

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.:	RULE TITLES:
5E-14.1025	Inspections and Investigations
5E-14.105	Contractual Agreements in Public's Interest - Control and Preventive Treatment for Wood-Destroying Organisms
5E-14.117	Application for Examination for Department Applicator Credentials
5E-14.132	Certificate Issuance and Renewal Fees
5E-14.136	Special Identification Card Issuance, Renewal Fees, Forms, and Duties
5E-14.142	Responsibilities and Duties - Records, Reports, Advertising, Applications
5E-14.1421	Identification Card - Training Verification

PURPOSE AND EFFECT: The purpose of this rulemaking is to update forms incorporated by reference, to update statutory authority, to clarify qualifications, and to require consumer notice regarding the terms of wood destroying organisms contracts. The effect of this rulemaking will be to provide notice of revisions to the forms incorporated by reference in the rule, update statutory authority, incorporate forms used to apply for department issued credentials, clarify qualifications for certified operator exam and special identification cards, and require that a consumer notice of terms of wood destroying organisms contract be signed by the consumer prior to contract execution.

SUBJECT AREA TO BE ADDRESSED: Certification qualifications, forms for applications, training verification, and consumer notice of contractual terms in wood destroying organisms contracts.

RULEMAKING AUTHORITY: Sections 482.051, 482.091, 482.1562, 570.07(22), and 570.07(23), FS.

LAW IMPLEMENTED: Sections 482.051, 482.061, 482.091, 482.111, 482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157, 482.161, 482.226, 570.02(1), and 570.07(23), FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: FEBRUARY 22, 2016, 2:30 p.m. – 5:00 p.m.

PLACE: IFAS Research Facility, 2725 South Binion Road, Apopka, Florida 32703

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dale

Dubberly, Chief, Bureau of Inspection & Incident Response, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399, (850)617-7996, Dale.Dubberly@FreshFromFlorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-14.1025 Inspections and Investigations.

(1) The department will conduct routine inspections or for cause investigations of licensees, certified operators, special identification cardholders, employee identification cardholders, all limited certificate holders, and any other person, pursuant to s. 482.061, F.S., in order to ensure:

(a) The protection of the health, safety, and welfare of pest control employees and the general public.

(b) Compliance with Chapter 482, Florida Statutes, and/or Chapter 5E-14, Florida Administrative Code.

(2) The following forms will be used in department inspections and investigations. Copies of these forms may be obtained from the department's Bureau of Inspection and Incident Response, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or online as provided below.

(a) Fumigation Inspection Report, (FDACS-13629, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Licensee Inspection Pest Control Business, (FDACS-13630, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(c) Notice of Inspection Pest Control Business, (FDACS-13633, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) Notice of Inspection Pest Control Service Vehicle Inspection, (FDACS-13655, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(e) Notice of Inspection, (FDACS-13656, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(f) Affidavit - Pretreatment, (FDACS-13658, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(g) Affidavit, (FDACS-13661, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(h) Licensee Inspection Termites and Other Wood-Destroying Organisms Category, (FDACS-13672, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(i) Licensee Inspection Pesticide Product Review, (FDACS-13673, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(j) Licensee Inspection Fumigation Category, (FDACS-13674, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(k) Field Advisory Notice, (FDACS-13675, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(l) Notice of Inspection Limited Certification Commercial Landscape Maintenance Inspection, (FDACS-13676, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(m) Request for Investigation, (FDACS-13621, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(n) Report of Investigation, (FDACS-13640, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(o) Request for Inclusion on AHB Bee Eradication or Removal List, (FDACS-13689, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(p) Company Response To Consumer Allegation, (FDACS-13620, Rev.10/15), which is hereby adopted and

incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(q) Request for Information, (FDACS-13678, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(r) Illegal/Unlicensed Pest Control Operations Report Form, (FDACS-13687, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

(s) Pesticide Sample Collection Report, (FDACS-13234, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

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

Rulemaking Authority 482.051, 570.07(22), 570.07(23) FS. Law Implemented 482.051, 482.061 FS. History—New

5E-14.105 Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms.

(1) Each licensee must enter into a written contract with the property owner or his authorized agent for each treatment for control or prevention of wood-destroying organisms. No such contract shall be entered into after six (6) months following the effective date of this rule without first obtaining specific written consent signed by the property owner or authorized agent using the Consumer Notice Form, (FDACS-13692, Rev 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or at 3125 Conner Boulevard, Bldg 8, Tallahassee, Florida 32399-1650.

(2) Such contract, except as provided in subsection (3) of this section, or an exact ~~copy~~ facsimile thereof must be given to the property owner or his authorized agent for acceptance or rejection before any portion of the work is done and before payment, in part or in full, is received by the licensee. The contract shall clearly set forth the following information:

(a) The complete name and address of the property owner or authorized agent and the complete address of the property to be treated.

(b) All buildings or structures on the property to be included for treatment.

(c) The complete name and business address of the licensee.

(d) The date upon which the written contract is entered into, the period of time covered by the contract, and renewal option, if any.

(e) The complete common name(s) of the wood-destroying organism(s) to be controlled or for which preventive treatment is intended under the contract. Any contract ~~issued after the effective date of this amendment~~ for the treatment or prevention of termites must clearly state on the first page if the contract covers subterranean termites, dry wood termites, or both. If Formosan termites (*Coptotermes formosansus*), or other invasive termite species, are to be excluded from coverage, the this species must be named as excluded.

(f) If an existing infestation is known to be present at the time of treatment, Whether the treatment is for control of existing infestation ~~or prevention of infestation.~~

(g) Whether or not reinspections are to be made under the contract and, if so, approximate time intervals between reinspections, and fees other than renewal fees for same, if any.

(h) The conditions under which retreatments (for reinfestation) will be made; and conditions under which repairs will be made, if any.

(i) The total maximum price to be charged for treatment service, the exact annual renewal fees to be charged under the contract, if any; and the total maximum price to be charged for structural repairs, if any, shown separately.

(j) If the performance of the work is guaranteed by any type or form of bond, the obligations of the bond shall be set forth specifically: i.e., necessary retreatments, repairs, etc. in wording identical to that in the bond itself.

(k) The signature of the licensee or his authorized representative, and the signature of the property owner or authorized agent.

(3) through (6) No change.

(7) A structure shall not be knowingly placed under a second contract for the same wood-destroying organism control or preventive treatment in disregard of the first contract, without first obtaining specific written consent signed by the property owner or authorized agent using the Consumer Consent Form, (FDACS- form-13671 Rev. 10/15) 10/08 Consumer Consent Form, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX.asp?No=Ref-XXXXX>, and on the department's website under the header "Forms" at <http://www.FreshFromFlorida.com/onestop/aes/pestcont.html> or at 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650.

(8) through (9) No change.

Rulemaking Authority 482.051, 570.07(22), 570.07(23) FS. Law Implemented 482.051(3) FS. History—New 1-1-77, Joint Administrative Procedures Committee Objection Withdrawn – See FAW Vol. 3, No. 30, July 29, 1977, Amended 6-27-79, 10-25-90, Formerly 10D-55.105, Amended 8-11-93, 4-17-03, 6-1-06, 9-17-08, 11-26-08,_____.

5E-14.117 Application for ~~Examination for~~ Department Applicant Credentials.

(1) An applicant for examination or reexamination for a pest control operator's certificate and special identification card shall complete the application process online at <http://www.FreshFromFlorida.com>, or shall complete and submit the following forms to 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650. Applications for examination must be made within one year after the applicant's employee identification card expiration date.

(a) ~~FDACS 13607~~, Pest Control Examination Application, (~~FDACS-13607, Rev. 10/15~~) ~~05/08~~, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>:

(b) ~~FDACS 13627~~, Employment Service, (~~FDACS-13627, Rev. 10/15~~) ~~08/08~~, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>:

(c) ~~FDACS 13653~~, Documented Pesticide Application for Certification Exam Qualification, (~~FDACS-13653, Rev. 10/15~~) ~~09/08~~, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) ~~A passport type and quality, full face photograph of the applicant at least one and one half inches by one and one half inches in size. The above referenced forms are hereby adopted and incorporated by reference and available on the Department's website at <http://www.FreshFromFlorida.com/onestop/aes/pestcont.html>.~~

(2) ~~Each applicant shall submit affidavits documenting qualifications for examinations as provided by Section 482.132, F.S.~~

(2)(3) An applicant having three years documented service employment with a licensee who performs pest control in all categories, as defined in Section 482.021(3), Florida Statute, is qualified for examination in all categories, provided ~~however that:~~ the applicant has a minimum of nine (9) months service employment in each category for which he makes application for examination.

~~(4) The applicant must have a minimum of nine (9) months service employment in each category for which he makes application for examination.~~

~~(3)(5) An applicant having three years service employment with a licensee who performs pest control in less than all categories is qualified for the examination in those categories only, provided however, that: unless an applicant, already certified, qualifies for examination in an additional category after having nine (9) months service employment with a licensee who performs pest control in such additional category.~~

~~(6) An applicant may qualify for examination in an additional category after having nine (9) months service employment with a licensee who performs pest control in such additional category.~~

~~(4)(7) A Department identification card held for three years as a service employee will constitute proof of experience with respect to the time requirement in (2), or (3). A maximum of two (2) years of documented Documented out-of-state experience claimed will be credited on an equivalent basis. The department will accept the following documents as proof of out of state experience: payroll records; notarized letters of experience; and certifications regulating pest control issued by an out-of-state agency. Agricultural pesticide applicator licenses/licensing do not apply toward the credit or equivalent basis.~~

~~(5)(8) Any applicant for examination whose license, identification card, pest control operator's certificate, or special identification card has been denied (issuance stopped), suspended is under suspension, revoked revocation or is on probation by the department, shall not be permitted to take any examination while under such denial, suspension, revocation or probation.~~

~~(6)(9) Applicants may be examined for certification in one or more of the following categories of pest control:~~

- ~~(a) Fumigation;~~
- ~~(b) General household pest control, which includes rodent control;~~
- ~~(c) Termite or other wood-infesting organism control;~~
- ~~(d) Lawn and ornamental pest control.~~

~~(7)(10) Prior to application for examination,~~

~~(a) An applicant for examination for Termite/Wood Destroying Organism Pest Control, Lawn and Ornamental Pest Control, or General Household Pest Control certification must:~~

~~1. Participate in a minimum of 45 jobs in Florida under the supervision of a certified operator in each category that the applicant seeks certification.~~

~~2. Document all 45 jobs on the Documented Pesticide Application for Certification Exam Qualification, (FDACS-13653, Rev. 10/15), and the supervising certified operator~~

shall certify the documented jobs were participated in by the applicant under their supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work.

(b) An applicant for the Fumigation certification and a Special Identification Card must:

1. Participate in a minimum of 15 jobs in Florida under the supervision of a certified operator prior to application for examination.

2. Document their participation in 15 general fumigations (as defined by subsection 5E-14.102(4), F.A.C.) on the Documented Pesticide Application for Certification Exam Qualification, (FDACS-13653, Rev.10/15), as adopted in section 5E-14.117(1)(c) and the supervising certified operator shall certify that the documented jobs were participated in by the applicant under their supervision and that the applicant has demonstrated the requisite knowledge to perform and/or supervise such work.

3. Applicants for special identification card examination are not required to be high school graduates.

~~An applicant for Termite/Wood Destroying Organism Pest Control, Lawn and Ornamental Pest Control, or General Household Pest Control certification shall document all 45 jobs on FDACS 13653 and the supervising certified operator shall certify that the documented jobs were participated in by the applicant under his supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work. An applicant for the Fumigation certification and a Special Identification Card examination shall document their participation in 15 general fumigations (as defined by subsection 5E-14.102(4), F.A.C.) on FDACS-13653, and the supervising certified operator shall certify that the documented jobs were participated in by the applicant under his supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work.~~

(c) For purposes of this section, a "job" shall mean the active participation in all aspects of a complete individual pesticide application or inspection, specific to a target pest at a designated location and address, in the pest control category for which the applicant has applied for examination. If seeking to be examined in the Termite and Other Wood Destroying Organism Pest Control Category, an applicant shall not submit more than 15 wood-destroying organism inspections as described in Rule 5E-14.142(2)(c), Florida Administrative Code, as part of the 45 job requirement.

~~(8)(11) An applicant Applicants for limited certification in Commercial Landscape Maintenance shall complete the initial exam application or renewal process online at <http://www.FreshFromFlorida.com> or shall submit the following by mail to the address as instructed on the form:~~

(a) For initial applicants:

1. The initial ~~an~~ examination fee of \$150,
 2. Limited Certification for Commercial Landscape Maintenance Personnel, (FDACS-13604, Rev. 10/15), which is hereby adopted and incorporated by reference and available online _____ at

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

3. Documentation of obtaining six (6) hours of plant bed and ornamental training approved by the department using the Record of Attendance for Continuing Education Units (CEUs), (FDACS-13325, Rev. 10/13), as adopted in Rule 5E-9.029, F.A.C., and

4. Proof of insurance using the Certificate of Insurance, (FDACS-13688, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>:

(b) For renewal applicants,

1. The annual recertification fee of ~~shall be~~ \$75,

2. Renewal Notice Limited Commercial Landscape Maintenance, (FDACS-13680, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>,

3. Documentation of obtaining four (4) hours of acceptable continuing education training submitted on the Record of Attendance for Continuing Education Units (CEUs), (FDACS-13325, Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code, and

4. Proof of insurance using form, Certificate of Insurance, (FDACS-13688, Rev. 10/15), as referenced in section 5E-14.117(8)(a)(4), F.A.C.

~~(12) Applicants shall be examined for special identification card in fumigation pursuant to Section 482.151(3), F.S.~~

~~(13) Each applicant for examination shall submit evidence of having participated in as many general fumigation operations as possible but not fewer than 15 general fumigation operations within this state under the supervision of a certified operator certified in fumigation.~~

~~(14) Applicants for special identification card examination are not required to be high school graduates.~~

~~(15) Each applicant for special identification card examination must submit proof to the department that he is not under the disabilities of minority and is qualified to be a special identification cardholder with safety to persons and property.~~

~~(9)(16) An applicant who fails to pass one or more category or special identification card examinations may reapply for examination upon filing the prescribed application~~

accompanied by a fee of \$300 for each category examination or \$200 for each special identification card examination.

~~(10)(17) An applicant~~ Applicants for limited certification for governmental pesticide applicators or private applicators shall complete the initial application for examination on line at <http://www.FreshFromFlorida.com> or ~~shall~~ submit the following by mail to the address as instructed on the form.:

(a) For initial applicants:

1. The ~~an~~ examination fee is ~~of~~ \$150,

2. Application for Limited Certification for Government Pesticide Applicators or Private Pesticide Applicators, (FDACS-13610, Rev. 10/15), which is hereby incorporated by reference _____ and _____ available _____ online _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> and

(b) For renewal applicants:

1. The renewal fee for the limited government/private certificate of \$25.00

2. Applicants can renew on line at <http://www.FreshFromFlorida.com>, or submit either a Renewal Notice Limited Government/Private Certificate Lawn and Ornamental Category, (FDACS 13682, Rev. 10/15), which is hereby adopted and incorporated by reference and available _____ online _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, or a Renewal Notice Limited Government/Private Certificate – Structural Category, (FDACS 13683, Rev. 10/15), which is hereby adopted and incorporated by reference and _____ available _____ online _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and

3. Proof of having obtained four (4) classroom hours of acceptable continuing education training, that is documented and submitted on the Record of Attendance for Continuing Education Units (CEUs) (DACS 13325, Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code.

~~(11)(18) Beginning January 21, 2014, Any person applying commercial fertilizer to an urban landscape must have a limited certification for urban landscape commercial fertilizer as provided herein. Applicants shall complete the initial application or renewal process online at http://www.FreshFromFlorida.com or submit the following by mail to the address as instructed on the form:~~

(a) For initial applicants:

1. The application fee of \$25.00,

~~2. for limited certification for urban landscape commercial fertilizer must submit A~~ a copy of the training certificate issued pursuant to Section 403.9338 F.S., ~~with their completed~~

3. Application for Limited Certification for Urban Landscape Commercial Fertilizer, (FDACS-13677, Rev.

10/15), ~~08/09~~ which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and the application fee of \$25.00, and

(b) For renewal applicants:

1. The renewal fee of ~~for the limited certificate for urban landscape commercial fertilizer~~ is \$25.00,

2. Renewal Notice Limited Commercial Urban Fertilizer Applicator Certificate, (FDACS 13681, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and

3. Proof of having obtained four (4) classroom hours of acceptable continuing education training documented on the Record of Attendance for Continuing Education Units (CEUs), (FDACS 13325 Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code. At least two (2) hours of this training must address fertilizer best-management practices.

~~(12)~~(19) ~~An applicant~~ Applicants for limited certification for commercial wildlife management shall complete the initial application for examination or renewal process online at <http://www.FreshFromFlorida.com> or shall submit the following by mail to the address as instructed on the form:

(a) For Initial applicants:

1. The initial ~~an~~ examination fee of \$150, with

2. ~~their completed application using the form entitled, Limited Certification for Commercial Wildlife Management, (FDACS-13685, Rev. 10/15) 09/11, that may be obtained by visiting~~

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX.asp?No=Ref-00988>, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and~~

3. Proof of insurance using the Certificate of Insurance, (FDACS-13688, Rev. 10/15), as referenced in section 5E-14.117(8)(a)(4), F.A.C.

(b) For renewal applicants:

1. The ~~certificate holders shall submit an~~ annual recertification fee of \$75.00,

2. ~~their completed~~ Recertification Notice Limited Commercial Wildlife Management, (FDACS-13684, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; Rev 02/12,

3. Proof of having obtained four (4) classroom hours of acceptable continuing education training documented on the form entitled, Record of Attendance for Continuing Education

Units (CEUs), (FDACS-13325, Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code, and

4. Proof of insurance, using the Certificate of Insurance, (FDACS-13688, Rev. 10/15), as referenced in section 5E-14.117(8)(a)(4), F.A.C. and may be obtained by visiting <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX.asp?No=Ref-01206>.

~~(20) All forms and filing specifications contained in this rule are hereby adopted and incorporated by reference and may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Suite N, MS C 41, Tallahassee, Florida 32399 1650, (850) 617 7997.~~

(13) All applicants for all certifications must be 18 years of age or older.

Rulemaking Authority 482.051, 482.1562, 570.07(23) FS. Law Implemented 482.111, ~~482.134~~, 482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157 FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, 7-11-07, 2-24-09, 5-12-10, 5-20-12, _____.

5E-14.132 Certificate Issuance and Renewal Fees.

(1) The fee for issuance of each original certificate, and the fee for renewal thereof, shall be \$150.

~~(2)~~(4) Each certified pest control operator shall be certified as provided by this rule. ~~An applicant shall complete the application process online at <http://www.FreshFromFlorida.com> or Application shall be made and the issuance fee paid to the Department~~ submit the issuance fee as defined in subsection (1) above with the Application for Pest Control Operator's Certificate, (FDACS-13608, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> to the address as instructed on the form. Application for the original certificate must be made within 60 days from the date of written notification of passing examination. During a period of 30 calendar days following expiration of the 60-day period, an original certificate may be issued; however, a late issuance charge of \$50 shall be assessed and paid in addition to the issuance fee. No original certificate shall be issued after expiration of the 30-day period without reexamination.

~~(3)~~(2) Annually, the department shall mail the Renewal Notice Certified Pest Control Operator, (FDACS-13638, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>, to the pest control operator's last known address filed with the department by the operator. Not less than 60 days prior to the expiration of a certificate, a final renewal notice

shall be mailed to each certified operator who has not renewed their certificate. These notifications shall be the only notice of renewal issued by the department.

(a) Upon receipt of the renewal form referenced above in section (3), an operator may renew his or her certificate annually by completing the renewal application process on line at: <http://www.FreshFromFlorida.com> or submitting the renewal fee as referenced above in subsection (1) with the Renewal Notice Certified Pest Control Operator, (FDACS-13638, Rev. 10/15), as referenced and adopted in subsection (3) above to address as instructed on the form. Each individual issued a pest control operator's certificate shall apply to the Department for renewal of his certificate on or before June 1 of each year on Department of Agriculture and Consumer Services form FDACS 13638, Rev 3/02, entitled "Renewal Notice", which is incorporated by reference, and mailed by the Department.

(b) After a grace period of 30 calendar days following the anniversary date of each year, there shall be a late renewal charge of \$50 which shall be assessed and paid in addition to the renewal fee. Unless renewed as provided by this section, each certificate shall automatically expire 180 calendar days after the renewal date. Subsequent to such expiration, a certificate may be issued only upon successful reexamination and upon payment of examination and issuance fees due as provided by this rule.

(3) The fee for issuance of each original certificate, and the fee for renewal thereof, shall be \$150.

(4) Standards for approval of continuing education providers:

(a) Providers seeking approval shall apply to the department on line at <https://ceu.FreshFromFlorida.com> or submit the Request For Granting Continuing Education Units(CEUs) For Renewal of Pesticide Applicator Licenses and Certificates, (FDACS-13326, Rev. 10/15), as adopted in Rule 5E-9.029, F.A.C. as instructed on the form on Forms 1557, 1557A, 1557B, Dec. 92, which are incorporated by reference and obtained from the department.

(b) All education offerings conducted by the provider shall contain one or more of the topics set forth in Section 482.111(10), F.S.

(c) All offerings shall be at least 50 minutes in length or one contact hour. Partial contact hours will not be accepted.

(d) Providers shall adhere to the numbering system and guidelines established by the department to include verification of attendance.

(e) There shall be a tangible plan for ongoing evaluation of program content, teaching staff, learning process and evaluation tools.

(f) Records of individual offerings shall be maintained by the department for one year after the next certificate renewal date.

(g) Providers shall furnish each participant with an authenticated individual certificate of attendance. It shall be the participants responsibility to store his individual attendance record for each offering until his or her renewal time. The attendance records will then be submitted with the renewal and fee.

(h) Providers shall designate a person to be responsible for the continuing education program.

(i) Provider approval shall be subject to periodic review and shall be withdrawn if adherence to standards and guidelines is not maintained or if information submitted by the provider is found to be a material misrepresentation of fact.

(j) Contact hours for continuing education offerings outside of Florida ~~may~~ will be awarded following a review of the verification of:

1. Attendance on the Request For Granting Continuing Education Units(CEUs) For Renewal of Pesticide Applicator Licenses and Certificates, (FDACS-13326, Rev. 10/15), as adopted in Rule 5E-9.029, F.A.C. and

2. An agenda outlining the program's core content defining one or more of the topics setforth in section 482.111(10) and hours credited a program which outlines the content of and period of time covered by each offering.

(5) On or before April 1 of each year the Department shall mail to each certified operator, at his last known address of record, a renewal form, "Renewal Notice Certified Pest Control Operator", FDACS 13638, Rev. 3/02, incorporated by reference, for use in applying for renewal of his certificate. Not less than 60 days prior to the expiration of a certificate a final renewal notice shall be mailed to each certified operator who has not renewed his certificate. Mailing of these forms shall be the only notice of renewal issued by the Department. Copies may be obtained from the Bureau of Inspection Incident Response, 3125 Conner Boulevard, Suite N, MS #C-41, Tallahassee, Florida 32399-1650.

Rulemaking Authority 482.051, 570.07(23) FS. Law Implemented 482.111(4), (3), (7), (10), 482.132(1) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, Formerly 10D-55.132, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, _____.

5E-14.136 Fumigation Special Identification Card Issuance, Renewal Fees, Forms, and Duties.

(1) The issuance fee for each fumigation special identification card and for each renewal there of shall be \$100. There shall be one category of special identification card, to wit: fumigation.

(2) An applicant shall complete the application process online at <http://www.FreshFromFlorida.com> or submit the issuance fee with the Application for Special Identification

Card, (FDACS-13693, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> as instructed on the form. Application shall be made and the issuance fee paid to the Department for the original special identification card within 60 days from the date of written notification of passing examination. During a period of 30 days following the expiration of the 60 day period, an original special identification card may be issued, however, a late issuance charge of \$25 shall be assessed and paid in addition to the issuance fee. ~~No Further, no~~ original special identification card shall be issued after expiration of the 30 day ~~late fee~~ period without reexamination.

(3) Annually, the department shall mail the Renewal Notice Special Identification Cardholder, (FDACS-13641, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> to the pest control operator's last known address filed with the department by the Special Identification Cardholder. Not less than 60 days prior to the expiration of a certificate, a final renewal notice shall be mailed to each Special Identification Cardholder who has not renewed his special identification card. These notifications shall be the only notice of renewal issued by the department.

(a) Upon receipt of the renewal form referenced above in section (3), a cardholder may renew his or her certificate annually by completing the renewal application process on line at: <http://www.FreshFromFlorida.com> or submitting the renewal fee as referenced above in subsection (1) with the Renewal Notice Special Identification Cardholder, (FDACS-13641, Rev. 10/15), to address as instructed on the form. Application to the department for renewal of each special identification card shall be made on or before June 1 of each year. The issuance fee for each special identification card and for each renewal thereof shall be \$100.

(b) After a grace period of 30 calendar days following the anniversary date of each year, there shall be a late renewal charge of \$25, which shall be assessed and paid in addition to the renewal fee.

(c) Unless timely renewed, each special identification card shall automatically expire 180 calendar days after the renewal date. Subsequent to such expiration, a special identification card may be issued only upon successful reexamination and upon payment of examination and issuance fees due, as provided by this rule.

~~(4) On or before April 1 of each year the Department shall mail to each special identification cardholder at his last known address of record, a renewal form, FDACS 13641, Rev 3/02, incorporated by reference, for use in applying for renewal of his special identification card. Copies may be obtained from~~

~~the Bureau of Entomology and Pest Control, 3125 Conner Boulevard, Suite N, MS C 41, Tallahassee, Florida 32399-1650.~~

~~(4)(5) Each special identification cardholder shall notify the department in writing within ten (10) days of any change of his employment status or mailing address.~~

~~(5)(6) No person shall use a special identification card in any category for which the certified operator in the charge of the pest control activities of the licensee is not properly certified.~~

~~(6)(7) While performing pest control duties a special identification cardholder shall carry on his person a special identification card issued by the department.~~

~~(7)(8) A special identification cardholder shall always perform his functions under the direction and supervision of his certified operator. No special identification cardholder shall perform any pest control work independently of or without the knowledge and direction of his certified operator. Rulemaking Authority 482.051, 570.07(23) FS. Law Implemented 482.151 FS.; History—New 1-1-77, Formerly 10D-55.136, Amended 7-5-95, 5-28-98, 4-29-02.~~

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) No change.

(2) Reports:

(a) Each licensee shall immediately notify the ~~d~~Department in writing of any loss or change of certified operator in charge of pest control activities, giving effective date. This shall also include notification of change while operating under an emergency certificate.

(b) Each licensee shall notify the ~~d~~Department in writing within ten (10) working days of any change in firm name, business address, mailing address, telephone number, ownership status, termination or suspension or resumption of business activities, sale or transfer of any valid pest control contract(s) and change of certified operator's home address or telephone number.

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1), (2), (4) and (5), F.S., each licensee having a certified operator certified in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report ~~prescribed by the Department and furnished by the licensee, (FDACS-13645, Rev 10/15) 05/08~~, which is incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>

~~XXXXX~~ or on the department’s website under the header “Forms” at <http://www.FreshFromFlorida.com/onestop/aes/pestcont.html>. The licensee shall not place any disclaimers or additional language on the Wood-Destroying Organisms Inspection Report as incorporated by reference and adopted above. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

1. The inspection will include all areas accessible by normal means but does not cover those areas that are enclosed or inaccessible, areas concealed by wall coverings, floor coverings, furniture, equipment, stored articles, insulation, or any portion of the structure in which inspection would necessitate removing or defacing any part of the structure.

2. The inspection will be visual but may include probing and sounding of structural members as deemed necessary by the inspector, based upon a preliminary finding of visual evidence of infestation or damage.

3. The inspection shall include an examination for visual evidence of wood-decaying fungi and damage caused by wood-decaying fungi. Wood-decaying fungi are fungi that can cause damage to wood, such as those that produce white rot, brown rot, poria, and cubical rot, but not surface molds that do not cause damage to sound wood.

(3) through (4) No change.

(5) Business license application: In accordance with Section 482.071(1), F.S., the following information shall be submitted online at <http://www.FreshFromFlorida.com> or submit the Pest Control Business License Application, (FDACS-13605, Rev. 10/15), on attached to, and made a part of the Department’s pest control business license application form, FDACS-13605, Pest Control Business License Application, Rev 09/08, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> is available on the department’s website under the header “Forms” at <http://www.FreshFromFlorida.com/onestop/aes/pestcont.html>.

(a) Correct legal business name or trade name, complete business mailing address, including the street or rural route, city and county, complete mailing address and telephone number of licensed business location.

(b) Complete name and address of all owners or corporation officers.

(c) Complete name, home address, residence telephone number, certificate number, categories in which certified, primary occupation, and date of birth of each certified operator attached to the licensee.

(d) The categories of pest control which each certified operator will be in charge of and in which the licensee will be

active, when one or more than one certified operator is attached to and in charge of various categories of pest control to be performed by the licensee.

(e) The complete name, residence address, date of birth, and primary duty of each employee (identification card and special identification card holders) engaging in or performing pest control in any form for the licensee.

(f) The exact location address where the licensee’s records, including contracts, for pest control work are kept and the exact location address of storage of chemicals.

(g) A statement signed by the certified operator(s) in charge that all information given in Department business license application is true and correct and that he will promptly notify the Department in writing of any subsequent changes thereof, except change of home address and primary duty of identification card holders other than certified operators.

(h) The issuance fee for each original license shall be \$300. An applicant may request his application to be immediately expedited and processed by paying a special handling fee in the amount of \$50.

(i) The renewal fee for each original license shall be \$300.

(6) - (8) No change.

Rulemaking Authority 482.051 FS. Law Implemented 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06, 7-23-08, 9-17-08, 9-17-08, 1-4-09, 5-20-12, _____.

5E-14.1421 Identification Card – Training Verification.

(1) The licensee shall maintain written training records for both the initial five (5) day (40 hour) training required in Section 482.091(3), F.S., and the continuing training required in Section 482.091(10), F.S., on all identification cardholders within their employ and make those records available during routine inspection or upon request of the ~~d~~ Department. Licensees must maintain the training record for at least a two year period. The training required for Section 482.091(3), F.S., must be conducted by a certified operator or a person under the supervision of the certified operator in charge who has been designated in writing as responsible for training. The 40 hour initial training shall be verified by:

(a) Completion of the Verification Record of Initial Employee Training, (FDACS-13665, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; FDACS form 13665, Verification Record of Initial Employee Training, Rev 05/08, which is hereby adopted and incorporated by reference and available on the department’s

website _____ at:
www.FreshFromFlorida.com/onestop/aes/pestcont.html; or

(b) A written record of 40 hours of attendance in a training course with a written course syllabus and copies of all training materials used in the course available for d Department inspection.

(2) The d Department will accept either of the following as documentation of verifiable training as required under Section 482.091(10), F.S.:

(a) Written record of attendance on Identification Cardholder Training Verification, (FDACS-13662, Rev. 10/15), which is hereby adopted and incorporated by reference and _____ available _____ online _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; -a form prescribed by the Department and provided furnished by the licensee or trainer, FDACS 13662 Rev 03/02, which is incorporated by reference, with a complete copy of all training materials used during the training session that covers the training topics required by Section 482.091(10), F.S.; or

(b) Written record of attendance at a dDepartment approved certified operator continuing education course on the ~~form~~ Record of Attendance for Continuing Education Units (CEUs), (FDACS 13325 Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code, prescribed by the Department and provided furnished by the trainer, -FDACS-13325, Rev 05/04, which is incorporated by reference, provided only if the course content covers the training topics as required by Section 482.091(10), F.S.

(3) No change.

(4) Licensees or certified operators applying for Wood-Destroying Organism Inspector Identification cards for employees in compliance with Chapter 482.091(9) may complete the application process online at <http://www.FreshFromFlorida.com>, or shall submit the Special Training to Perform Wood-Destroying Organisms Inspections and Control Training Verification Record, (FDACS-13642, Rev, 10/15), which is hereby adopted and incorporated by reference and _____ available _____ online _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, to the address as instructed on the form.

Rulemaking Authority 482.051, 482.091(40), 570.07(23) FS. Law Implemented 482.091, 482.151 FS. History--New 6-12-02, Amended 2-24-09, _____.

**Section II
Proposed Rules**

NONE

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

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:
6M-8.210 Reenrollment for Good Cause or Extreme Hardship in the Voluntary Prekindergarten Education Program

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 25, February 8, 2016 issue of the Florida Administrative Register. The announced rule development workshops will be held on Monday, February 22, 2016, 12:00 Noon – 2:00 p.m. or until business is concluded, whichever is sooner and on Tuesday, February 23, 2016, 3:00 p.m. – 5:00 p.m. or until business is concluded, whichever is sooner.

The notice omitted the month.

DEPARTMENT OF HEALTH

Certified Master Social Workers

RULE NO.: RULE TITLE:
64B25-28.014 Renewal of Active Certification
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the Notice of Change in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 04, January 7, 2016 issue of the Florida Administrative Register and are in response to written comments submitted by the Joint Administrative Procedures Committee staff:

64B25-28.014 Renewal of Active Certification.

(1) No change.

(2) A certified master social worker shall not be required to complete continuing education for the first renewal of certification. For each subsequent renewal, a certified master social worker must complete 30 hours of continuing education approved by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling during the two year period ending on March 31 prior to the beginning of each biennial renewal period. The Department adopts the provisions in Rule 64B4-6.001, F.A.C., “Renewal of Active License” (eff. 2/17/13), which is incorporated herein by reference and _____ is _____ available _____ at <https://www.flrules.org/gateway/ruleNo.asp?id=64B4-6.001>, as the appropriate continuing education requirements for renewal.

Rulemaking Authority 491.007(2) FS. Law Implemented 491.007(2) FS. History--New 12-10-90, Formerly 21-28.014, 61-28.014, 59FF-28.014, Amended _____.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On January 4, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from Rolex Lounge Kitchen 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 in the Rolex Lounge buffet area.

The Petition for this variance was published in Vol. 42, No. 5, F.A.R., on January 8, 2016. The Order for this Petition was signed and approved on January 25, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency so as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), F.A.C., and subsection 61C-4.010(6), F.A.C., from Milton Hetrick Beverages MFDV located in New Port Richey. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 42, No. 6, F.A.R., on January 11, 2016. The Order for this Petition was signed and approved on January 26, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On January 20, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., and subsection 61C-4.010(6), F.A.C., from Rogero Seafood located in Jacksonville. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under the same ownership for use by customers only.

The Petition for this variance was published in Vol. 42, No. 13, F.A.R., on January 21, 2016. The Order for this Petition was signed and approved on January 27, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Rogero Food Mart are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Rogero Food Mart or Rogero Seafood (Towfeik Safar, Rogero Seafood Inc.) changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, 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

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

On January 22, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), F.A.C., Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), F.A.C., from Create A Bowl 1 & 2 located in

Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing, food preparation and storage areas with another food service establishment under a different ownership and on the same premises.

The Petition for this variance was published in Vol. 42, No. 16, F.A.R., on January 26, 2016. The Order for this Petition was signed and approved on February 2, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency so as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within Centerplate @ PHSDR V Kitchen (NOS5811092) and Centerplate @ Phase III Kitchen (NOS5807961) must be maintained in a clean and sanitary manner. These areas must also be available to Create A Bowl 1 & 2 during all hours of operation. If the ownership of Centerplate @ PHSDR V Kitchen, Centerplate @ PHASE III Kitchen and Create A Bowl 1 & 2 (Centerplate Hospitality Venture & Lucy Dog LLC) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on February 4, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received

a petition for Southbay Condominium Association, Inc. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.11.2.1.1(a), 8.11.3.1.5(c), 8.6.4.20, and 106.1b(1), as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators door reopening device, car and counterweight buffer, 5 year safety test and design and construction of pits which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2016-023).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division Of Agricultural Environmental Services

RULE NOS.:RULE TITLES:

5E-14.1025 Inspections And Investigations

5E-14.105 Contractual Agreements In Public's Interest - Control And Preventive Treatment For Wood-Destroying Organisms

5E-14.117 Application For Examination For Department Applicator Credentials

5E-14.132 Certificate Issuance And Renewal Fees

5E-14.136 Special Identification Card Issuance, Renewal Fees, Forms, And Duties

5E-14.142 Responsibilities And Duties - Records, Reports, Advertising, Applications

5E-14.1421 Identification Card - Training Verification

The Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services announces a workshop to which all persons are invited.

DATE AND TIME: February 24, 2016, 10:00 a.m. – 1:00 p.m.

PLACE: Tiger Point Community Center, 1370 Tiger Park Lane, Gulf Breeze, Florida 32563

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed Rulemaking Changes.

For a copy of the agenda or more information, you may contact: Dale Dubberly, Chief, Bureau Of Inspection & Incident Response, 3125 Conner Blvd., Suite N, Tallahassee,

FL 32399, (850)617-7996,
Dale.Dubberly@Freshfromflorida.Com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, February 17, 2016, 2:00 p.m. – 3:30 p.m.

PLACE: Telephone conference: 1(888)670-3525, participant code: 3360784946#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update on Promotional Video; Executive Director Report; Budget Update; possible vote on 1 Hoffman Public Service Award Candidate.

A copy of the agenda may be obtained by contacting the Executive Director of the Florida Gubernatorial Fellows program, Ted Stratton, at Ted.Stratton@eog.myflorida.com or (850)717-9224. For more information, you may contact Ted Stratton.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Regional Utility Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 23, 2016, 2:00 p.m.

PLACE: Okaloosa County Water and Sewer Building, 1804 Lewis Turner Blvd., Fort Walton Beach, FL 32547

GENERAL SUBJECT MATTER TO BE CONSIDERED: General administrative business of the RUA to be discussed.

A copy of the agenda may be obtained by contacting: Traci Goodhart at traci.goodhart@wfrpc.org or call toll free at 1(800)226-8914, ext. 222.

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: Traci Goodhart at traci.goodhart@wfrpc.org or call toll free at 1(800)226-8914, ext. 222. 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: Traci Goodhart at traci.goodhart@wfrpc.org or call toll free at 1(800)226-8914, ext. 222.

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: February 25, 2016, 9:30 a.m.

PLACE: Okeechobee County Emergency Operations Center, 707 NW 6th Street, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning Community Right-to-Know Program. Items pertaining to the State Emergency Response Commission (SERC) may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, (863)534-7130, ext. 107, ccarter@cfrpc.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: Chuck Carter, ccarter@cfrpc.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.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, February 17, 2016, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL, 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center
2301 McGregor Blvd.
Fort Myers, FL 33901

Okeechobee Service Center
3800 NW 16th Boulevard
Okeechobee, FL 34972

Orlando Service Center
1707 Orlando Central Parkway Suite 200
Orlando, FL 32809

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: www.sfwmd.gov

Hold mouse over the "Topics" tab, scroll down to "Permits" and click

Under "Upcoming Events" on the right hand column, click the "Monthly Regulatory Meetings" link.

or by subscribing to ePermitting/eNoticing: www.sfwmd.gov/epermitting

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free: 1(800)432-2045, Ext. 6207.

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's Office, (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).

DEPARTMENT OF THE LOTTERY

The Department of the Lottery announces the following public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, February 17, 2016, 1:30 p.m., Eastern Time; Thursday, February 18, 2016, 9:30 a.m., Eastern Time and continuing from day to day thereafter as may be required

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Evaluation Team to discuss and evaluate the Replies submitted in response to Invitation to Negotiate (ITN), Project Number 066-14/15: Lottery Gaming System and Related Commodities & Services; and to develop a schedule for future Evaluation Team meetings and other matters relevant to the above-referenced ITN. The Evaluation Team may make a determination to continue this meeting at a future date and time should it deem necessary to do so.

For more information, please visit the Vendor Bid System (VBS) at:

http://www.myflorida.com/apps/vbs/vbs_www.main_menu. A copy of the agenda may be obtained by contacting: Summer Silvestri at (850)487-7710 or by going to the Department of the Lottery's website: www.flalottery.com.

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual

identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD), at least 24 hours prior to the meeting.

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

DEPARTMENT OF ELDER AFFAIRS

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

DATE AND TIME: Monday, February 22, 2016, 3:00 p.m.

PLACE: Telephone conference call: 1(888)670-3525, conference code: 962-076-0613

GENERAL SUBJECT MATTER TO BE CONSIDERED: General updates on departmental programs.

A copy of the agenda may be obtained by contacting: Alec Yarger at yargera@elderaffairs.org or (850)414-2000.

For more information, you may contact: Alec Yarger at yargera@elderaffairs.org or (850)414-2000.

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces public meetings to which all persons are invited.

DATES AND TIMES: February 11, 2016, 10:00 a.m. – 10:45 a.m. (change of time); May 12, 2016, 10:00 a.m. – 10:45 a.m. (change of time); August 11, 2016; 10:00 a.m. – 10:45 a.m. (change of time); November 10, 2016; 10:00 a.m. – 10:45 a.m. (change of time)

PLACE: Government Center Viera, 2725 Judge Fran Jamieson Way, Building B, Suite 101, Viera, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Brevard Council LTCOP business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323 or email: LTCOPInformer@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 72 hours before the workshop/meeting by contacting: above referenced number. 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

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 16, 2016, 9:00 a.m. – 10:00 a.m., ET

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Suite 135Q, Tallahassee, FL 32399, telephone conference: call-in toll-free number: 1(877)309-2070, access code: 161-512-293 or by accessing the meeting online at <https://www.gotomeet.me/quartil/dd-council-meeting-1>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Information Clearinghouse on Developmental Disabilities Advisory Council will provide technical assistance to the Department of Health in the establishment of a website of resource information related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services.

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Anna Simmons, (850)245-4465, Anna.Simmons@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: March 28, 2016, 1:30 p.m. – 4:30 p.m.

PLACE: Orange County School Board, 445 W Amelia St, Orlando, FL 32801, Conference Line: 1(888)670-3525, Participant code: 9590495753#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Services and Resources Committee, Statewide Human Trafficking Council.

A copy of the agenda may be obtained by contacting: Kimberly Grabert at Kimberly.Grabert@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Office on Homelessness

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

DATE AND TIME: Wednesday, February 10, 2016, 10:00 a.m.

PLACE: Dial toll free: 1(888)670-3525, enter participant code: 701-539-8451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: AFFORDABLE HOUSING COMMITTEE CALL -- This

conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations regarding affordable housing to end homelessness in Florida.

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

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

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

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: March 9, 2016, 10:00 a.m., Eastern Time
 PLACE: 6th Floor Seltzer Conference Room, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Review Committee Meeting will be to give the scores and to submit a recommendation to Florida Housing's Board of Directors regarding the Applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2015-113 for Housing Credit Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA LEAGUE OF CITIES

The Florida Association of Counties Trust (FACT) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 4, 2016, 8:30 a.m.
 PLACE: Staybridge Suites, 1600 Lake Summit Drive, Tallahassee, FL 32317

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Florida Association of Counties Trust general board meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes.

A copy of the agenda may be obtained by contacting: Jeannie Garner, jgarner@flcities.com, (850)701-3623.

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: Jeannie Garner, jgarner@flcities.com, (850)701-3623. 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: Jeannie Garner, jgarner@flcities.com, (850)701-3623.

WALTON COUNTY HEALTH DEPARTMENT

The Walton Community Health Center announces a public meeting to which all persons are invited.

DATE AND TIME: February 18, 2016, 11:30 a.m.
 PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Various Board Information.

A copy of the agenda may be obtained by contacting: Denise Flynn, (850)892-8040, Ext. 1190.

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: Denise Flynn, (850)892-8040, Ext. 1190. 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: Denise Flynn, (850)892-8040, Ext. 1190.

QCAUSA

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

DATE AND TIME: Tuesday, February 23, 2016, 6:00 p.m.
 PLACE: Manuel Artime Theater, 900 SW 1 St., Miami, FL 33130

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Public Information Meeting in the City of Miami for the project along State Road (SR) 968/Flagler Street from SR 9/27 Avenue to 14 Avenue and SR 9/SW/NW 27 Avenue from SW 10 Street to NW 9 Street, FIN Nos. 418091-1-52-01, 433283-1-52-01 & 433491-1-52-01.

A copy of the agenda may be obtained by contacting: Construction Public Information Specialist Sergies Duarte, (305)640-7462, Sergies.Duarte@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: Ivette Ruiz-Paz, (305)470-5225, FDOT Public Information Office, 1000 NW 111 Ave., Miami, FL 33172, Ivette.Ruiz-Paz@dot.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: Construction Public Information Specialist Sergies Duarte, (305)640-7462, Sergies.Duarte@dot.state.fl.us.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Wednesday, February 17, 2016, 2:30 p.m.
 PLACE: Jupiter Community Center, 200 Military Trail, Jupiter, Florida 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Florida Department of Transportation (FDOT) District Four will be hosting an Elected Officials/Agency Kick-off Meeting and a Public Kick-off Meeting for State Road (SR) 5/US-1 Federal Highway Bridge from CR-A1A to Beach Road Project Development and Environment (PD&E) Study. The Elected Officials/Agency Kick-off Meeting will be from 2:30 p.m. to 4:30 p.m., with a formal presentation at 3:00 p.m. The Public Kick-off Meeting will be held from 5:30 p.m. to 7:30 p.m. and will begin as an open house at 5:30 p.m., with a formal presentation at 6:00 p.m. The Kick-off Meetings are being conducted to give interested persons an opportunity to express their views concerning the Study. The primary

purpose of this PD&E Study is to evaluate bridge replacement alternatives, which will resolve the structurally deficient conditions of the existing bridge and enhance multimodal mobility.

A copy of the agenda may be obtained by contacting: Ms. Vanita Saini, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4468, toll-free: 1(866)336-8435, ext. 446, email: vanita.saini@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Ms. Vanita Saini, P.E., Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4468, toll-free: 1(866)336-8435, ext. 4468, vanita.saini@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact Ms. Vanita Saini, P.E., at least seven (7) days before the meeting. 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: Ms. Vanita Saini, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4468, toll-free: 1(866)336-8435, ext. 4468, vanita.saini@dot.state.fl.us.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Tuesday, February 23, 2016, 4:00 p.m. – 6:00 p.m.

PLACE: Home Depot Parking Lot, 13895 W. Okeechobee Rd., Hialeah Gardens, FL 33018

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project along State Road (SR) 25/US 27/Okeechobee at NW 138 Street, in Miami-Dade County, to discuss the project's scope of work. The project identification number is 437706-1-52-01. The meeting will begin as an open house, from 4:00 p.m. – 6:00 p.m. Graphic displays will be shown during the meeting, and FDOT representatives will be available to discuss the project.

A copy of the agenda may be obtained by contacting: Public Information Specialist Rodolfo Roman, (305)470-5477, Rodolfo.Roman@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: Ivette Ruiz-Paz, FDOT, 1000 NW 111 Avenue, Miami, FL 33172, (305)470-5225, ivette.ruiz-paz@dot.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: Public Information Specialist Rodolfo Roman, (305)470-5477, Rodolfo.Roman@dot.state.fl.us.

Section VII

**Notice of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF HEALTH
Council of Licensed Midwifery

NOTICE IS HEREBY GIVEN that the Department of Health has issued an order disposing of the petition for declaratory statement filed by Stacy Kline on December 2, 2015. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 41, No. 241, of the December 15, 2015, Florida Administrative Register. An amended notice was published on December 18, 2015, in Vol. 41, No. 241, Florida Administrative Register. The Petitioner, a licensed midwife with three years of experience, asked the Department of Health if she could act as a preceptor for a student midwife enrolled in an unapproved out-of-state midwifery training program. The Department considered the instant Petition and, in an order filed on February 4, 2016, stated that, under the specific facts of the petition, acting as a preceptor for a student enrolled in an unapproved, out-of-state midwifery program is not authorized by Section 467.009, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Claudia Kemp, Executive Director, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, Claudia.Kemp@FHHealth.gov.

Section VIII

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filled 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**

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

INVITATION FOR BIDS FOR THE

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

The Governing Board of the District requests that interested parties respond to the solicitation below by 2:00 p.m. on February 25, 2016. Further information is available through Onvia DemandStar at www.demandstar.com, 1(800)711-1712 or the District’s website at www.floridaswater.com. Bid packages may be obtained from Onvia DemandStar or the District by contacting Pam Paulk at (386)329-4469 or ppaulk@sjrwmd.com.

BID NUMBER 28531

McDonald Canal and A-B Canal Dredging Project

In 2002, the District developed the Lake Apopka North Shore shad ramp site as a facility to be used by commercial shad harvesting boats to access Lake Apopka via the Apopka-Beauclair (AB) Canal. The District, in partnership with Lake County intends to make further improvements to the site for public access and use of the existing boat ramp, including a parking lot, restrooms and picnic pavilions. Work has already commenced for completion of the parking lot and associated improvements for public access and use of the facility,

together with completion of clearing and related improvements on the north side of the canal. Future work by others will include the public access dock adjacent to the boat ramp. Dredging of approximately 32,500 CY will be required for the widening of McDonald Canal to improve boating safety to the A-B Canal and Lake Apopka for public use. The estimated budget for the contract is \$390,000.

MANDATORY PRE-BID CONFERENCE

February 16, 2016 at 10:00 A.M.

The mandatory pre-bid conference is intended to provide Responders the opportunity to receive clarification of any requirement of this Invitation For Bid. The meeting will be held at the McDonald Canal Pavilion, located at 24600 CR 448A, Mount Dora, Florida 32757.

BID OPENING: 2:00 P.M.

FEBRUARY 25, 2016

St. Johns River Water Management District Headquarters

4049 Reid Street, Palatka, Florida 32177

Conference Room Number To Be Determined

Presentation of staff’s recommendation to District’s

Governing Board

March 8, 2016

Special accommodations for disabilities may be requested through Pam Paulk or by calling 1(800)955-8771 (TTY), at least five business days before the date needed.

FLORIDA HOUSING FINANCE CORPORATION

Request for Applications 2016-104 for SAIL Funding to Preserve Farmworker and Commercial Fishing Worker Housing

This Request for Applications (RFA) is open to Applicants proposing the Moderate Rehabilitation/ Substantial Rehabilitation or Acquisition and Moderate Rehabilitation/Substantial Rehabilitation of existing Farmworker or Commercial Fishing Worker Developments that are currently in the Florida Housing Finance Corporation (the Corporation) portfolio and/or the United States Department of Agriculture Rural Development (RD) portfolio. The Corporation expects to offer an estimated \$4,500,000 for award to proposed Developments.

Applications shall be accepted until 11:00 a.m., Eastern Time, on Thursday, March 3, 2016, to the attention of Ken Reecy, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Ken Reecy at Ken.Reecy@floridahousing.org or as otherwise directed in the RFA. This Request for Applications, which outlines selection criteria and Applicant’s responsibilities, can be downloaded from the Florida Housing Finance Corporation website

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2016-104/>.

Any modifications that occur to the Request for Applications will be posted at the website and may result in an extension of the deadline. It is the responsibility of the Applicant to check the website for any modifications prior to the deadline date.

**Section XII
Miscellaneous**

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

Regulatory Plan

Pursuant to Section 120.74, Florida Statutes, the 2015 Northeast Florida Regulatory Plan was published on the agency’s website: www.nefrc.org, on February 5, 2016.

VILLAGE OF PINECREST

Notice of Consideration of Amendments to Telecommunications Ordinance Pursuant to Section 337.401(3)(d), Florida Statutes, notice is hereby given to the Florida Secretary of State that the following ordinance will be considered on First Reading by the Pinecrest Village Council at a meeting to be held on Tuesday, February 16, 2016, 6:00 p.m., at the Pinecrest Municipal Center, Council Chamber, 12645 Pinecrest Parkway, Pinecrest, Florida:

AN ORDINANCE OF THE VILLAGE OF PINECREST, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 26, “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES,” ARTICLE III, “RIGHTS-OF-WAY -- COMMUNICATIONS FACILITIES,” BY AMENDING DEFINITIONS; AMENDING THE REGISTRATION AND PERMIT PROCESSES AND REQUIREMENTS; CREATING STANDARDS FOR COMMUNICATIONS FACILITIES DESIGN, LOCATION AND COLLOCATION; AND AMENDING SUCH OTHER SECTIONS AS ARE APPROPRIATE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY AND AN EFFECTIVE DATE.

Interested parties are invited to appear and be heard. Copies of the proposed ordinance may be obtained in the Office of the Village Clerk at the Pinecrest Municipal Center, 12645 Pinecrest Parkway, Pinecrest, Florida 33156 or via email by sending a request to clerk@pinecrest-fl.gov.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Village Clerk at (305)234-2121 not later than two business days prior to such proceeding.

Should any person decide to appeal any decision of the Village Council with respect to any matter to be considered at this meeting, that person shall insure that a verbatim record of the proceedings is made including all testimony and evidence upon which any appeal may be based (F.S. 286.0105).

Guido H. Inguanzo, Jr., CMC
Village Clerk

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.

INDEX TO RULES FILED BETWEEN FEBRUARY 1, 2016
AND FEBRUARY 5, 2016

Rule No.	File Date	Effective	Proposed	Amended
	Date	Vol./No.	Vol./No.	

DEPARTMENT OF CORRECTIONS

33-208.003	2/2/2016	2/22/2016	41/247	
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AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

59A-5.0065	2/3/2016	2/23/2016	41/217	
59A-5.007	2/3/2016	2/23/2016	41/217	
59A-5.011	2/3/2016	2/23/2016	41/217	
59A-5.019	2/3/2016	2/23/2016	41/217	

Medicaid

59G-1.025	2/3/2016	2/23/2016	41/237	
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement - Optional Retirement Program

60U-1.003	2/3/2016	2/23/2016	41/248	
60U-1.004	2/3/2016	2/23/2016	41/248	
60U-1.005	2/3/2016	2/23/2016	41/248	
60U-1.006	2/3/2016	2/23/2016	41/248	
60U-1.007	2/3/2016	2/23/2016	41/248	
60U-1.011	2/3/2016	2/23/2016	41/248	
60U-1.012	2/3/2016	2/23/2016	41/248	
60U-1.013	2/3/2016	2/23/2016	41/248	
60U-2.003	2/3/2016	2/23/2016	41/248	
60U-3.003	2/3/2016	2/23/2016	41/248	
60U-3.004	2/3/2016	2/23/2016	41/248	
60U-3.005	2/3/2016	2/23/2016	41/248	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

61B-33.001	2/4/2016	2/24/2016	41/228	
61B-33.002	2/4/2016	2/24/2016	41/228	
61B-33.003	2/4/2016	2/24/2016	41/228	

Division of Hotels and Restaurants

61C-1.002	2/4/2016	2/24/2016	41/243	
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Barbers' Board

61G3-18.003	2/4/2016	2/24/2016	41/248	
61G3-20.0105	2/4/2016	2/24/2016	41/248	

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-11.001	2/4/2016	2/24/2016	42/04	
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Board of Clinical Laboratory Personnel

64B3-2.003	2/3/2016	2/23/2016	41/247	
64B3-5.0011	2/1/2016	2/21/2016	41/247	
64B3-5.002	2/1/2016	2/21/2016	41/247	
64B3-5.007	2/3/2016	2/23/2016	41/247	
64B3-6.002	2/1/2016	2/21/2016	41/247	
64B3-10.005	2/1/2016	2/21/2016	41/247	
64B3-11.002	2/1/2016	2/21/2016	41/247	
64B3-11.003	2/1/2016	2/21/2016	41/247	
64B3-13.001	2/1/2016	2/21/2016	41/247	

Board of Hearing Aid Specialists

64B6-3.005	2/4/2016	2/24/2016	42/02	
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Division of Disease Control

64DER16- 1	2/5/2016	2/5/2016	42/24	
64DER16- 2	2/5/2016	2/5/2016	42/24	

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

65C-30.001	2/5/2016	2/25/2016	41/221	42/03
65C-30.002	2/5/2016	2/25/2016	41/221	42/03
65C-30.003	2/5/2016	2/25/2016	41/221	42/03
65C-30.004	2/5/2016	2/25/2016	41/221	42/03
65C-30.005	2/5/2016	2/25/2016	41/221	42/03
65C-30.006	2/5/2016	2/25/2016	41/221	42/03
65C-30.007	2/5/2016	2/25/2016	41/221	42/03
65C-30.008	2/5/2016	2/25/2016	41/221	42/03
65C-30.009	2/5/2016	2/25/2016	41/221	42/03
65C-30.010	2/5/2016	2/25/2016	41/221	42/03
65C-30.011	2/5/2016	2/25/2016	41/221	42/03
65C-30.012	2/5/2016	2/25/2016	41/221	42/03
65C-30.013	2/5/2016	2/25/2016	41/221	42/03
65C-30.014	2/5/2016	2/25/2016	41/221	42/03
65C-30.015	2/5/2016	2/25/2016	41/221	42/03
65C-30.016	2/5/2016	2/25/2016	41/221	42/03
65C-30.018	2/5/2016	2/25/2016	41/221	42/03
65C-30.019	2/5/2016	2/25/2016	41/221	42/03

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 65C-30.021 2/5/2016 2/25/2016 41/221 42/03
 65C-30.022 2/5/2016 2/25/2016 41/221 42/03

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65E-15.021 2/3/2016 2/23/2016 41/236
 65E-15.031 2/3/2016 2/23/2016 41/236
 65E-15.032 2/3/2016 2/23/2016 41/236
 65E-15.041 2/3/2016 2/23/2016 41/236
 65E-15.051 2/3/2016 2/23/2016 41/236
 65E-15.071 2/3/2016 2/23/2016 41/236
 65E-15.081 2/3/2016 2/23/2016 41/236
 65E-15.111 2/3/2016 2/23/2016 41/236

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Health Care Licensing Procedures

59A-35.060 12/7/2015 ***/**** 41/191 41/217

DEPARTMENT OF HEALTH

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DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

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