

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.: 64B24-7.014  
RULE TITLE: Records and Reports

PURPOSE AND EFFECT: To update the Annual Report of Midwifery Practice form DH-MQA 5011 to include addresses for submission and instructions for completing the form.

SUBJECT AREA TO BE ADDRESSED: Annual report of midwifery practice form.

RULEMAKING AUTHORITY: 467.005, FS.

LAW IMPLEMENTED: 467.004, 467.019, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399 or Kama.Monroe@FlHealth.gov.

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

**DEPARTMENT OF HEALTH**

**Vital Statistics**

RULE NO.: 64V-1.062  
RULE TITLE: Nonviable Birth Registration

PURPOSE AND EFFECT: This new rule will implement the "Grieving Families Act."

SUBJECT AREA TO BE ADDRESSED: Certificate of Nonviable Birth

RULEMAKING AUTHORITY: 382.003(7), (10), 382.0086(10), 382.025, 382.026(10), FS.

LAW IMPLEMENTED: 382.008, 382.0086, 382.025, 382.0255, 382.026, FS.

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

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

Goold, Quality Assurance Manager, Bureau of Vital Statistics at (904)359-6900 or by email at Ana.Goold@flhealth.gov

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

**Section II**  
**Proposed Rules**

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NOS.: 2B-1.0025  
RULE TITLES: Complaints

2B-1.003 Minor Violations

2B-1.0041 Expedited Hearing for False Military Service

PURPOSE AND EFFECT: The proposed rule amendments are intended to address changes to the complaint process; to address additional violations that can be considered minor violations; and to address changes regarding criteria and requirements for expedited hearings.

SUMMARY: The proposed changes to Rule 2B-1.0025 incorporate the Complaint form and the Additional Complaint Information form into the rule and specify the criteria for filing a complaint with the Commission, and the manner in which the complaint is handled.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Commission meeting, the Commission concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 104.2715(3), 106.26(1),(12), FS.

LAW IMPLEMENTED: 104.2715, 105.071, 106.25, 106.26(12), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.0025 Complaints.

(1) Any complaint alleging violations of the Florida Election Code over which the Florida Elections Commission has jurisdiction may be filed with the Commission.

(a) Within 5 days after receipt of a complaint, Commission staff shall conduct a technical and clerical review of the complaint to ensure that:

1. FEC Form 1, entitled "Complaint," (5/17), which is hereby adopted and incorporated by reference and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or from the Commission's website at [www.fec.state.fl.us](http://www.fec.state.fl.us), has been used to file the complaint;

2. All information required by FEC Form 1 has been provided, and all instructions on the complaint form have been followed;

3. A single respondent has been named in the complaint;

4. The complaint has not been submitted anonymously;

5. Any exhibits or attachments referenced in the complaint have been included with the complaint, and if multiple complaints have been submitted together, separate copies of exhibits or attachments referenced in each complaint have been attached to the complaint that references those exhibits or attachments;

6. The complaint has been properly signed by the complainant under oath in the presence of a notary public or other person authorized by law to administer oaths; and

7. The complaint contains the original signature of the complainant.

(b) If a complaint does not comply with any of the requirements of subsection (1)(a) of this rule or is otherwise incomplete, Commission staff shall return the complaint to the complainant and identify the defect(s). Commission staff shall

provide assistance or information to persons seeking to file a complaint, but shall not encourage, solicit, or discourage the filing of a complaint.

Complaints that are returned in accordance with this subsection remain confidential in accordance with Section 106.25(7), F.S.

(c) Commission staff shall assign a case number to each complaint which is not returned to the complainant, and Commission staff shall then deliver the complaint to the executive director in order for the executive director to determine whether the complaint is legally sufficient.

(2) Upon receipt of a complaint from Commission staff after the completion of the technical and clerical review required by subsection (1) of this rule, the executive director shall determine whether the complaint is legally sufficient. A complaint is legally sufficient if it meets the following criteria:

(a) The complaint alleges a violation of Chapters 104 or 106 or Sections 98.212 or 105.071, F.S.;

~~(b) The complaint was made under oath in the presence of a notary public or other person authorized by law to administer oaths;~~

~~(c) The complaint contains the original signature of the complainant;~~

~~(b)(d) The complaint contains specific facts upon which the complainant bases the allegation of a violation of law; and~~

~~(c)(e) The complaint alleges a violation that occurred within two years of the date the complaint is filed with the Commission;~~

~~(d)(f) The complaint is based on personal information or information other than hearsay; and-~~

(e) The complaint otherwise complies with the requirements of subsection (1)(a) of this rule.

(3) through (4) No change.

(5) When the executive director determines that a complaint is legally insufficient, the complainant and the respondent shall be notified. The notice shall include the reason the complaint is legally insufficient and notify the complainant that he has 14 days to correct the stated ground of insufficiency by filing FEC Form 2, entitled "Additional Complaint Information," (5/17), which is hereby adopted and incorporated by reference and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> or from the Commission's website at [www.fec.state.fl.us](http://www.fec.state.fl.us). If the complainant does not respond within 14 days, the executive director shall close the case. If the complainant responds but does not provide information that corrects the stated ground of insufficiency, the case shall be closed. A corrected complaint must also be sworn as required by Section 106.25(2), F.S.

Rulemaking Authority 106.26(1) FS. Law Implemented 105.071, 106.25 FS. History—New 2-17-91, Amended 11-14-93, 3-19-96, 8-19-

96, Formerly 1D-1.0025, Amended 1-11-99, 1-2-02, 2-15-04, 4-24-05, 6-2-13, \_\_\_\_\_.

2B-1.003 Minor Violations.

(1) The Commission shall consider a violation of Chapter 106, F.S., a minor violation under the following circumstances:

(a) through (b) No change.

~~(c) The respondent against whom the complaint was filed is and has not been the subject of any other legally sufficient complaint alleging a violation of Chapter 104, 105 or 106, F.S., prior to the occurrence of the conduct described in the complaint;~~

~~(c)(d)~~ The respondent against whom the complaint was filed is not a political party; and

~~(d)(e)~~ The respondent against whom the complaint was filed agrees to correct, if feasible, the conduct that resulted in a violation identified in this rule; and

~~(f) If the violation involves political advertising, the violation must have occurred more than 14 days before the election in which the candidate or committee named in the political advertising is participating and the person, candidate, or committee that paid for the political advertisement must be named in the political advertisement. If the violation occurred less than 14 days before the election, the complaint must not contain an allegation that the political advertising was either deceptive or influenced the outcome of the election.~~

(2) The following violations are minor violations so long as the requirements of subsection (1) of this rule have been met:

(a) through (c) No change.

(d) Section 106.07(7), F.S., failure of a candidate or political committee, in any reporting period during which the candidate or political committee has not received funds, made any contributions, or expended any reportable funds, to notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date. A fine of \$50 shall be imposed for each violation.

~~(e)(d)~~ No change.

(f)(e) Section 106.143(1)(a), F.S., failure of a candidate, except a write-in candidate, making an expenditure for a political advertisement to mark prominently the political advertisement with the required disclaimer. A fine of \$250 shall be imposed for each violation.

(g) Section 106.143(1)(b), F.S., failure of a write-in candidate making an expenditure for a political advertisement to mark prominently the political advertisement with the required disclaimer. A fine of \$250 shall be imposed for each violation.

(f) through (q) renumbered as (h) through (s) No change.

(3) through (4) No change.

Rulemaking Authority 106.26(12) FS. Law Implemented 106.26(12) FS. History—New 1-11-99, Amended 2-14-00, 1-2-02, 4-24-05, 8-13-14, \_\_\_\_\_.

2B-1.0041 Expedited Hearings for False Military Service.

The procedure for the investigation and hearing, if necessary, of a sworn complaint alleging a violation of Section 104.271(2) or 104.2715, F.S., will be as described in Rule 2B-1.004, F.A.C. and Sections 106.24, 106.25, 106.26, F.S., except that the following time restrictions shall be adhered:

(1) The executive director shall make a determination as to legal sufficiency of the complaint, and the legal sufficiency or legal insufficiency letter shall be sent by certified mail no later than 5 days after the expiration of the time allotted for the respondent to provide a written response to the complaint.

(a) If the complaint also alleges a violation of any section of law other than Section 104.271(2) or 104.2715, F.S., the executive director shall cause the complaint to be separated into two complaints, one of which shall contain all allegations made under Sections 104.271(2) and 104.2715, F.S., and one of which shall contain all other allegations made by the complaint.

(b) A new case number shall be assigned to the complaint containing all allegations other than those made under Sections 104.271(2) and 104.2715, F.S., and the procedures and time restrictions of subsections (2) through (4) of this rule shall not apply to the investigation and hearing, if necessary, of such complaint.

~~(1) If the executive director finds that the complaint is legally sufficient, the legal sufficiency letter shall be sent by certified mail no later than 10 days after the expiration of the time allotted for respondent to provide a written response to the complaint.~~

(2) The Commission shall complete its report of investigation no later than 30 ~~60~~ days after the respondent's ~~Respondent's~~ receipt of the legal sufficiency letter.

(3) A copy of the Commission counsel's probable cause recommendation shall be furnished to the respondent no later than 5 ~~40~~ days after the expiration of the time allotted for respondent to provide a written response to the investigator's report.

(4) Upon a finding of probable cause, the case shall proceed to hearing in accordance with Section 106.25(5), F.S., except that:

(a) In cases to be heard by the Division of Administrative Hearings, the executive director shall, no later than 5 ~~40~~ days after receipt of an election from the respondent to have a formal administrative hearing conducted by an administrative law judge in the Division of Administrative Hearings ~~order finding probable cause~~, refer the case to the Division of Administrative Hearings ~~for an expedited hearing~~.

(b) In cases involving disputed issues of material fact to be heard by the Commission, the Chairman shall, within 5 ~~40~~ days of determining that a disputed issue of material fact exists, ~~issuing an order finding probable cause~~, direct that a

Commissioner or Commissioners hear the case, in accordance with subsection 2B-1.004(5), F.A.C. Determination as to the existence of a disputed issue of material fact shall be made by the Chairman within 5 days of receipt of such claim by respondent. The Chairman shall direct that the hearing be an expedited proceeding, and shall issue an expedited discovery schedule.

(c) Informal hearings, involving no disputed issues of material fact, shall be conducted before the Commission at the next scheduled commission meeting, unless the Chairman elects to proceed in accordance with subsection 2B-1.004(5), F.A.C.

(5) The above set timeframes may be waived upon a showing of good cause.

Rulemaking Authority 104.2715(3) FS. Law Implemented 104.2715 FS. History—New 1-8-14, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Elections Commission  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 8, 2017

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.: RULE TITLE:

2B-1.009 Forms

PURPOSE AND EFFECT: The proposed new rule is intended to set forth the forms utilized by the Commission.

SUMMARY: The proposed rule addresses the Complaint form and the Additional Complaint Information form utilized by the Commission.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Commission meeting, the Commission concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not

increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 106.26 FS.

LAW IMPLEMENTED: 106.25 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Amy Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.009 Forms

(1) The following forms and instructions are used by the Commission in its dealings with the public:

(a) FEC Form 1, entitled “Complaint,” (5/17), can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->. To be utilized by persons wishing to file a complaint alleging a violation of Chapter 104 or 106, Florida Statutes.

(b) FEC Form 2, entitled “Additional Complaint Information,” (5/17), can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->. To be utilized by persons wishing to correct the stated grounds of legal insufficiency of a complaint.

(2) The above forms are also available without cost, upon request to the Florida Elections Commission, 107 West Gaines Street, Suite 224, Tallahassee FL 32399 and may also be downloaded from the Commission’s website at [www.fec.state.fl.us](http://www.fec.state.fl.us).

Rulemaking Authority 106.26 FS. Law Implemented 106.25 FS. History – New.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Elections Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: May 17, 2017  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: June 8, 2017

## DEPARTMENT OF EDUCATION

### State Board of Education

RULE NO.: RULE TITLE:

6A-4.0021 Florida Teacher Certification Examinations

PURPOSE AND EFFECT: To update and modify rule language related to test administration and special arrangement policies for examinees with disabilities, eliminating the requirement that reading be performed using visual or tactile means. The effect will be changes to the affected FTCE special arrangements requirements for examinees with disabilities.

SUMMARY: The rule is proposed for amendment to remove and modify language related to the requirement that reading passages and questions be read through visual or tactile means.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under section 120.541(1), F.S., and; 2) no new fees are imposed in the proposed rule. Although an indeterminate increase in the number of examinees who are required to retake the examination(s) is predicted, the expected number of examinees and the resulting fees for the examinations will not approach the threshold for legislative ratification. The proposed rule is not expected to require legislative ratification pursuant to s. 120.541(3), F.S. The proposed rule is not expected to have any adverse impact on economic growth, private job creation, employment, or investment, or any adverse impact on transactional costs as noted above.

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

RULEMAKING AUTHORITY: 1012.55(1), 1012.56, 1012.59, F.S.

LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, F.S.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) through (5) No change.

(6) Examinee with a disability. An applicant who is unable to complete the examinations under standard testing conditions because of a disability may request special arrangements. Such a request shall be made when the examination application is submitted. Lack of proficiency in the English language alone shall not be acceptable as a justifiable reason for requesting a reader or extra time for an examinee. Special arrangements shall be provided for applicants with disabilities.

(a) through (b) No change.

(c) Special test arrangements may include but are not limited to the following:

1. Flexible scheduling. The person may be administered an examination during several brief sessions, as long as that examination is completed on the test administration date. Up to double time may be allowed.

2. Flexible setting. The person may be administered an examination individually or in a small group setting by a proctor rather than in a classroom or auditorium setting.

3. Recording of answers. The person may mark answers in a test booklet, type the answers by machine, or indicate selected answers to a test proctor. The proctor may then transcribe the person's responses onto a machine-scorable answer sheet or onto a computer. In instances where the proctor is required to mark the responses on behalf of the examinee, there will be a tape recording of the examinee's selected responses. A large-block answer sheet may be provided. The person may use a word processor or typewriter to prepare any required essay or other written response. Technical support to operate the word processor or typewriter may be provided.

4. Revised format. The person may use a large-print booklet, a Braille test booklet, or a magnifying device.

5. Auditory aids. A recorded version of the examination may be provided, the examination may be read by a narrator, or the examination may be provided via video with a narrator using oral language or sign language.

6. Assistive personnel. Test personnel may be provided by the test administrator to record answers, sign test instructions,

or read instructions and test items other than reading passages and items.

~~7. Reading passages and items must be read by the examinee through visual or tactile means.~~

~~7.8.~~ Accommodations not covered by this rule may be requested through the Department of Education and will be provided, as appropriate, upon approval by the Department of Education.

(d) through (h) No change.

(7) through (12) No change.

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.55, 1012.56, 1012.59 FS. History--New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09, 6-22-10, 6-21-11, 11-22-11, 8-23-12, 5-21-13, 10-22-13, 2-25-14, 12-23-14, 7-28-15, 10-26-15, 7-26-16, 2-20-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 19, 2017

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

PURPOSE AND EFFECT: To adopt the elevator safety codes included in the 6th Edition Florida Building Code as approved by the Florida Building Code Commission.

SUMMARY: The proposed rule amendment requires the installation, alteration, relocation and change in classification of all elevators covered by Chapter 399, F.S. to comply with the most recent adopted safety standards and Florida Building Code in effect of the date of receipt of the application for permit to install, alter, relocate, or change in classification.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

RULEMAKING AUTHORITY: 399.02, 399.10 FS.

LAW IMPLEMENTED: 399.02 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kela Bishop, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399; (850)717-1280; dhr.rules@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.001 Safety Standards.

(1) Applicability Safety Standards. The safety standards adopted herein shall apply to all elevators covered by Chapter 399, F.S., as follows:

(a) The installation, alteration, relocation, and change in classification and maintenance of elevators dumbwaiters, escalators, moving walks, inclined and vertical wheelchair lifts, and inclined stairway chairlifts must comply with Chapter 399, Florida Statutes (F.S.), the Florida Building Code as adopted by the Florida Building Commission, and the applicable safety following standards in effect on the date of receipt of application for the permit to install, alter, relocate, or change in classification, as adopted herein which are hereby adopted and incorporated by reference.

(b) The maintenance, repair and replacement must comply with the maintenance, repair and replacement requirements of the most recent adopted codes and the codes under which the elevator was installed, altered, relocated, or changed classification, as applicable.

(c) Inspections and periodic test witnessing must be performed in accordance with the inspection and test requirements of the most recent adopted codes.

(2) The following safety standards for elevators, escalators, dumbwaiters, and moving walks are hereby adopted and incorporated by reference:

(a) ASME A17.1-2007, Safety Code for Elevators and Escalators, including ASME A17.1a-2008, Addenda to ASME A17.1-2007, and A17.1b-2009, Addenda to ASME A17.1-2007, effective March 15, 2012;

(b) ASME A17.1-2013, Safety Code for Elevators and Escalators, including Nonmandatory Appendix N, Nonmandatory Appendix X, and Nonmandatory Appendix Y, effective December 31, 2017.

1. Exclusions. The following parts of ASME A17.1-2013, Safety Code for Elevator and Escalators, are hereby excluded and not incorporated herein by reference:

a. Parts 5.3, 8.10.5.2, and 8.11.5.2 relating to private residence elevators.

b. Parts 5.4, 8.6.7.4 and 8.10.5.2 relating to private residence inclined elevators.

c. Parts 5.8, 8.6.7.8, 8.7.5.8, 8.10.5.8, and 8.11.5.8 relating to marine elevators.

d. Part 5.9, 8.6.7.9, and 8.7.5.9 relating to mine elevators.

e. Part 5.11, 8.6.7.11, 8.10.5.14, and 8.11.5.14 relating to wind turbine tower elevators.

f. Part 5.12, 8.6.7.12, 8.7.5.10, 8.10.5.15, and 8.11.5.15 relating to outside emergency elevators.

(c)(b) ASME A17.3-1996, Safety Code for Existing Elevators and Escalators, effective March 15, 2012, ~~and~~

(3) The following safety standard for stairway chairlifts and inclined or vertical wheelchair lifts is hereby adopted and incorporated by reference:

(e) ASME A18.1-2008, Safety Standard for Platform Lifts and Stairway Chairlifts, effective March 15, 2012.

(4)(2) "ASME" is the recognized abbreviation for the American Society of Mechanical Engineers, and generally the abbreviation is used in these rules in identifying the publications of the association, which are copyrighted. It would be a violation of federal copyright law to post the materials incorporated in this rule on the Internet for public viewing. Accordingly, the public may purchase a copy of any ASME publication by writing ASME, P. O. Box 2300, Fairfield, NJ 07007-2300, or at www.asme.org. In addition, copies of the incorporated materials are available for viewing during regular business hours at the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, located at 2601 Blair Stone Road, Tallahassee, Florida 32399. Copies of ASME A17.1, ASME A17.3, and ASME A18.1 are available for purchase from the ASME, P.O. Box 2300, Fairfield, NJ 07007 2300 or through the ASME website at www.asme.org. The division maintains a copy of each of the adopted codes available for review upon request.

Rulemaking Authority 399.02, 399.10 FS. Law Implemented 399.02 FS. History—Amended 10-20-63, 4-20-64, 11-17-73, 12-20-73, Revised 3-22-74, Amended 12-18-74, 8-21-79, 8-1-82, 9-19-84, Formerly 7C-5.01, Amended 11-1-87, 10-31-88, 6-12-89, 9-10-89, 10-3-90, 5-12-91, 6-23-91, 8-9-91, 8-27-92, Formerly 7C-5.001, Amended 2-2-94, 8-1-96, 1-1-98, 10-4-00, 4-2-08, 3-15-12, 8-21-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rick Akin, Director, Division of Hotels and Restaurants,  
Department of Business and Professional Regulation.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Matilde Miller, Interim Secretary, Department of Business and Professional Regulation.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 13, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 14, 2017

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

#### DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-203.201: Inmate Trust Fund

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 88, May 5, 2017 issue of the Florida Administrative Register.

33-203.201: Inmate Trust Fund

(1) through (12) No change.

Rulemaking Authority 944.09, ~~944.151~~, 944.516, 945.091, ~~945.215~~ FS. Law Implemented 17.61, ~~20.315(12)~~, 57.085, 717.113, ~~944.09~~, ~~944.151~~, 944.516, 945.091, 945.215 FS. History—New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, 7-13-03, 10-20-03, 1-23-05, 5-12-05, 11-12-06, 9-2-08, 5-26-09, 7-1-13, 3-11-14,\_\_\_\_\_.

#### DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-203.201 Inmate Trust Fund

#### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 88, May 5, 2017 issue of the Florida Administrative Register.

Section 120.54(3)(a)1., Florida Statutes, requires the notice of proposed rule to include whether “based on the statement of the estimated regulatory costs or other information expressly relied upon and described by the agency if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification.” A statement of estimated regulatory costs was not prepared. Therefore, the notice should have included a statement as to what information was relied upon in reaching the stated conclusions. The proposed rule is hereby corrected with the following statement:

The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria set forth in s.120.541(2)(a), F.S.

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

RULE NO.: RULE TITLE:  
64B24-7.014 Records and Reports

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 91, May 10, 2017 issue of the Florida Administrative Register has been withdrawn.

**Section IV  
Emergency Rules**

**NONE**

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

**DEPARTMENT OF HEALTH**

Board of Pharmacy

RULE NOS.:RULE TITLES:

64B16-26.1003 Active License Renewal Fees  
64B16-26.1021 Delinquent License Reversion;  
Reinstatement; Fees

64B16-26.103:Continuing Education Credits; Renewal  
**NOTICE IS HEREBY GIVEN** that on June 7, 2017, the Board of Pharmacy received a petition for variance or waiver filed by Richard W. Brady seeking a variance or waiver of the requirement of Rule 64B16-26.1003(2), Florida Administrative Code, that states that the biennial license renewal fee for a consultant pharmacist active license shall be \$100 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S. Petitioner is also seeking a variance or waiver of Rule 64B16-26.1021(3), F.A.C., that states that a consultant pharmacist may request that a delinquent consultant pharmacist license be reinstated to an active or inactive status by submitting a delinquent fee of \$100 plus the current fee for an active or inactive status consultant pharmacist license set forth in Rule 64B16-26.1003 or 64B16-26.1004, F.A.C. Petitioner additionally seeks a variance or waiver of subsection 64B16-26.103(2), F.A.C., that states that prior to renewal a consultant pharmacist shall complete no less than 24 hours of Board-approved continuing education in the course work specified in Rule 64B16-26.302, F.A.C., within the 24 month period prior to the expiration date of the consultant license.

A copy of the Petition for Variance or Waiver may be obtained by contacting: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or at [info@Floridaspharmacy.gov](mailto:info@Floridaspharmacy.gov).

Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF LEGAL AFFAIRS**

The Services and Resources Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 13, 2017, 9:00 a.m. until conclusion

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

Dial-in information: phone number: 1(888)670-3525, participant passcode: 9590495753

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

A copy of the agenda may be obtained by contacting: Lynn Guyton at [Lynn.Guyton@myfloridalegal.com](mailto:Lynn.Guyton@myfloridalegal.com) or by accessing the board’s website at:

[http://myfloridalegal.com/\\_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting](http://myfloridalegal.com/_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Office of Attorney General Pam Bondi at (850)414-3300. 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: Lynn Guyton, [Lynn.Guyton@myfloridalegal.com](mailto:Lynn.Guyton@myfloridalegal.com), (813)287-7950.

**DEPARTMENT OF LAW ENFORCEMENT**

The Criminal and Juvenile Justice Information Systems (CJJIS) Resources Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 29, 2017, 3:00 p.m.

PLACE: Conference Call - For conference call line information, please email: [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us).

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Committee members will discuss the committee's work plan objectives and associated strategic actions.



A copy of the agenda may be obtained by contacting: Rachel Truxell, racheltruxell@fdle.state.fl.us, (850)410-7116

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: Rachel Truxell, racheltruxell@fdle.state.fl.us, (850)410-7116. 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: Rachel Truxell, racheltruxell@fdle.state.fl.us, (850)410-7116.

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#### DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 30, 2017, 11:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: \*\*\* AMENDED NOTICE \*\*\* A Special Commission Conference Call will be held to address two (2) agenda items: 1) An issue with a Breath Test Instructor at the Citrus County Public Safety Training Center; and 2) Changes made to the proposed prejudicial behavior rule language, published in the April 13, 2017, issue of the Florida Administrative Register in Vol. 43, No. 72.

To participate in the telephone conference, please use dial-in phone number: 1(888)670-3525, then enter participant code: 8753391569, followed by the # sign.

A copy of the agenda may be obtained by contacting: Joyce Gainous-Harris, (850)410-8615, JoyceGainous-Harris@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris, (850)410-8615, JoyceGainous-Harris@fdle.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).

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#### REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Treasure Coast Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Kim Koho Vaday, (772)221-4060.

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: Kim Koho Vaday, (772)221-4060. 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: Kim Koho Vaday, (772)221-4060.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Rules Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. To participate in the call, contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2017, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org), at least 10 days prior to the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 18, 2017, 1:00 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303; telephone conference information below

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review applications for licensure and other general business of the committees. To participate in the conference call, contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Education Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 18, 2017, 3:00 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review applications for licensure and other general business of the committees To participate in the call, contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

## Board of Professional Engineers

The Florida Board of Professional Engineers announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 28, 2017, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Application & Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board. To participate in the call, contact: Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is 1(888)392-4560; contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

## QCAUSA

The Central Florida Expressway Authority (CFX) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 11, 2017, 9:00 a.m. – 12:00 Noon

A brief presentation on each study corridor will be provided, followed by a group discussion.

PLACE: Osceola Heritage Park - Exhibition Hall, 1875 Silver Spur Lane, Kissimmee, Florida 34744

GENERAL SUBJECT MATTER TO BE CONSIDERED: CFX Project Nos: 599-224, 599-223, 599-222 & 599-221

Project Description: CFX Concept, Feasibility & Mobility Studies – Poinciana Parkway Extension / I-4 Connector; Southport Connector Expressway; Northeast Connector Expressway & Osceola Parkway Extension

The Central Florida Expressway Authority (CFX) is conducting concept, feasibility and mobility studies for the above-referenced corridors. CFX is evaluating the four previously studied transportation corridors to determine if they are viable and fundable in accordance with CFX policies and procedures. The corridors are in Osceola County, with small portions in Orange and Polk counties.

The work will include the evaluation and documentation of the physical, natural, social and cultural environments within the corridors and the potential impacts associated with the various mobility alternatives. Transportation demands for each corridor will be determined and a range of transportation mobility options and programs will be developed to adequately meet the future demands.

The overall goals of these study corridors are to: improve roadway connections from I-4/SR 429 to Florida's Turnpike, to US 192 and SR 417; provide additional traffic capacity with the study area; enhance mobility of the area's growing population and economy; reduce congestion and delays on local roads by providing a new limited-access transportation option; provide for the incorporation of transit options; and promote regional connectivity.

The EAG will assist in providing environmental impact input in the evaluation of the feasibility of the project corridors. The main purpose of the EAG is to inform the project team of local needs, issues and concerns within the project study limits with regards to environmental impacts. Study corridor information sheets will be distributed at the meeting.

A copy of the agenda may be obtained by contacting: Ms. Mary Brooks, Public Involvement Coordinator at 407-802-3210 or via email at ConceptStudies@CFXway.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 7 days before the workshop/meeting by contacting: Ms. Mary Brooks, Public Involvement Coordinator at (407)802-3210 or via email at ConceptStudies@CFXway.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: Ms. Mary Brooks, Public Involvement Coordinator at (407)802-3210 or via email at ConceptStudies@CFXway.com.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Florida Condominiums, Timeshares and Mobile  
Homes

NOTICE IS HEREBY GIVEN that the Division of Florida  
Condominiums, Timeshares, and Mobile Homes, Department  
of Business and Professional Regulation, State of Florida, has  
received the petition for declaratory statement from Steven R.  
Braten, Esq. on behalf of Richard Kerski, Unit Owner, In Re:  
The Pines of Delray North Association, Inc., Docket No.  
2017029548, filed on June 21, 2017. The petition seeks the  
agency’s opinion as to the applicability of Section  
718.112(2)(j), Florida Statutes, as it applies to the petitioner.

Whether Section 718.112(2)(j), Florida Statutes, precludes or  
allows the Association to charge a “Working Capital Fee” thirty  
days after purchase of a condominium unit in Pines of Delray  
North?

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

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

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

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

Paul Still vs. Suwannee River Water Management District;  
Case No.: 17-3636RE; Rule No.: 40BER 17-01

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

NONE

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

NONE

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

NONE

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

NONE

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Monday June 19, 2017 and 3:00 p.m., Friday June 23, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5J-6.005	6/21/2017	7/11/2017
5J-6.013	6/21/2017	7/11/2017
5J-6.015	6/21/2017	7/11/2017
59G-4.025	6/20/2017	7/10/2017
59G-6.020	6/20/2017	7/10/2017
59G-13.070	6/20/2017	7/10/2017
61G7-7.003	6/21/2017	7/11/2017
61N-2.012	6/21/2017	7/11/2017
61N-2.016	6/21/2017	7/11/2017
64B10-14.004	6/21/2017	7/11/2017
74-3.007	6/23 2017	7/13/2017

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

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

**DEPARTMENT OF HEALTH**

Board of Nursing  
Emergency Action

On June 22, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the certification of Norma A. Casanova, C.N.A., Certificate # CNA 118972. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Nursing  
Emergency Action

On June 22, 2017, the State Surgeon General issued an Emergency Restriction Order with regard to the license of Terri Lynette Rhodes, L.P.N., License # PN 5144826. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**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.