1) By written decision, the Commission shall affirm, modify, or reverse the referee's decision, or shall remand the matter to the appeals referee with instructions. The Commission shall consider the record before it and enter a written order.

(2) A copy of the order shall be mailed to the last known address of each of the parties or their representatives. ~~A copy shall also be furnished to the workforce program support section of the Florida Department of Commerce.~~ The copies mailed to the parties shall include a notice transmittal form advising them of their right to review of the order by the district courts of appeal.

(3) No change.

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(c), (d) FS. History—New 5-22-80, Formerly 38E-3.07, Amended 8-20-86, 8-7-01, Formerly 38E-3.007, 60BB-7.007, 73B-22.007, Amended.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Katie Sabo, Executive Senior Attorney

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Reemployment Assistance Appeals Commission (Charles T. Faircloth, Jr., Chair; Geri Atkinson-Hazelton, Commissioner; and Thomas D. Epsky, Commissioner)

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 8, 2024

**DEPARTMENT OF COMMERCE**

**Division of Workforce Services**

RULE NOS.: RULE TITLES:

73B-22.008 Filing Notice of Appeal

73B-22.009 Record on Appeal to the Court

PURPOSE AND EFFECT: These rules are to be repealed. There will be no adverse effect on the public.

SUMMARY: Rules 73B-22.008 and 73B-22.009 should be repealed because they are duplicative to the Florida Rules of Appellate Procedure.

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 rules are procedural, and the repeal of these rules will have no economic impact. Therefore, the proposed repeal will not require ratification. There are no applicable federal standards that relate to these rules.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(4)(c)-(e) 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: Katie Sabo, Executive Senior Attorney, Reemployment Assistance Appeals Commission, 1211 Governors Square Blvd., Ste. 300, Tallahassee, FL 32301, (850)692-0157, katie.sabo@raac.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

The following rules are hereby repealed:

**73B-22.008 Filing Notice of Appeal.**

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.012(12), 443.151(4)(c)-(e) FS. History—New 5-22-80, Formerly 38E-3.08, Amended 8-20-86, Formerly 38E-3.008, 60BB-7.008, Repealed.*

**73B-22.009 Record on Appeal to the Court.**

*Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(c)-(e) FS. History—New 5-22-80, Formerly 38E-3.09, Amended 10-5-86, 1-5-93, Formerly 38E-3.009, 60BB-7.009, Amended 10-4-12, 12-6-16, Repealed.*

NAME OF PERSON ORIGINATING PROPOSED RULE:

Katie Sabo, Executive Senior Attorney

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Reemployment Assistance Appeals Commission (Charles T. Faircloth, Jr., Chair; Geri Atkinson-Hazelton, Commissioner; and Thomas D. Epsky, Commissioner)

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 17, 2024

Section III  
Notice of Changes, Corrections and  
Withdrawals

NONE

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

DEPARTMENT OF MANAGEMENT SERVICES

Emergency Communications Board

RULE NO.: RULE TITLE:

60FF1-5.013 Call Handling System Maintenance

NOTICE IS HEREBY GIVEN that on March 21, 2024, the Emergency Communications Board, received a petition for variance or waiver filed by Sterling Mullett, ENP, 911 Coordinator, on behalf of Leon County. The Petitioner is seeking a variance of paragraph 60FF1-5.013(4)(a), F.A.C., which states, to participate in this program, each medium and large county must submit its documented CHS maintenance cost for one system for the fiscal year beginning October 1 and ending September 30 by January 1 of the following year. Comments on this petition should be filed with Leon Simmonds, Chairman, Emergency Communications Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Leon Simmonds, Emergency Communications Board Coordinator, at the above address or telephone: (850)922-4135, or by electronic mail – Leon.Simmonds@dms.fl.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on March 21, 2024, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bentley Village PH 6 at 2195 Viewpoint Dr, Naples, FL. Petitioner seeks an emergency variance of the

requirements of ASME A17.1, 2016 Edition, Section 2.7.3.1.1 and FBC 3005.1, 2020, edition, as adopted by 61C-5.001, Florida Administrative Code that requires a permanent and unobstructed means of access shall be provided to machine and control rooms, machinery and control spaces outside the hoistway, machinery and control spaces inside the hoistway that do not have a means of access to the space and an approved means of access shall be provided to elevator machine rooms, control rooms, control spaces and machinery spaces which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2024-047).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on March 21, 2024, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bentley Village PH 6 at 2207 Viewpoint Dr, Naples, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.7.3.1.1 and FBC 3005.1, 2020, edition, as adopted by 61C-5.001, Florida Administrative Code that requires a permanent and unobstructed means of access shall be provided to machine and control rooms, machinery and control spaces outside the hoistway, machinery and control spaces inside the hoistway that do not have a means of access to the space and an approved means of access shall be provided to elevator machine rooms, control rooms, control spaces and machinery spaces which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2024-048).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on March 21, 2024, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bentley Village PH 6 at 2231 Viewpoint Dr, Naples, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.7.3.1.1 and FBC 3005.1, 2020, edition, as adopted by 61C-5.001, Florida Administrative Code that requires a permanent and unobstructed means of access shall be provided to machine and control rooms, machinery and control spaces outside the hoistway, machinery and control spaces inside the hoistway that do not have a means of access to the space and an approved means of access shall be provided to elevator machine rooms, control rooms, control spaces and machinery spaces which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2024-049).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on March 21, 2024, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bentley Village PH 6 at 2219 Viewpoint Dr, Naples, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, 2016 Edition, Section 2.7.3.1.1 and FBC 3005.1, 2020, edition, as adopted by 61C-5.001, Florida Administrative Code that requires a permanent and unobstructed means of access shall be provided to machine and control rooms, machinery and control spaces outside the hoistway, machinery and control spaces inside the hoistway that do not have a means of access to the space and an approved means of access shall be provided to elevator machine rooms, control rooms, control spaces and machinery spaces which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2024-050).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of



Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. [dh.elevators@myfloridalicense.com](mailto:dh.elevators@myfloridalicense.com)

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 8, 2024, by Kells Luke Hetherington. The Notice of Petition for Waiver or Variance was published in Vol. 50, No. 13, of the January 19, 2024, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled, “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” which requires that each candidate must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

The Board considered the Petition at a duly-noticed public meeting held on February 9, 2024, in Orlando, Florida.

The Board’s Order, filed on March 5, 2024, granted the petition, finding that Petitioner established that the Board’s strict application of paragraph 61H1-28.0052(1)(b), F.A.C., to his circumstances, would violate principles of fairness or would impose a substantial hardship on him. The Board further established that, if he were granted the variance, the purpose of the accountancy examination statute would be met as required by Section 473.306, Florida Statute.

A copy of the Order or additional information may be obtained by contacting:

Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email, [Roger.Scarborough@myfloridalicense.com](mailto:Roger.Scarborough@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 12, 2024, by Patti Ann Tripp. The Notice of Petition for Waiver or Variance was published in Vol. 50, No. 14, of the January 22, 2024, Florida Administrative Register. Petitioner

sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled, “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” which requires that each candidate must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

The Board considered the Petition at a duly-noticed public meeting held on February 9, 2024, in Orlando, Florida.

The Board’s Order, filed on March 5, 2024, granted the petition, finding that Petitioner established that the Board’s strict application of paragraph 61H1-28.0052(1)(b), F.A.C., to her circumstances, would violate principles of fairness or would impose a substantial hardship on her. The Board further established that, if she were granted the variance, the purpose of the accountancy examination statute would be met as required by Section 473.306, Florida Statute.

A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email, [Roger.Scarborough@myfloridalicense.com](mailto:Roger.Scarborough@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

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

The Board of Accountancy hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 12, 2024, by Nadia Vlady. The Notice of Petition for Waiver or Variance was published in Vol. 50, No. 13, of the January 19, 2024, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled, “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” which requires that each candidate must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

The Board considered the Petition at a duly-noticed public meeting held on February 9, 2024, in Orlando, Florida.

The Board’s Order, filed on March 5, 2024, granted the petition, finding that Petitioner established that the Board’s strict application of paragraph 61H1-28.0052(1)(b), F.A.C., to her circumstances, would violate principles of fairness or would impose a substantial hardship on her. The Board further established that, if she were granted the variance, the purpose

of the accountancy examination statute would be met as required by Section 473.306, Florida Statute. A copy of the Order or additional information may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email, Roger.Scarborough@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES  
Division of Consumer Services  
RULE NO.: RULE TITLE:  
69J-7.001 The My Safe Florida Home Program  
NOTICE IS HEREBY GIVEN that on March 14, 2024, the Department of Financial; Services, received a petition for Waiver from Dennis H. Kleinman. Dennis H. Kleinman is requesting that the Department of Financial Services grant a Waiver from subsection 69J-7.001(5) of the Florida Administrative Code regarding the “Improvement 4 – Opening Protection (Windows)” requirements that are located on pages 12 and 13 of form DFS-O1-001, Homeowner’s Guide. Comments on this Petition should be filed with the DFS Agency Clerk via mail at 200 East Gaines Street, 612 Larson Building, Tallahassee, Florida 32399-0333; via fax at (850)488-0697; or via email at DFSAgencyClerk@myfloridacfo.com within 14 days of publication of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: the DFS Agency Clerk at any of the contacts above or by telephone at (850)413-4279.

DEPARTMENT OF FINANCIAL SERVICES  
Division of Funeral, Cemetery, and Consumer Services  
RULE NO.: RULE TITLE:  
69K-18.003 Concurrent Internships.  
The Division of Funeral, Cemetery, and Consumer Services hereby gives notice: that the request for waiver, by Tammy Elizabeth Brown, that another internship be granted, was approved at the March 7, 2024, Board Meeting. A copy of the Order or additional information may be obtained by contacting: Crystal Grant at (850)413-3039.

DEPARTMENT OF FINANCIAL SERVICES  
Division of Funeral, Cemetery, and Consumer Services  
RULE NO.: RULE TITLE:  
69K-18.002 Funeral Director Intern Training Program.  
NOTICE IS HEREBY GIVEN that on February 02, 2024, the Division of Funeral, Cemetery, and Consumer Services, received a petition for waiver of certain requirements of Rule 69K-18.003, F.A.C. The petition was filed by Laura M Vinci, who had previously been issued a concurrent internship license

that expired September 9, 2021. Ms. Vinci is now requesting a second renewal of licensure and has filed a petition for waiver of Rule 69K-18.002, F.A.C., which provides that an internship is only for one year unless extended or renewed, and that only one internship per person is allowed. A copy of the Petition for Variance or Waiver may be obtained by contacting: Crystal Grant at (850)413-3039.

## Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION  
RULE NO.: RULE TITLE:  
14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways  
The Florida Department of Transportation announces a public meeting to which all persons are invited.  
DATE AND TIME: April 4, 2024, 2:00 p.m.  
PLACE: Virtual Meeting via Microsoft Teams. To participate via your computer, tablet, or smart phone, please register at this web link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NTRIMzU3ZGItMWEyYy00ZjA4LThkYmItZWmXyThkNWEwNWRk%40thread.v2/0?context=%7b%22id%22%3a%22db21de5d-bc9c-420c-8f3f-8f08f85b5ada%22%2c%22oid%22%3a%221a7cda9f-8587-4abe-8ef0-86148892ac9f%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTRIMzU3ZGItMWEyYy00ZjA4LThkYmItZWmXyThkNWEwNWRk%40thread.v2/0?context=%7b%22id%22%3a%22db21de5d-bc9c-420c-8f3f-8f08f85b5ada%22%2c%22oid%22%3a%221a7cda9f-8587-4abe-8ef0-86148892ac9f%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Context Classification Task Team Subcommittee of the Florida Manual of Uniform Minimum Standards for Design, Construction, and Maintenance (Florida Greenbook) to develop guidance for future editions of the Florida Greenbook. A copy of the agenda may be obtained by contacting: Jacqui Morris, Criteria Publications Coordinator, Florida Department of Transportation, at jacqueline.morris@dot.state.fl.us or (850)414-4352.

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: Jacqui Morris, jacqueline.morris@dot.state.fl.us or (850)414-4352. 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: Jacqui Morris, jacqueline.morris@dot.state.fl.us or (850)414-4352.

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 2, 2024, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S. Persons who may be affected by Commission action on certain items on the Conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C. The Commission Conference Notice, Agenda, related documents, and FPSC contact information are available at [www.floridapsc.com](http://www.floridapsc.com).

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF CONFERENCE: If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission’s website ([www.floridapsc.com](http://www.floridapsc.com)) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

A copy of the agenda may be obtained by contacting: Office of Commission Clerk at (850)413-6770.

**REGIONAL PLANNING COUNCILS**

**Apalachee Regional Planning Council**

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

DATE AND TIME: March 28, 2024, 10:00 a.m., ET

PLACE: Apalachee Regional Planning Council

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold regular bi-monthly meeting of Apalachee Regional Planning Council (ARPC).

A copy of the agenda may be obtained by contacting: Melissa Franklin, ARPC Communications Coordinator, 2507 Callaway Road, Ste. 100, Tallahassee, FL 32303 or emailing [MFranklin@arpc.org](mailto:MFranklin@arpc.org) or calling (850)312-5016.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

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

DATE AND TIME: Tuesday, April 9, 2024, 10:00 a.m., Governing Board meeting

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Heather Barnes, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4239, or by visiting the District's website at [sjrwm.com](http://sjrwm.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Civil Rights Coordinator at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: RULE TITLE:

40D-8.624 Guidance and Minimum Levels for Lakes

The Southwest Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2024, 5:30 p.m.

PLACE: This meeting will be an internet-based meeting and will take place via Microsoft Teams. Please click on or copy and paste the following link into your browser and follow the instructions provided at the website:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NjY3NTlkNDctMGFkOC00Zj13LWJiZjktMGE1ZTBiOTkwODNI%40thread.v2/0?context=%7b%22Tid%22%3a%227d508ec0-09f9-4402-8304-3a93bd40a972%22%2c%22Oid%22%3a%22e9644dba-b75f-42f7-8c25-a83e5b34e61c%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjY3NTlkNDctMGFkOC00Zj13LWJiZjktMGE1ZTBiOTkwODNI%40thread.v2/0?context=%7b%22Tid%22%3a%227d508ec0-09f9-4402-8304-3a93bd40a972%22%2c%22Oid%22%3a%22e9644dba-b75f-42f7-8c25-a83e5b34e61c%22%7d)

Alternatively, attendees may join the meeting by telephone by dialing 1-786-749-6127 and when prompted enter the conference ID: 906 393 601#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed minimum levels for Lakes Tulane and Verona, in

Highlands County, pursuant to Sections 373.042, and 373.0421, F.S.

A copy of the agenda may be obtained by contacting: T.J. Venning, PWS, Staff Environmental Scientist, at (352)269-5980, or by email at [tj.venning@swfwmd.state.fl.us](mailto:tj.venning@swfwmd.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office, (352)796-7211, ext. 4706; 1(800)423-1476 (FL only), ext. 4706 or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: T.J. Venning, PWS, Staff Environmental Scientist, at (352)269-5980, or by email at [tj.venning@swfwmd.state.fl.us](mailto:tj.venning@swfwmd.state.fl.us).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

The Division of Drugs, Devices and Cosmetics announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 25, 2024, 9:30 a.m.

PLACE: Telephone Conference Call Number: (213)458-8552, Conference Room #806796800#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General Business.

A copy of the agenda may be obtained by contacting: Stephanie Prine, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, (850)717-1800, [Stephanie.Prine@myfloridalicense.com](mailto:Stephanie.Prine@myfloridalicense.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 10 days before the workshop/meeting by contacting: Stephanie Prine, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399-1047, (850)717-1800, [Stephanie.Prine@myfloridalicense.com](mailto:Stephanie.Prine@myfloridalicense.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Stephanie Prine, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone

Road, Tallahassee, FL 32399-1047, (850)717-1800, [Stephanie.Prine@myfloridalicense.com](mailto:Stephanie.Prine@myfloridalicense.com).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department Of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2024, 1:00 p.m., EDT

PLACE: WEBINAR:  
<https://attendee.gotowebinar.com/register/3155166701010665047>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The meeting notice ID 28181039, submitted on 3/25/24 in the Florida Administrative Register (FAR) in Publication Volume 50, Number 59 had an incorrect meeting date. This meeting notice supersedes the previously submitted notice and is corrected to show the updated meeting date.

This is a public meeting of interested stakeholders to discuss the St. Lucie River and Estuary Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the adopted Total Maximum Daily Load (TMDL). The primary purposes of this meeting are to provide the annual update on the adopted BMAP and discuss the process for developing the 5-Year Review and its components. The public and stakeholders will have an opportunity to view and comment during the meeting by utilizing the following link:

<https://attendee.gotowebinar.com/register/3155166701010665047>.

A copy of the agenda may be obtained by contacting: Diana Turner at [Diana.M.Turner@FloridaDEP.gov](mailto:Diana.M.Turner@FloridaDEP.gov).

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact Stacie Taylor at (850)245-2118 or [LEP@FloridaDEP.gov](mailto:LEP@FloridaDEP.gov) at least 48 hours before the meeting. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

**DEPARTMENT OF HEALTH**

The Institutional Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 3, 2024, 9:00 a.m. - 10:30 a.m.

PLACE: 4025 Esplanade Way Conference Room 105E  
Microsoft Teams

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct & review new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to ensure research studies comply with regulations per the Department's ethical standards.

A copy of the agenda may be obtained by contacting: Public Health Research Unit Division of Community Health Promotion, (850)245-4585.

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: Marcia Forbes, IRB Coordinator, (850)245-4603. 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: Public Health Research Unit Division of Community Health Promotion, (850)245-4585.

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#### DEPARTMENT OF HEALTH

##### Board of Optometry

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

DATE AND TIME: Wednesday, April 24, 2024, 9:00 a.m.

PLACE: <https://meet.goto.com/258065829>

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

General board business, to include licensure and discipline

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4355. 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: [MQA.Optomtry@flhealth.gov](mailto:MQA.Optomtry@flhealth.gov).

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#### DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support  
The Bureau of Emergency Medical Oversight announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2024, 9:30 a.m. – 4:30 p.m.

PLACE: Marion County Fire Rescue, 696 NW 30th Avenue, Ocala, FL 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: The EMS Advisory Council Workbook Subcommittee will be meeting to review and complete the Instructor Guide for the State PST workbook.

A copy of the agenda may be obtained by contacting: Lisa Cahill at (352)438-2855

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: Lisa Cahill at (352)438-2855. 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: Lisa Cahill at (352)438-2855.

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#### DEPARTMENT OF MILITARY AFFAIRS

The Florida State Guard announces a public meeting to which all persons are invited.

DATE AND TIME: March 27, 2024, 2:00 p.m., EST

PLACE: 2601 South Blair Stone Road

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida State Guard (FSG) will conduct a public meeting for Request for Proposal No.: FSG-ITN-23/24-1004, entitled "King Air 350/360 CER Aircraft".

The purpose of the meeting is to open and record Replies received for the above ITN.

Any changes or additional meeting(s) will be posted on the Vendor Information Portal (VIP) in accordance with Section 287.042(3), Florida Statutes. Access the VIP at <https://vendor.myfloridamarketplace.com/>.

DMS will not re-advertise any notice in the Florida Administrative Register (FAR).

A copy of the agenda may be obtained by contacting: [reflacher.maddox@floridastateguard.fl.gov](mailto:reflacher.maddox@floridastateguard.fl.gov)

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#### DEPARTMENT OF COMMERCE

##### Division of Workforce Services

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

DATE AND TIME: April 3, 2024, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 261 180 880#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disposition of cases pending before the Reemployment Assistance Appeals Commission and Commission business. No public testimony or comment will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at [RAAC.Inquiries@commerce.fl.gov](mailto:RAAC.Inquiries@commerce.fl.gov) or by visiting <https://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about->

the-reemployment-assistance-appeals-commission2/raac-notices.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: the Commission Clerk at (850)692-0180. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Commission Clerk at (850)692-0180.

**NORTHWEST FLORIDA AREA AGENCY ON AGING**

The Northwest Florida Area Agency on Aging announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2024, 4:00 p.m.

PLACE: Virtual Meeting via Zoom

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Rescheduled Board Meeting to review proposed changes to the NWFLAAA Bylaws.

A copy of the agenda may be obtained by contacting: Anna Dyess at (850)494-7101

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: Anna Dyess at (850)494-7101. 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: Anna Dyess at (850)494-7101

**AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC.**

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2024, 8:30 a.m.

PLACE: Area Agency on Aging, 4400 North Congress Avenue, West Palm Beach, FL 33407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Agency governance

A copy of the agenda may be obtained by contacting: Dwight Chenette at (561)684-5885 or DChenette@aaapbtc.org

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

participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Dwight Chenette at (561)684-5885 or DChenette@aaapbtc.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: Dwight Chenette at (561)684-5885 or DChenette@aaapbtc.org

**CAREERSOURCE FLORIDA**

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

DATE AND TIME: April 9, 2024, 2:30 p.m.

PLACE: Virtual

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Matters related to CareerSource Florida.

A copy of the agenda may be obtained by contacting: www.careersourceflorida/boardroom

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: Madison Frazee at (850)759-4348. 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: Madison Frazee at (850)759-4348 or mfrazee@careersourceflorida.com

**FLORIDA LEAGUE OF CITIES**

The Florida Municipal Insurance Trust (FMIT) announces a public meeting to which all persons are invited.

DATE AND TIME: CANCELED (ID: 28180166 Vol. 50/58 AND 28180263 Vol. 50/58)

PLACE: Florida League of Cities, 301 South Bronough Street, Suite 300, Tallahassee, FL 32301 – (850)222-9684.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
CANCELED: Florida Municipal Insurance Trust (FMIT) general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Florida League of Cities, 301 South Bronough Street, Suite 300, Tallahassee, FL 32301 – (850)222-9684, where a communications media technology facility will be located

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Michaela

Metcalf, email: [mmetcalf@flcities.com](mailto:mmetcalf@flcities.com) or call: (850)701-3619.

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: Michaela Metcalf, email: [mmetcalf@flcities.com](mailto:mmetcalf@flcities.com) or call: (850)701-3619. 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: Michaela Metcalf, email: [mmetcalf@flcities.com](mailto:mmetcalf@flcities.com) or call: (850)701-3619.

#### CARPE DIEM COMMUNITY SOLUTIONS, INC.

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

DATE AND TIME: Wednesday, April 10, 2024, 12:00 noon (CDT)

PLACE: Online, [www.nwflroads.com/calendar](http://www.nwflroads.com/calendar)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will hold a virtual project update to present information and gather feedback concerning the Klondike Road bridge replacement in Escambia County. This virtual project update can be viewed beginning at 12:00 noon (CDT) Wednesday, April 10, 2024, at [www.nwflroads.com/calendar](http://www.nwflroads.com/calendar).

The intent of this project is to replace the existing structurally deficient bridge on Klondike Road over Unnamed Branch. During construction, a temporary roadway and bridge will be built on the west side to allow construction of the new bridge to occur on the current location.

Driveways within the project limits will be redirected to the temporary roadway during construction. Once bridge construction is complete the driveways will be returned to the permanent roadway.

Additional improvements include new guardrail, new pavement and pavement markings, minor drainage improvements, and sodding.

Additional right-of-way will be required. Visit the project website to review the proposed right-of-way acquisition. Bids for construction are scheduled to occur spring 2024.

Maps, drawings, and other information is available online at 12:00 noon (CDT) Wednesday, April 10, 2024, at [www.nwflroads.com/calendar](http://www.nwflroads.com/calendar). The project materials may also be viewed by contacting the FDOT Project Manager at the below information.

FDOT representatives are available to discuss the proposed improvements, answer questions, and receive comments.

Persons wishing to submit written comments may contact Amy Heikkinen, P.E., FDOT Project Manager, at (850)845-0317, or via email at [ahaikkinen@moffattnichol.com](mailto:ahaikkinen@moffattnichol.com), or by mail at 1141 E. Jackson Avenue, Chipley, FL 32428. The deadline to submit official comments related to this project update is Friday, May 10, 2024.

Public participation is held without regard to race, color, national origin, age, sex, religion, disability, or family status.

A copy of the agenda may be obtained by contacting: the FDOT Project Manager using the information above.

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 seven days before the workshop/meeting by contacting: the FDOT Project Manager using the information above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ian Satter, FDOT District Three Public Information Director, at (888)638-0250, ext. 1205 or via email at [ian.satter@dot.state.fl.us](mailto:ian.satter@dot.state.fl.us).

#### ATKINS - LAKE CITY

The Department of Transportation District 2 announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 2, 4:30 p.m. – 6:00 p.m.

PLACE: In person: Orange Park Library, 2054 Plainfield Ave, Orange Park, Florida 32073; online: [nwflroads.com/VPH](http://nwflroads.com/VPH); by phone: (562)247-8422, access code 221-707-135.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will hold a public meeting to discuss proposed modifications on Blanding Boulevard (State Road 21) from South of Wells Road to Ortega River.

This access management project is being conducted to relieve congestion and enhance safety at the Blanding Boulevard and Wells Road intersection. The project will redesign the Blanding Boulevard and Wells Road intersection to improve the traffic flow and enhance safety for all users. As part of this redesign, the existing median opening in front of the Taco Bell and the Orange Park Mall entrance will be closed.

The meeting will take place virtually and in-person at the Orange Park Library at 2054 Plainfield Ave, Orange Park, Florida 32073. FDOT staff and consultants will be available from 4:30 p.m. – 6:00 p.m. to answer questions and accept comments. A formal hearing and public comment period will begin at 6 p.m.

Persons wishing to submit written statements or other exhibits in place of or in addition to oral statements may do so at the

meeting or by sending them [Eric.Shimer@dot.state.fl.us](mailto:Eric.Shimer@dot.state.fl.us) to or mailing Eric Shimer, 2198 Edison Avenue, Jacksonville, FL 32204. Exhibits or statements postmarked on or before April 12, 2024, will become part of the public record.

A copy of the agenda may be obtained by contacting: Eric Shimer, 2198 Edison Avenue, Jacksonville, FL 32204 or [Eric.Shimer@dot.state.fl.us](mailto:Eric.Shimer@dot.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Briana Ray-Turner,

[Briana.RayTurner@dot.state.fl.us](mailto:Briana.RayTurner@dot.state.fl.us) or (904)360-5481. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Jax Apex Technology, Inc. on November 27, 2023. The following is a summary of the agency's disposition of the petition:

Petitioner requested an answer to the following question, based upon the project described within its petition: Does section R301.2.1.1, Florida Building Code, Residential, 8th Edition (2023), allow performance-based design of roof deck thickness? On February 13, 2024, the Commission provided the following answer: yes. Pursuant to section R301.2.1.1, Florida Building Code, 8th Edition (2023), performance-based design (i.e. ASCE 7) is an acceptable option for designing wood buildings and their roof deck thickness for wind load.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, [AGC.Filing@myfloridalicense.com](mailto:AGC.Filing@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Jack A. Butler on December 06, 2023. The following is a summary of the agency's disposition of the petition:

On December 8, 2023, Petitioner submitted a written request advising that he wished to withdraw his petition. On February 13, 2024, the Commission granted Petitioner's request.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, [AGC.Filing@myfloridalicense.com](mailto:AGC.Filing@myfloridalicense.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Jack A. Butler on December 13, 2023. The following is a summary of the agency's disposition of the petition:

Petitioner requested answers to the following questions based upon the project described within his petition: 1) Does the phrase "special conditions," as used in FBC-Building §107.1, refer to a residential structure larger than 5,000 square feet? 2) Does the phrase "special conditions," as used in FBC-Building §107.1, refer to a residential structure that costs more than \$30,000 to build? 3) Does the phrase "special conditions," as used in FBC-Building §107.1, refer to a residential structure that is located within a high-velocity hurricane zone that conforms to the regional design parameters addressed in the FBC? 4) Are the "additional construction documents" referenced in FBC-Building §107.1 limited to documents that only address any such special conditions that may exist for the project or construction site and do not include the standard construction documents that are to be submitted with a building permit application, as contained in FBC-Building §§107.2 through 107.2.7? On February 13, 2024, the Commission provided the following answers: In response to Petitioner's first question, the square footage "5,350" limitation of the project in question falls outside the scope of section 105.3.1.2, Florida Building Code, Building, 8th Edition (2023), which requires specific documents to be prepared by or under the direction of an engineer registered under chapter 471, Florida Statutes. Additionally, there is no prescribed provision of the Florida Building Code, Building, 8th Edition (2023), which characterizes the square footage of the project in question as a "special condition." However, determination of whether special



conditions exist specific to the project in question is subject to review and determination by the building official. In response to Petitioner’s second, third, and fourth questions, an answer is not possible. The questions are general in nature, and fall outside the specific facts provided regarding the project in question.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

DEPARTMENT OF EDUCATION  
Florida School for the Deaf and the Blind  
RFP-24-106 Settles Gym Storefront Update  
RULE NO.: RULE TITLE:

6D-17.002 Purchasing Department (Repealed)  
PUBLIC ANNOUNCEMENT FOR RFP-24-106 Settles Gym Storefront Update

The Florida School for the Deaf and the Blind (FSDB) requests proposals for the subject project and has issued a Competitive Solicitation to obtain competitive responses from qualified firms consistent with the requirements outlined in the Solicitation Document.

Selection will be made in accordance with the published Solicitation Document. Firm(s) must be properly licensed in the State of Florida at the time of submittal.

Be sure to read the entire solicitation document before contacting the Agency with questions, which must be submitted via e-mail. Only procedural questions will be answered on receipt – all other questions will only be answered according to the published timeline.

RESPONSE DUE DATE: May 14, 2024 no later than 12:45 p.m.

INSTRUCTIONS FOR SUBMITTAL: Firms interested in being considered for this project should access the Solicitation Document from: <http://www.fsdbk12.org/purchasing>. Click “View Current FSDB Competitive Solicitations” and navigate to the project folder. RESPONDENTS ARE RESPONSIBLE for checking the FSDB website for Amendments and addendum. Failure to comply with any changes published to the FSDB website may be grounds for rejecting a proposal.

Primary Contact: Kim Whitwam, Director of Purchasing – [whitwamk@fsdbk12.org](mailto:whitwamk@fsdbk12.org); or Leigh Gillette, Purchasing Analyst - [gilletter@fsdbk12.org](mailto:gilletter@fsdbk12.org).

DEPARTMENT OF MANAGEMENT SERVICES  
Construction Manager Services - Florida Department of Juvenile Justice-Three New Detention Centers-Construction STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

March 25, 2024

The Department of Management Services, Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

RFQ NUMBER: RFQ-REDM2324-15

PROJECT NUMBER: TBD

PROJECT NAME: Construction Manager at Risk for Florida Department of Juvenile Justice (DJJ) - Three New Detention Centers-Construction

PROJECT LOCATION: Three locations in Florida

Please visit the Department’s website [http://www.myflorida.com/apps/VIP/VIP\\_www.main](http://www.myflorida.com/apps/VIP/VIP_www.main)

\_menu and click on “Search Advertisements”, then “Division of Real Estate Development and Management” look for “Opportunities for Design and Construction Firms” and click on link.

**PASCO COUNTY BOARD OF COUNTY COMMISSIONERS**

IFB-KM-24-046 Southwest Utility Improvements  
 IFB-KM-24-046 Southwest Utility Improvements  
 Questions Deadline: April 5, 2024, 1:30 p.m., ET  
 Bid Submissions Due: April 23, 2024, 1:30 p.m., ET  
 All questions and bids MUST be submitted online by visiting <https://pascocountyfl.bonfirehub.com/opportunities/132693>

**VOLUSIA COUNTY SCHOOLS**

Construction – Notice of Upcoming Invitation to Negotiate (ITN) Public Private Partnership (P3) to Build a K-8 School Facility

The School Board of Volusia County, Florida has received an unsolicited proposal under the provisions of Section 255.065, Florida Statutes, Public-Private Partnerships, to build a K-8 school facility in the DeBary area of Volusia County. The proposed project location is at the intersection of South Shell Road and Spring Vista Drive, DeBary, Florida.

Pursuant to Section 255.065, Florida Statutes, the School Board is required to publish notice of receipt of the unsolicited proposal and will accept additional proposals for the same type of project. Any interested party is invited to submit a proposal consistent with the requirements identified below and in compliance with Section 255.065, Florida Statutes.

The bidder(s) shall pay an application fee to the School Board of Volusia County, Florida of \$25,000 to cover the costs of processing, reviewing, and evaluating individual proposals. The proposal application fee is non-refundable and shall be delivered to the School Board via certified check with the proposal. Submissions must have the accompanying fee or will be returned immediately without review or consideration. If extraordinary expenses associated with the School Board’s preliminary evaluation are encountered, the School Board may require additional fees from the proposer. The School Board reserves the right to reject any or all proposals and the School Board’s Board of Directors must authorize any final agreement for the proposed P3 project.

The School Board anticipates posting the Invitation to Negotiate (ITN) on April 1, 2024. ELECTRONIC SUBMITTALS must be submitted to the School Board of Volusia County, Florida, Purchasing Department, via VendorLink. The ITN will be posted on the VendorLink Platform <https://www.myvendorlink.com/>.

For questions or information, please contact: Enid Kunce, Director of Purchasing and Warehousing, School Board of

Volusia County, Email: [etkunce@volusia.k12.fl.us](mailto:etkunce@volusia.k12.fl.us), Phone: (386)734-7190 Ext. 20371.

**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., Tuesday, March 19, 2024, and 3:00 p.m., Monday, March 25, 2024.

Rule No.	File Date	Effective Date
34-8.001	3/22/2024	4/11/2024
34-8.002	3/22/2024	4/11/2024
34-8.005	3/22/2024	4/11/2024
34-8.008	3/22/2024	4/11/2024
34-8.009	3/22/2024	4/11/2024
34-8.202	3/22/2024	4/11/2024
34-8.209	3/22/2024	4/11/2024
61G6-10.002	3/20/2024	4/9/2024
68B-18.005	3/21/2024	4/10/2024

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

Rule No.	File Date	Effective Date
40B-400.091	2/8/2024	**/**/****
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Division of Resource Management  
 NOTICE OF EXTENSION UNDER SECTION 120.74(5),  
 FLORIDA STATUTES  
 In accordance with subsection 120.74(5), F.S., the Department  
 of Environmental Protection (Department) extends the April 1  
 deadline to publish Notice of Proposed Rule for rules required  
 by 2013-205, Laws of Florida, regarding natural gas storage  
 facilities. The Department is continuing its technical research  
 and review related to Florida specific issues for facilities  
 covered by this law.

40C-4.091 3/31/23 \*\*/\*\*/\*\* 49/31 49/47  
 40C-41.043 3/31/23 \*\*/\*\*/\*\* 49/31 49/47

**South Florida Water Management District**  
 40E-4.091 6/27/23 \*\*/\*\*/\*\* 49/78

**DEPARTMENT OF MANAGEMENT SERVICES**  
**E911 Board**

60FF1-5.009 7/21/16 \*\*/\*\*/\*\* 42/105

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-330.010 4/28/23 \*\*/\*\*/\*\* 49/38 49/58  
 62-330.050 4/28/23 \*\*/\*\*/\*\* 49/38 49/58  
 62-330.055 4/28/23 \*\*/\*\*/\*\* 49/38  
 62-330.301 4/28/23 \*\*/\*\*/\*\* 49/38  
 62-330.310 4/28/23 \*\*/\*\*/\*\* 49/38  
 62-330.311 4/28/23 \*\*/\*\*/\*\* 49/38 49/58  
 62-330.350 4/28/23 \*\*/\*\*/\*\* 49/38 49/58  
 62-330.405 4/28/23 \*\*/\*\*/\*\* 49/38 49/58

**DEPARTMENT OF HEALTH**  
**Board of Medicine**

64B8-10.003 12/9/15 \*\*/\*\*/\*\* 39/95 41/49

**DEPARTMENT OF CHILDREN AND FAMILIES**  
**Family Safety and Preservation Program**

65C-9.004 3/31/22 \*\*/\*\*/\*\* 48/28

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.

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

**INDEX TO RULES FILED BETWEEN MARCH 18, 2024,**  
**AND MARCH 22, 2024**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**COMMISSION ON ETHICS**

34-8.001	3/22/24	4/11/24	49/245	
34-8.002	3/22/24	4/11/24	49/245	
34-8.005	3/22/24	4/11/24	49/245	
34-8.008	3/22/24	4/11/24	49/245	
34-8.009	3/22/24	4/11/24	49/245	
34-8.202	3/22/24	4/11/24	49/245	
34-8.209	3/22/24	4/11/24	49/245	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL**  
**REGULATION**

**Electrical Contractors' Licensing Board**

61G6-10.002 3/20/24 4/9/24 50/30

**FISH AND WILDLIFE CONSERVATION**  
**COMMISSION**

**Marine Fisheries**

68B-18.005 3/21/24 4/10/24 50/40

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

**WATER MANAGEMENT DISTRICT**

**Suwannee River Water Management District**

40B-400.091 2/8/24 \*\*/\*\*/\*\* 50/02

**St. John Water Management District**