

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12D-1.004 Returns, Applications and Other Information (not Including Applications for Exemptions) Required to Be Filed with the Property Appraiser

PURPOSE AND EFFECT: The purpose of amending Rule 12D-1.004, F.A.C., is to update the rule to reflect the changes to s. 193.501, F.S., in section 11 of Chapter 2016-128, L.O.F.; changing the April 1 filing deadline for property subject to an assessment on outdoor recreational or park lands or conservation easement to March 1, implementing section 2 of Chapter 2009-157, L.O.F.; incorporating forms used to apply to the property appraiser in s. 193.501, F.S.; and removing obsolete references. The effect of this rule amendment is to clarify the requirements of timely filing a return required in s. 193.052, F.S., incorporate form numbers to help identify the correct form to file and correct a filing deadline.

SUBJECT AREA TO BE ADDRESSED: The amendment updates the filing deadline for property subject to an outdoor recreational or park lands or conservation easement, incorporates forms filed with the property appraiser, and adds the requirement that a return required under s. 193.052 must be timely filed.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS
LAW IMPLEMENTED: 193.052, 193.062, 193.481, 193.501, 193.621, 196.011, 704.06(1) FS

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: April 11, 2017, 10:00 a.m.

PLACE: Room 1220, Building 1, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida. The agenda for this workshop will include specific information about how to participate in this electronic meeting will be on the Department's site at <http://floridarevenue.com/dor/property/legislation/rules/>.

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: Mike Cotton at: mike.cotton@floridarevenue.com or (850)617-8870 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Cotton, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32315-3000, telephone: (850)617-8870, email: mike.cotton@floridarevenue.com

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: RULE TITLES:
12D-5.002 Purchase Price Paid as a Factor in Determining Agricultural Classification
12D-5.004 Applicability of Other Factors to Classification of Agricultural Lands

PURPOSE AND EFFECT: The purpose of the proposed repeal of Rule 12D-5.002, F.A.C., and the proposed amendments to Rule 12D-5.004, F.A.C., is to implement the provisions of Chapter 2013-95, Laws of Florida. The effect of these proposed rule repeals and revisions is to provide property appraisers with updated provisions for administering the agricultural classification granted by Florida law.

SUBJECT AREA TO BE ADDRESSED: The subject of these rules is the procedures property appraisers use to determine if property qualifies for an agricultural classification.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.461, 195.032 FS.

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Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32315-3000, telephone: (850)617-8870, email: mike.cotton@floridarevenue.com.

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
 12D-7.020 Exemption for Real Property Dedicated in Perpetuity for Conservation

PURPOSE AND EFFECT: The purpose of amending this rule is to implement statutory changes enacted in section 1 of Chapter 2016-110, L.O.F. The rule deletes the requirement that an exemption for a conservation easement must be renewed annually and updates the notification process for the property owner. The effect of the amendment provides that a property owner is not required to file a renewal application until the use of the property no longer complies with conservation easement restrictions and requirements.

SUBJECT AREA TO BE ADDRESSED: The amendment to this rule removes the requirement for the property owner to file an annual renewal application but the property owner must notify the property appraiser when the use of the property no longer complies with conservation easement restrictions and requirements.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 196.011, 196.26, 213.05 FS.

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Tallahassee, Florida 32315-3000, telephone: (850)617-8870, email: mike.cotton@floridarevenue.com

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: RULE TITLES:
 12D-8.0064 Assessments; Correcting Errors in Assessments of a Homestead
 12D-8.00659 Notice of Change of Ownership or Control of Non-Homestead Property

PURPOSE AND EFFECT: The purpose of amending Rule 12D-8.0064, F.A.C., to reflect the changes in section 5 of Chapter 2016-128, L.O.F., giving property owners 30 days to pay taxes, penalties, and interest prior to the property appraiser filing a notice of tax lien when a person is not entitled to a homestead exemption or assessment increase limitation as amended in s. 193.155, F.S. Amending Rule 12D-8.00659(7), F.A.C to implement changes in sections 6 and 7 of Chapter 2016-128 L.O.F., relieving the property owner of any assessed penalties or interest if the property assessment limitation was granted because of a clerical error or omission as amended in ss. 193.1554 and 193.1555, F.S.

SUBJECT AREA TO BE ADDRESSED: The purpose of these rule amendments is to allow property owners to be notified and given thirty days to pay taxes prior to a lien filing; and grant the property owner a waiver of penalty and interest assessed due to a clerical error or omission.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.011, 193.023, 193.155, 193.1554, 193.1555, 193.5556, 196.011, 196.161, 213.05 FS.

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-9.001	Taxpayer Rights in Value Adjustment Board Proceedings
12D-9.003	Definitions
12D-9.004	Composition of the Value Adjustment Board
12D-9.005	Duties of the Board
12D-9.007	Role of the Clerk of the Value Adjustment Board
12D-9.010	Appointment of Special Magistrates to the Value Adjustment Board
12D-9.014	Prehearing Checklist
12D-9.015	Petition; Form and Filing Fee
12D-9.017	Ex Parte Communication Prohibition
12D-9.018	Representation of the Taxpayer
12D-9.019	Scheduling and Notice of a Hearing
12D-9.025	Procedures for Conducting a Hearing; Presentation of Evidence; Testimony of Witnesses
12D-9.029	Procedures for Remanding Value Assessments to the Property Appraiser
12D-9.030	Recommended Decisions
12D-9.032	Final Decisions
12D-9.034	Record of the Proceeding

PURPOSE AND EFFECT: The department is proposing amendments to various rules in Chapter 12D-9, Florida Administrative Code (F.A.C.), for the value adjustment board (VAB) process. The purpose of the amendment to Rule 12D-9.001, F.A.C., is to detail taxpayer rights to implement sections 10, 11, and 12 of Chapter 2016-128, Laws of Florida (L.O.F.). The purpose of the proposed amendment to Rule 12D-9.003, F.A.C., is to implement section 11 of Chapter 2016-128, L.O.F., adding the terms “petition” and “representative.” The department proposes removing reference to AGO 2002-058 from the Law Implemented because opinions do not constitute law that can be implemented. The purpose of the proposed amendment to Rule 12D-9.004, F.A.C., is to reflect the verbiage change “chair” from section 11 of Chapter 2016-128, L.O.F. The purpose of the proposed amendments to Rule 12D-9.005, F.A.C., is to implement section 11 of Chapter 2012-193, L.O.F., updating language from s. 194.032, F.S., and section 10 of

Chapter 2016-128, L.O.F., adding the new types of hearings. The proposed amendment to Rule 12D-9.007, F.A.C., is to update the clerk’s role for notifications and implement section 2 of Chapter 2013-72, L.O.F., to allow for electronic notification of board decisions. The proposed amendment to Rule 12D-9.010, F.A.C., is to reflect the different types of hearings an attorney special magistrate will hear from section 12 of Chapter 2016-128, L.O.F. The proposed amendment to Rule 12D-9.014, F.A.C., is to implement section 12 of Chapter 2016-128, L.O.F., adding a requirement from s. 194.035(1), F.S., to the prehearing checklist. The proposed amendment to Rule 12D-9.015, F.A.C., is to remove language superceded by statute; update the rule language to match the changes to the petition forms; implement new Forms DR-486POA and DR-486A; implement section 10 of Chapter 2016-128, L.O.F.; incorporate changes from sections 8 and 11 of Chapter 2016-128, L.O.F.; correct statute citations; and add how authorized parties sign and file petitions with the clerk. The proposed amendment to Rule 12D-9.017, F.A.C., is to implement section 11 of Chapter 2016-128, L.O.F., changing “agent” to “representative.” The purpose of the proposed amendment to Rule 12D-9.018, F.A.C., is to implement sections 1, 8, and 11 of Chapter 2016-128, L.O.F., providing for the requirements of additional types of representation for a taxpayer. The purpose of the proposed amendment to Rule 12D-9.019, F.A.C., is to implement section 10 of Chapter 2016-128, L.O.F. and section 8 of Chapter 2013-109, L.O.F., adding steps for a board clerk when rescheduling a hearing for good cause provided in s. 194.032, F.S. The purpose of the proposed amendment to Rule 12D-9.025, F.A.C., is to and add when the property appraiser provides a revised property record card to the petitioner. The purpose of the proposed amendment to Rule 12D-9.029, F.A.C., is to clarify procedures when remanding a value assessment to the property appraiser. The purpose of the proposed amendment to Rules 12D-9.030 and 12D-9.032, F.A.C., is to implement section 11 of Chapter 2016-128, L.O.F., adding amendments from s. 194.034, F.S., regarding when the board prepares written decisions. The purpose of the proposed amendment to Rule 12D-9.034, F.A.C., is to implement section 11 of Chapter 2016-128, L.O.F., changing “agent” to “representative.” The effect of amending these rules is to clarify the procedures for VAB proceedings and reflect recent statutory changes.

SUBJECT AREA TO BE ADDRESSED: Value adjustment board proceedings

RULEMAKING AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.001, 192.0105, 193.074, 193.092, 193.122, 193.155, 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.171, 194.301, 195.002, 195.022, 195.027, 195.084, 195.096, 196.011,

196.151, 196.193, 196.194, 197.122, 197.2425, 197.301, 200.069, Chapter 475, Part II FS.

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-16.002
 RULE TITLE: Index to Forms

PURPOSE AND EFFECT: The purpose of amending this rule is to implement statutory changes enacted in section 1 of Chapter 2016-110, L.O.F. Amend Form DR-418C, Real Property Dedicated in Perpetuity for Conservation, Exemption Application, to remove instructions requiring the property owner to annually reapply for the exemption. Repeal Form DR-418CR, Real Property Dedicated in Perpetuity for Conservation, Exemption Renewal, to reflect the amendment to s. 196.26, F.S., removing the annual renewal notification to the property appraiser. Amend Form DR-501M, Deployed Military Exemption Application, to include subordinate military operations as amended in s. 196.173, F.S. The effect of these proposed amendments is that affected parties will have an updated form available that complies with current law.

SUBJECT AREA TO BE ADDRESSED: The Department is updating Forms DR-418C and DR-501M as filed with the property appraiser; and repealing Form DR-418CR, based on Chapter 2016-110, L.O.F.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS

LAW IMPLEMENTED: 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS.

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: 12D-18.005
 RULE TITLES: Adoption of Non-Ad Valorem Assessment Roll
 12D-18.006 Certification of Assessment Roll

PURPOSE AND EFFECT: The purpose of amending Rule 12D-18.005, F.A.C., is to implement statutory changes enacted in section 1 of Chapter 2010-139, L.O.F.; adding qualifying improvements that assist in alleviating property's burden from energy consumption. The rule also implements changes enacted

by section 13 of Chapter 2016-128, L.O.F, revising the time frame local governments shall adopt a non-ad valorem assessment roll at a public hearing. Rule 12D-18.006, F.A.C. is also amending the time frame local governments shall adopt a non-ad valorem assessment roll at a public hearing, updating a subsection reference as on Chapter 12D-13 amendment that became effective April 5, 2016, and removing the requirement to send a document to the department.

SUBJECT AREA TO BE ADDRESSED: Implement changes promoting renewable energy resources and allowing local governments to assist in funding these improvements, adding additional time local governments can hold a public hearing to adopt non-ad valorem assessment roll and deleting a duplicate document requirement.

RULEMAKING AUTHORITY: 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS.

LAW IMPLEMENTED: 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-10.0015 **RULE TITLE:** Alternative Reporting Compliance by Accredited Employee Leasing Companies.

PURPOSE AND EFFECT: The purpose and effect of the rule amendment is to maintain the current alternative reporting compliance by accredited employee leasing companies for submitting the quarterly and annual filing obligations.

SUBJECT AREA TO BE ADDRESSED: The rule amendment addresses alternative reporting compliance by accredited employee leasing companies for submitting the quarterly and annual filing obligations.

RULEMAKING AUTHORITY: 468.522, 468.529(4) FS.

LAW IMPLEMENTED: 468.525(3) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Richard.Morrison@myfloridalicense.com.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-701.200 **RULE TITLES:** Definitions
62-701.900 Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to revise the definitions and forms sections of Chapter 62-701, F.A.C. in order to incorporate revisions make to Chapter 62-711, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The subject matter to be addressed in this rulemaking includes the waste tire registration form and related definitions in conjunction with the revisions in Waste Tire Rule, Chapter 62-711, F.A.C.

RULEMAKING AUTHORITY: 403.704 FS

LAW IMPLEMENTED: 403.702-.717, 403.75-.769 FS

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michell Smith, 2600 Blairstone Rd., MS , Tallahassee, FL 32399-24070, Michell.M.Smith@dep.state.fl.us, (850)245-58721
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-711.300	Waste Tire Permit Requirements
62-711.400	Waste Tire Prohibitions
62-711.500	Waste Tire Site Notification and Requirements
62-711.520	Waste Tire Collector Requirements
62-711.530	Waste Tire Processing Facility Requirements
62-711.540	Storage Requirements
62-711.550	Waste Tire Collection Center Requirements
62-711.801	General Permits

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to synchronize the current rule with the online waste tire registration process and provide a lower cost alternative method to small business owners for the storage of waste tires. This rulemaking is also intended to update and provide clarity to the current rule through public input.

SUBJECT AREA TO BE ADDRESSED: The subject matter to be addressed in this rulemaking includes the transportation and storage of waste tires in the Waste Tire Rule, Chapter 62-711, F.A.C.

RULEMAKING AUTHORITY: 403.704, 403.717, 403.814 FS
 LAW IMPLEMENTED: 403.087, 403.707, 403.717, 403.814 FS

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michell Smith, 2600 Blairstone Rd., MS , Tallahassee, FL 32399-24070, Michell.M.Smith@dep.state.fl.us, (850)245-58721
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NOS.:	RULE TITLES:
69I-23.002	Definitions
69I-23.003	Establishment, Changes, and Continuation of Revolving Fund
69I-23.004	Use of Revolving Fund

PURPOSE AND EFFECT: The proposed amendment is intended to promote clarity and efficiency in the handling of revolving funds. The rules are being amended to do the following:

- Update the definitions contained in the rule.
- Update requirements for the establishment, change or continuation of the Revolving Fund.
- Update the internal controls for the use of the Revolving Fund.
- Correct clerical and formatting errors on Forms DFS-A1-1823 and DFS-A2-2185.

SUBJECT AREA TO BE ADDRESSED: Revolving Funds.

RULEMAKING AUTHORITY: 17.14, 17.29 FS.

LAW IMPLEMENTED: 17.14, 17.29, 17.58, 17.65, 216.271 FS.

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DATE AND TIME: April 20, 2017, 10:00 a.m.

PLACE: Room B103, Fletcher Building, 101 E. Gaines Street, Tallahassee, FL

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: Jennifer Reeves-Foster, telephone: (850)413-4677, email: Jennifer.Reeves-Foster@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Reeves-Foster, Chief, Bureau of Financial Reporting, Division of Accounting and Auditing, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-0364, telephone: (850)413-3071, email: Jennifer.Reeves-Foster@myfloridacfo.com. A copy of the proposed changes can be found at <http://www.myfloridacfo.com/Division/GeneralCounsel/RuleWorkshopMeeting/default.asp>.

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 AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-6.005	Licensing Requirement, Commercial Telephone Seller, Salesperson
5J-6.013	Exemption
5J-6.015	Security Requirements

PURPOSE AND EFFECT: The proposed rulemaking amends forms incorporated by reference, updates form references, and establishes a procedure for certain veterans, the spouses of such veterans, or business entities that have a majority ownership held by such veterans or spouses to obtain a waiver of their initial registration fee.

SUMMARY: The proposed rules update department forms incorporated by reference and provide guidance to applicants seeking a military veteran’s waiver of an initial registration fee. These amendments will ensure statutory compliance with ch. 2016-166, Laws of Florida and the Florida Telemarketing Act.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions update department forms and provide guidance on how military veterans may obtain a fee waiver. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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: 501.611(3), (5), 501.626, 570.07(23) FS.

LAW IMPLEMENTED: 501.604, 501.605, 501.607, 501.608, 501.609, 501.611 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 Topol, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at “Amy.Topol@FreshFromFlorida.com” or by phone (850) 410-3662.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson.

(1) No person may act as a commercial telephone seller or salesperson unless licensed by the Department of Agriculture and Consumer Services. All applicants for a license shall submit to the department FDACS-10001, Commercial Telephone Seller Business License Application, Rev. 03/17 01/15, hereby incorporated by reference, along with the required non-refundable fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, ~~Terry L. Rhodes Bldg.~~, Tallahassee, Florida 32399-6500, or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05126>.

(2)(a) In the event a licensed commercial telephone seller hires an employee to function as a salesperson, but the employee does not possess a current commercial telephone salesperson license, the licensed commercial telephone seller may obtain interim operating authority for the unlicensed salesperson from the department by submitting FDACS-10005, Commercial Telephone Salesperson Individual License Application, Rev. 03/17 08/13, including the Statement of Verification, hereby incorporated by reference, along with a written request that the applicant be granted interim operating authority. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, ~~Terry L. Rhodes Bldg.~~, Tallahassee, Florida 32399-6500, or accessed online at <https://www.flrules.org/gateway/reference.asp?No=Ref-03520>. Salespersons may also apply or renew their license online at: www.FreshFromFlorida.com.

(b) The interim operating authority shall be effective until such time as the department notifies the applicant of denial or approval of license. In no event shall the interim operating authority exceed a period of 90 days.

(c) No change.

(3) An honorably discharged veteran, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse requesting a waiver of the initial registration fee pursuant to Section 501.605(5)(b), F.S., shall

complete FDACS-10991, Military Veteran Fee Waiver Request, 10/16, incorporated by reference in Rule 5J-26.001, F.A.C. An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and all required supporting documentation at the time the applicant submits the Commercial Telephone Seller Business License Application referenced in subsection (1) or the Commercial Telephone Salesperson Individual License Application referenced in subsection (2).

~~(4)~~⁽³⁾ The licensee shall notify the department of all material changes in the information submitted in either the original application for licensure, or any application for renewal of the license within 10 days of the material change. The licensee shall utilize FDACS-10006, Florida Telemarketing Act Material Change Form, Rev. 03/17 07/13, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, ~~Terry L. Rhodes Bldg.~~, Tallahassee, Florida 32399-6500, or accessed online at: <https://www.flrules.org/gateway/reference.asp?No=Ref-03521>. FDACS-10006 may also be completed and submitted online at: www.800helpfla.com/registeronline.

~~(5)~~⁽⁴⁾ In the event that a salesperson licensee changes his/her company affiliation, the salesperson shall utilize FDACS-10006, Florida Telemarketing Act Material Change Form, Rev. 03/17 07/13 incorporated in subsection ~~(4)~~⁽³⁾, above, and pay the prescribed \$10 fee. Such change in status shall be submitted to the department within 10 days of the change.

~~(6)~~⁽⁵⁾ In the event that a salesperson intends to affiliate with more than one company, the salesperson shall execute a separate Statement of Verification, as found in FDACS-10005, Commercial Telephone Salesperson Individual License Application, Rev. 03/17 08/13, incorporated in subsection (2), above, for each commercial telephone seller with which the salesperson intends to affiliate.

Rulemaking Authority 501.626, 570.07(23) FS. Law Implemented 501.605, 501.607, 501.608, 501.609 FS. History—New 4-12-92, Amended 2-15-93, 6-26-94, 5-15-95, 2-11-98, 1-20-03, 3-29-12, 1-19-14, 4-16-15, _____.

5J-6.013 Exemption.

(1) Any business entity claiming an exemption from the commercial telephone seller laws pursuant to Section 501.608(1)(b), F.S., shall, prior to offering its services, file with the department the executed Affidavit of Exemption included in FDACS-10001, Rev. 03/17 08/13, incorporated by reference in Rule 5J-6.005, F.A.C. ~~Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Terry L. Rhodes Bldg., Tallahassee,~~

~~Florida 32399-6500, or accessed online at: http://www.flrules.org/Gateway/reference.asp?No=Ref-03519.~~

(2) Any business entity claiming to be exempt under Section 501.604(22), F.S., shall furnish the ~~d~~Department copies of occupational licenses, lease agreements, or tax returns which verify the entity has been operating a retail establishment at least one year under the same name as that used in connection with telemarketing; and

(a) No change.

(b) Shall furnish the ~~d~~Department copies of sales records, customer lists, purchase orders, general ledger entries, journals, or other documents which verify that a majority of the seller’s business involves the buyer obtaining such products or services at the seller’s location. For the purposes of this rule, a “majority of the seller’s business” shall mean that at least 51% of each of the following occurs at the seller’s business establishment:

1. through 3. No change.

Rulemaking Authority 501.626, 570.07(23) FS. Law Implemented 501.604, 501.608 FS. History—New 6-26-94, Amended 2-11-98, 1-20-03, 3-29-12, 1-19-14, _____.

5J-6.015 Security Requirements.

(1) If filing a bond, letter of credit, or assignment of certificate of deposit pursuant to Section 501.611, F.S., the applicant shall use the applicable forms included in FDACS-10001, Commercial Telephone Seller Business License Application, Rev. 03/17 04/15, incorporated by reference in Rule 5J-6.005, F.A.C.

(2) Claims against a bond, letter of credit, or certificate of deposit shall be submitted on FDACS-10984, Telemarketing Claim Affidavit, Rev. 03/17 12/14, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, ~~Terry L. Rhodes Bldg.~~, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05127>.

Rulemaking Authority 501.611(3), (5), 501.626, 570.07(23) FS. Law Implemented 501.611 FS. History—New 4-16-15, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Amy Topol, Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 18, 2016

AGENCY FOR HEALTH CARE ADMINISTRATION**Health Facility and Agency Licensing**

RULE NO.: RULE TITLE:
59A-12.030 Statewide Provider and Health Plan Claim
Dispute Resolution Program

PURPOSE AND EFFECT: The Agency is proposing to amend 59A-12.030 to update language due to changes to 408.7057, F.S., through HB 221 during the 2016 legislative session.

SUMMARY: The proposed amendments to the rule update settlement requirements and the review process for the statewide provider and health plan claim dispute resolution program.

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: A checklist was prepared by the Agency to determine the need for a SERC. As there will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness and no increase in regulatory costs—no adverse impact is likely.

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: 408.7057 F.S.

LAW IMPLEMENTED: 408.7057 F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 18, 2017 from 8:30 a.m. to 10:30 a.m.

PLACE: Agency for Health Care Administration, Building Three, Conference Room B, 2727 Mahan Drive, Tallahassee, Florida 32308

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: Marisol Fitch at Marisol.fitch@ahca.myflorida.com or call (850)412-4346. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marisol Fitch, Certificate of Need and Commercial Managed Care Unit Supervisor, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida or call (850)412-4346 or email at Marisol.fitch@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 59A-12.030 follows. See Florida Administrative Code for present text.)

59A-12.030 Statewide Provider and Health Plan Claim Dispute Resolution Program.

(1) Definitions.

(a) “Contracted provider” means a provider who is under a contractual agreement with a health plan.

(b) “Disputed Claim” means a claim that has been submitted by a provider to the health plan or by a health plan to a provider for payment and has been denied in full or in part, or is presumed to have been underpaid or overpaid.

(c) “Disputed Claim Amount” means the difference between the expected reimbursement amount and the reimbursement received.

(d) “Health Plan” as defined in s. 408.7057(1)(b), F.S., or a managed care or long term care plan procured pursuant to s. 409.966, F.S.

(e) “Non-contracted provider” means a provider that does not have a contractual agreement with a health plan.

(f) “Provider” as defined in Section 641.19(15), F.S., means any physician, hospital, institution, organization, or person that furnishes health care services and is licensed or otherwise authorized to practice in the state. Includes both contracted and non-contracted providers.

(g) “Professional services” means occupations that require special training or holding a professional license not classified as hospital inpatient or outpatient services.

(h) “Resolution organization” means a qualified independent third-party claim-dispute resolution entity selected by and contracted with the Agency for Health Care Administration.

(2) Purpose.

(a) To establish a program to provide assistance to providers and health plans for resolution of claim disputes that are not resolved by the provider and the health plans.

(b) The following claim disputes can be submitted by providers or health plans.

1. Claims disputed for services rendered after October 1, 2000.

2. Claims disputes related to payment amounts only, provider disputes payment amount received, or health plan disputes regarding payback amount.

3. Providers are required to aggregate claims by type of service to meet certain minimum thresholds in accordance with 59A-12.030 (5) (c) F.A.C.

(c) The resolution organization shall provide assistance to providers and health plans for resolution of claim disputes within the parameters of s. 408.7057, F.S.

(d) The resolution organization shall hear submitted claims disputes in accordance with the provisions of s. 408.7057 F.S. and this rule.

(3) Resolution Organization

(a) The resolution organization shall determine, based on a desk review, whether the claim disputes submitted by the health plans or providers meet the statutory requirement of s. 408.7057(2), F.S.

(b) The resolution organization shall inform the Agency on the status of all claim disputes.

(4) Claim Dispute Review

(a) The Agency shall approve the review cost fee schedule proposed by the resolution organization.

(b) The entity that does not prevail in the agency's final order must pay the review costs.

(c) In the event that both parties prevail in part, the review fee shall be apportioned in proportion to the final judgement. The apportionment shall be based on the disputed claim amount.

(d) If the non-prevailing party or parties fail to pay the ordered review costs within 35 days after the agency's final order, the non-paying party or parties are subject to a penalty of \$500 per day.

(5) Jurisdictional amounts and methods of aggregation for claim disputes.

(a) Claims submitted for dispute resolution shall be submitted separately by the following claim categories:

1. Hospital inpatient services claims.
2. Hospital outpatient services claims.
3. Professional services claims.

(b) Either the provider or the health plan may make an offer to settle the claim dispute.

(c) Entities filing a request for dispute resolution shall be permitted to aggregate claims. The minimum disputed claim amounts for claims submitted to the resolution organization shall be as follows:

1. Hospital inpatient services. Disputed individual claim amounts must be aggregated to a total amount of \$25,000 for health plan contracted hospitals and \$10,000 for non-contracted hospitals.

2. Hospital outpatient services. Disputed individual claim amounts must be aggregated to a total amount of \$10,000 for health plan contracted hospitals, and \$3,000 for non-contracted hospitals.

3. Professional services. Disputed individual claim amounts shall be aggregated to a minimum amount of \$500.

(d) Rural hospitals as defined in Section 395.602(2)(e), F.S., filing requests for claim dispute resolution, are exempt from the minimum disputed claim amounts specified in subparagraphs (5)(c)1. and 2. of this rule.

(e) The offer to settle the claim dispute must state the total amount and the party to whom it is directed has 15 days to accept the offer once it is received.

(f) If the party receiving the offer does not accept the offer and the final order amount is more than 90 percent or less than 110 percent of the offer amount, the party receiving the offer must pay the final order amount to the offering party and is deemed a non-prevailing party for purposes of this section.

(g) The amount of an offer made by a provider to settle an alleged underpayment by the health plan must be greater than 110 percent of the reimbursement amount the provider received.

(h) The amount of an offer made by a health plan to settle an alleged overpayment to the provider must be less than 90 percent of the alleged overpayment amount by the health plan.

(i) Both parties may agree to settle the disputed claim at any time, for any amount, regardless of whether an offer to settle was made or rejected.

(6) Application process.

(a) The resolution organization shall review claim disputes filed by either the providers or health plans. A request for dispute resolution and supporting documentation must be submitted in hard copy or electronically to the resolution organization in a format prescribed by the resolution organization.

(b) A complete copy of the request, including all supporting documentation, must be submitted to the adverse party at the same time.

(c) The resolution organization must review all requests for claim dispute resolution within 10 days after receipt to determine whether the request meets the statutory and rule criteria for submission to the resolution organization as specified in Sections 408.7057(2)(b)1.-7. and (d), F.S.

(d) If the resolution organization determines that the dispute resolution request does not meet the statutory and rule criteria, the request shall be returned to the entity filing the request.

(7) Hearing Process

(a) Either party may request that the resolution organization conduct an evidentiary hearing in which both sides can present evidence and examine witnesses, and for which the cost of hearing is equally shared by the parties.

(b) In the event witnesses are called to testify, it is the responsibility of both parties to pay for its own witnesses.

(c) Each party is responsible for its own legal fees.

(8) Resolution Organization Review and Decision Process.

(a) The resolution organization must review and consider all documentation submitted by both the health plan and the provider. The resolution organization must notify the entity requesting the dispute resolution and the adverse party electronically or by mail that the request for dispute resolution has been accepted for review.

(b) If the resolution organization determines that the documentation provided with the initial application is not sufficient, it may request additional documents from the entity filing the request for dispute resolution. The resolution organization shall require the health plan or provider submitting the claim dispute to submit any supporting documentation to the resolution organization within 15 days after receipt by the health plan or provider of a request from the resolution organization for documentation in support of the claim dispute. Failure to submit the supporting documentation within such time period shall result in the dismissal of the submitted claim dispute. Any additional documentation submitted to the resolution organization must be submitted to the adverse party at the same time.

(c) The resolution organization shall require the respondent in the claim dispute to submit all documentation in support of its position within 15 days after receiving a request from the resolution organization for supporting documentation. The resolution organization may extend the time if appropriate. Failure to submit the supporting documentation within such time period shall result in a default against the health plan or provider. In the event of such a default, the resolution organization shall issue its written recommendation to the Agency that a default be entered against the defaulting entity. The written recommendation shall include a recommendation to the Agency that the defaulting entity shall pay the entity submitting the claim dispute the full amount of the claim dispute, plus all accrued interest, and shall be considered a nonprevailing party for the purposes of this section. Any additional information submitted by the adverse party to the resolution organization must be submitted to the entity filing the request for dispute resolution at the same time.

(d) The resolution organization may not communicate ex parte either with the health plan or the provider during the dispute resolution.

(e) The resolution organization shall issue a written recommendation, including findings of fact relating to the calculation under s.641.513 (5), F.S., for the recommended amount due for the disputed claim, including any evidence relied upon.

(f) The resolution organization shall issue a written recommendation, which includes findings of fact, to the Agency within 60 days after the requested information is received by the resolution organization within the timeframes

specified by the resolution organization. In no event shall the review time exceed 90 days following receipt of the initial claim dispute submission by the resolution organization.

(g) Within 30 days after receipt of the recommendations issued by the resolution organization the Agency shall adopt the recommendation as a final order.

(h) The final order is subject to judicial review pursuant to s. 120.68, F.S.

Rulemaking Authority 408.7057 FS. Law Implemented 408.7057 FS. History—New 10-23-00, Amended 3-28-01, 11-11-02.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Marisol Fitch

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 6, 2016

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

64B8-31.012 Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the revised Anesthesia Assistants licensure application into the application rule and to address a one-time reduction in the licensure fees paid by anesthesia assistants.

SUMMARY: The proposed rule amendments incorporate the revised Anesthesia Assistants licensure application into the application rule and provide for a one-time reduction in the licensure fees paid by anesthesia assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

64B8-31.012 provides for a one-time reduction in licensure fees, these licensees will see a monetary benefit from this rule amendment. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.036(5), (7), 456.048, 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.0135, 456.036(4), (5), (7), 456.048, 456.0635, 458.3475 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: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.

(1) Application for Licensure.

(a) All persons applying for licensure as an anesthesiologist assistant shall submit an application to the Department. The application shall be made on Form DH-MQA 1087, entitled "Application for Licensure As An Anesthesiologist Assistant," (revised 2/17 ~~8/16~~), hereby adopted and incorporated by reference, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07614>, or

<https://www.doh.state.fl.us/DOHInitialApp/CreateAccount.aspx?Board=8015&Procde=1515>.

(b) No change.

(2) through (3) No change.

Rulemaking Authority 456.048, 458.309, 458.3475 FS. Law Implemented 456.013(7), 456.0135, 456.048, 456.0635, 458.3475 FS. History—New 8-2-05, Amended 5-20-09, 2-2-10, 3-10-14, 10-19-16, 12-18-16,

64B8-31.012 Fees Regarding Anesthesiologist Assistants. The following fees are prescribed by the Board:

(1) through (2) No changes.

(3) The biennial renewal fee for an active or inactive anesthesiologist assistant licensed pursuant to Section 458.3475 or 459.023, F.S., shall be \$500. Licenses not renewed at the end of a biennial period shall automatically become delinquent.

(4) The reactivation fee for an inactive or retired status anesthesiologist assistant licensure pursuant to Section 458.3475 or 459.023, F.S., shall be \$100. Reactivation shall require payment of the \$500 renewal fee and the \$100 reactivation fee.

(5) through (8) No change.

(9) A one-time reduction in fees until February 1, 2019, shall be as follows:

(a) The application fee shall be \$150;

(b) The initial licensure fee shall be \$100; and

(c) The biennial renewal fee for an active or inactive license, including those who are reactivating licensure, shall be \$200.

Rulemaking Authority 456.036(5), (7), 458.309, 458.3475 FS. Law Implemented 456.036(4), (5), (7), 458.3475 FS. History—New 8-2-05, Amended 6-7-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anesthesia Assistants Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 9, 2017

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-44.003 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new violation created by HB 221.

SUMMARY: To add new violation to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 456.072(1)(t), 456.079, 458.309, 468.507 FS.

LAW IMPLEMENTED: 456.072(1)(t), 456.079, 468.517, 468.518(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Medicine/Dietetics and Nutrition Practices Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-44.003 Disciplinary Guidelines.

(1) through (3) No change.

(4) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION	RECOMMENDED RANGE OF PENALTY
(a) through (x) No change.	(a)1. through (x) No change.
<u>(y) Willfully failing to comply with s. 627.64194 ors. 641.513 with such frequency as to indicate a general</u>	<u>(y) For the first offense, one year of probation, with conditions and a \$2,500.00 fine. For the second offense, one year of suspension and a \$5,000.00 fine. For a third</u>

<u>business practice.</u>	<u>offense, revocation.</u>
(5) No change.	

Rulemaking Authority 456.072(1)(t), 456.079, 458.309, 468.507 FS. Law Implemented 456.072(1)(t), 456.079, 468.517, 468.518(2) FS. History—New 12-4-90, Formerly 21M-50.003, Amended 6-22-94, Formerly 61F6-50.003, 59R-44.003, Amended 3-16-98, 8-19-99, 9-28-00, 9-26-01, 2-13-03, 4-10-06, 1-8-07, 5-13-10, 7-13-16.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 3, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 22, 2016

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: RULE TITLES:

64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

64B15-7.012 Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the revised Anesthesia Assistants licensure application into the application rule and to address a one-time reduction in the licensure fees paid by anesthesia assistants.

SUMMARY: The proposed rule amendments incorporate the revised Anesthesia Assistants licensure application into the application rule and provide for a one-time reduction in the licensure fees paid by anesthesia assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. Since the amendment to 64B15-7.012 provides for a one-time reduction in licensure

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

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

RULEMAKING AUTHORITY: 456.048, 459.005, 459.023, 456.036(5), (7) FS.

LAW IMPLEMENTED: 456.013(7), 456.048, 456.0135, 456.0635, 459.023, 456.036(4), (5), (7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.

(1) Application for Licensure.

(a) All persons applying for licensure as an anesthesiologist assistant shall submit an application to the Department. The application shall be made on Form DH-MQA 1087, entitled "Application for Licensure As An Anesthesiologist Assistant," (revised 2/17 8/16), hereby adopted and incorporated by reference, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07615>, or

<https://www.doh.state.fl.us/DOHInitialApp/CreateAccount.aspx?Board=8015&Procde=1515>.

(b) No change.

(2) through (3) No change.

Rulemaking Authority 456.048, 459.005, 459.023 FS. Law Implemented 456.013(7), 456.048, 456.0135, 456.0635, 459.023 FS. History—New 8-2-05, Amended 5-20-09, 2-2-10, 3-10-14, 10-19-16, 12-18-16,_____.

64B15-7.012 Fees Regarding Anesthesiologist Assistants. The following fees are prescribed by the Board:

(1) through (8) No change.

(9) A one-time reduction in fees until February 1, 2019, shall be as follows:

(a) The application fee shall be \$150;

(b) The initial licensure fee shall be \$100; and

(c) The biennial renewal fee for an active or inactive license, including those who are reactivating licensure, shall be \$200.

~~(9) The fee for processing any changes in the licensure status other than the biennial renewal period shall be \$100.~~

Rulemaking Authority 456.036(5), (7), 459.005, 459.023 FS. Law Implemented 456.036(4), (5), (7), 459.023 FS. History—New 8-2-05, Amended 6-7-07, 11-27-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Anesthesia Assistants Committee

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 9, 2017

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-12.005 Limited Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised limited licensure application into the rule.

SUMMARY: The proposed rule amendment incorporates the revised limited licensure application into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 459.005, 456.013, 459.0075, 459.0092 FS.

LAW IMPLEMENTED: 456.013, 456.0135, 456.039, 456.50, 456.0635, 459.0055, 459.0075, 459.0085, 459.0092 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.005 Limited Licensure.

(1) Each applicant for limited licensure pursuant to Section 459.0075, F.S., shall file board approved application form, DH-MQA 1171 (Revised 02/17 4446), Application for Limited License, which is hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07411>, from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by web at www.doh.state.fl.us/mqa/osteopath/index.html. For purposes of this rule, retired means previously separated or withdrawn from the practice of Osteopathic Medicine, as distinguished from a relocation of the applicant's practice to a different geographic area.

(2) through (4) No change.

Rulemaking Authority 459.005, 456.013, 459.0075, 459.0092 FS. Law Implemented 456.013, 456.0135, 456.039, 456.50, 456.0635, 459.0055, 459.0075, 459.0085, 459.0092 FS. History—New 10-28-93, Formerly 61F9-12.005, Amended 10-15-95, Formerly 59W-12.005, Amended 11-27-97, 6-28-09, 3-25-10, 6-23-10, 8-1-13, 12-22-13, 9-11-16, 2-20-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 9, 2017

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-6.001 RULE TITLE: Minimum Standards of Physical Therapy Practice

NOTICE OF PUBLIC HEARING

The Board of Physical Therapy Practice announces a hearing regarding the above rule, as noticed in Vol. 43 No. 42, March 2, 2017 Florida Administrative Register.

DATE AND TIME: Thursday, May 4, 2017, at 6:30 p.m.,

PLACE: Springhill Suites Orlando Airport, 5828 Hazeltine National Drive, Orlando, FL 32822.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

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 days before the workshop/meeting by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, (850)245-4373, Allen.Hall@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).

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-46.001 RULE TITLE: Utilities Installation or Adjustment

NOTICE IS HEREBY GIVEN that on March 24, 2017, the Florida Department of Transportation received a petition for an emergency variance from Tampa Electric Company seeking a variance from Rule 14-46.001, Florida Administrative Code, specifically the Utility Accommodation Manual (UAM) Section 4.8.3.3 Underground Crossings as incorporated into

Rule 14-46.001. The variance request is to allow the placement of a gas line under a portion of I-295 to avoid a bridge structure. A copy of the Petition for Variance or Waiver may be obtained by contacting: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

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 March 8, 2017 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from IGC-Savannahs Golf Course LLC located in Merritt Island. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 43, No. 47, F.A.R., on March 9, 2017. The Order for this Petition was signed and approved on March 23, 2017. 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 purpose of the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency 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: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On March 9, 2017 the Division of Hotels and Restaurants received a Petition for an Emergency 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), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Tienda Mexicana Lindas LLC located in Plant City. 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. 43, No. 49, F.A.R., on March 13, 2017. The Order for this Petition was signed and approved on March 23, 2017. 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 purpose of 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: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On March 24, 2017, the Division issued an order. The Final Order was in response to a Petition for a permanent Variance from The One Eleven Building, filed February 15, 2017, and advertised on February 20, 2017, in Vol.43, No. 34, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 100.2c, A.S.M.E. A17.1, 1978 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the prevention of entry water into the elevator pit because the Petitioner has not demonstrated that the purpose of the underlying statute has been met and the proposed restricted use is not consistent with the principles of public safety articulated by the Rules (VW2017-013).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, hdr.elevators@myfloridalicense.com.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.008 Other Facilities and Operations

NOTICE IS HEREBY GIVEN that on March 17, 2017, the Department of Health received a petition for Permanent Variance from subsection 64E-11.008(2), Florida Administrative Code, from Cape Coral Elks Lodge #2596, Samuel Len Wenzel, Trustee, 850 Lafayette Street, Cape Coral, FL 33904. This Rule indicates that studs, joints, and rafters are not to be left exposed in walk-in refrigerating units, in food preparation or washing areas, or toilet rooms. Comments on this petition should be filed with Shannon Revels, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sharon Saulter, Bureau of Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4250.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.007 Sanitary Facilities and Controls

NOTICE IS HEREBY GIVEN that on March 20, 2017, the Department of Health received a petition for variance from Denise Kalman-Smith, Petitioner, on behalf of South Lake Elks Lodge #1848, Inc., 756 West Avenue, Clermont, Florida from subsection 64E-11.007(5), Florida Administrative Code (FAC). This rule prescribes that each food service establishment be provided with adequate, readily accessible, conveniently located lavatories equipped with hot and cold running water in

accordance with provisions of the applicable plumbing authority or, where no plumbing code has been adopted locally, with Chapter 64E-10, F.A.C. Comments on this petition should be filed with Shannon Revels, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1710, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sharon Saulter, Bureau of Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4250.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LAW ENFORCEMENT

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

DATE AND TIME: Thursday, March 30, 2017, 10:00 a.m.

PLACE: Conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Emerging Technology Committee and/or subcommittee will discuss ideas for standards development for their respective topics.

A copy of the agenda may be obtained by contacting: brendaboyd@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 2 days before the workshop/meeting by contacting: brendaboyd@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).

For more information, you may contact: brendaboyd@fdle.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The Financial Emergency Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2017, 11:00 a.m., ET

PLACE: City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Financial Emergency Board for the City of Opa-locka to discuss the current state of the City's financial affairs and to consider action items related to the ongoing work of the Board.

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: Blair Mathers, blair.mathers@eog.myflorida.com or (850)717-9264. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Contract Review Committee of the Financial Emergency Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2017, 10:30 a.m., ET

PLACE: City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Contract Review Committee of the Financial Emergency Board for the City of Opa-locka to discuss the current state of the City's contractual and financial affairs.

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: Blair Mathers, blair.mathers@eog.myflorida.com or (850)717-9264. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: April 12, 2017, 9:30 a.m.

PLACE: Hardee County Civic Center, 515 Civic Center Drive, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Central Florida Regional Planning Council (CFRPC) and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Kathy Hall at (863)534-7130 or khall@cfrpc.org.

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.

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2017, 2:00 p.m.

PLACE: Sebring Civic Center, 345 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop to solicit public transportation needs and priorities of the community for the Transportation Development Plan (TDP).

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130 or msoderstrom@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: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130 or msoderstrom@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.

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: April 21, 2017, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will hold its monthly board meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

DATE AND TIME: April 21, 2017, immediately following the regular Council meeting

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: Council's Budget and Personnel Committee will meet to discuss a proposed amendment to Council's current budget for Fiscal Year 2016-2017. This item will be on the agenda for the May 19, 2017 Council meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 12, 2017, 1:00 p.m.

PLACE: SWFWMD Brooksville Office, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Management Committee: discussion will include the framework for management plans, approval of BMAP nutrient management strategy & management actions and other water quality drivers.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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

participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Jet.houser@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4605(Ad Order EXE0550)

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 11, 2017, 1:30 p.m.

PLACE: 3050 Starkey Blvd., New Port Richey, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: FARMS project tour for the Environmental Advisory Committee of the SWFWMD.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: Dennis.cockrell@watermatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Dennis.cockrell@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4400(Ad Order EXE0551)

DEPARTMENT OF MANAGEMENT SERVICES

State Retirement Commission

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2017, 9:00 a.m.
 PLACE: Courtyard Marriott Lake Mary, 135 International Parkway, Lake Mary, Florida 32746
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.
 A copy of the agenda may be obtained by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida, 32399-0950 or by calling (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by calling (850)487-2410. If you are hearing or speech impaired, please contact the agency by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). 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: Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or call (850)487-2410.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 4, 2017, 5:00 p.m. – 7:00 p.m., ET; 5:30 p.m., presentation
 PLACE: Alachua Women’s Club, 14565 Main Street, Alachua, FL 32615

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the proposed unit management plan update for O’Leno State Park, River Rise Preserve State Park, and Dudley Farm Historic State Park.

A copy of the agenda may be obtained by contacting: George Paxton, Park Manager, O’Leno State Park, 410 SE O’Leno Park Road, High Springs, Florida 32643, (386)454-1853, fax#: (386)454-2565 or email: George.Paxton@dep.state.fl.us.

A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notices>. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: George Paxton as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 5, 2017, 9:00 a.m. – 12:00 Noon (ET)
 PLACE: The Recreation Hall at O’Leno State Park, 410 SE O’Leno Park Road, High Springs, FL 32643

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed unit management plan update for O’Leno State Park, River Rise Preserve State Park, and Dudley Farm Historic State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: George Paxton, Park Manager, O’Leno State Park, 410 SE O’Leno Park Road, High Springs, Florida 32643, (386)454-1853, fax#: (386)454-2565, George.Paxton@dep.state.fl.us.

A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notices>.

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

DEPARTMENT OF HEALTH
 Board of Massage Therapy

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

DATE AND TIME: April 5, 2017, 9:00 a.m., ET
 PLACE: Meet Me #: 1(888)670-3525; participant code: 2597709961

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

A copy of the agenda may be obtained by contacting: the Board office at (850)245-4161 or on the Board website at www.floridasmassagetherapy.gov/meeting-information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: William Spooner at William.Spooner@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).

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.

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: March 29, 2017, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: CONTINUUM OF CARE and VETERANS COMMITTEE: This conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations from continuum of care lead agencies 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.

**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 declined to rule on the petition for declaratory statement filed by Edward L. Green, In Re: Walden Woods Mobile Homeowners Association, Inc., Docket No. 2017007672, on February 16, 2017. The following is a summary of the agency's declination of the petition:

The Division declined to issue a statement because it cannot issue a statement without competent, substantial evidence; or where a petitioner does not cite to an applicable statute, rule, or order of the Division. The order was filed with the Agency Clerk on March 23, 2017.

A copy of the Order Declining 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Jennifer Hatfield, Esq., on behalf of William Clark Clifford Cryer. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(n), F.S., as it applies to the petitioner.

Petitioner seeks a determination from the Board regarding whether an underground utility and excavation contractor license is required when the only work being done is the installation of casing pipe or conduit accomplished through a trenchless technology technique such as directional drilling, auger boring, jacking and boring, micro tunneling, pipe ramming or pilot tube guided boring. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road,

Tallahassee, FL 32399-1039; by telephone: (850)487-1395 or by email. Donald.Shaw@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

REGIONAL TRANSPORTATION AUTHORITIES

Hillsborough Transit Authority (HART)

**PUBLIC PRIVATE PARTNERSHIP PROPOSAL - Cell
Phone Tower**

In accordance with Florida Statute 287.05712 Public private partnerships This Notice serves as notice that The Hillsborough Transit Authority (HART) has received a Public Private Partnership (P3) for a Cell Phone Tower, RFP-22928.

Should you be interested in participating in this Proposal, please contact Al Burns at burnsa@gohart.org no later than April 10, 2017.

DEPARTMENT OF JUVENILE JUSTICE

“ITN 10477 – 40 Bed Nonsecure Residential Program of Boys, to include MHOS, DD OR BDD Services, and 8 Voc Slots”

“The Department is seeking a forty (40) bed Residential Program for boys appropriate for nonsecure residential placement, between the ages of nine (9) and eighteen (18) years old with innovations in delinquency programming and treatment services. Basic Care and Custody of a residential program shall be provided in accordance with Florida Statutes, Florida Administrative Rules and Department policy meeting the minimum requirements as described in Attachment A-1. The proposed services shall also include funding for forty (40) filled slots for males in need of Mental Health Overlay Services (MHOS), and Developmental Disability Treatment Services (DD) or Borderline Developmental Disability (BDD) Services as described in the Attachments A-2, A-4 and A-5. Program services shall also include eight (8) Vocational Slots as described in the Attachment A-3. The program shall be located in a Respondent owned/leased building in DJJ North Region.” All public meetings for this ITN are advertised on the Vendor Bid System at: http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=132197

FLORIDA HOUSING FINANCE CORPORATION

RFA 2017-105 HOME Financing to be used for Rental Developments Located in Rural Areas

This Request for Applications (RFA) is open to Applicants proposing the construction of affordable housing utilizing HOME Investment Partnerships (HOME-rental) Program funding for Developments in Rural Areas.

Under this RFA, Florida Housing Finance Corporation (the Corporation) expects to have an estimated \$15,000,000 in HOME funding available for award. Fifteen percent of the total HOME funding available (\$2,250,000) will be available for Applicants that qualify as HOME Community Housing Development Organization (CHDO) Applicants.

Applications shall be accepted until 11:00 a.m., Eastern Time, on Friday, April 21, 2017, and sent 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. The RFA, which outlines selection criteria and Applicant’s responsibilities, can be downloaded from the Florida Housing Finance Corporation website at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-105/>.

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**

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 March 27, 2017 and 3:00 p.m., Friday, March 24, 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.

Rule No.	File Date	Effective Date
14-100.003	3/21/2017	4/10/2017
14-100.004	3/21/2017	4/10/2017
14-100.005	3/21/2017	4/10/2017
14-100.006	3/21/2017	4/10/2017
19-11.001	3/23/2017	4/12/2017
19-11.003	3/23/2017	4/12/2017
19-11.004	3/23/2017	4/12/2017
19-11.005	3/23/2017	4/12/2017
19-11.006	3/23/2017	4/12/2017
19-11.007	3/23/2017	4/12/2017
19-11.008	3/23/2017	4/12/2017
19-11.009	3/23/2017	4/12/2017
19-11.010	3/23/2017	4/12/2017
19-11.011	3/23/2017	4/12/2017
19-11.012	3/23/2017	4/12/2017
19-11.013	3/23/2017	4/12/2017

59G-6.090	3/23/2017	4/12/2017
61DER17-1	3/24/2017	3/24/2017
61G1-13.001	3/22/2017	4/11/2017
61G1-14.001	3/22/2017	4/12/2017
62-660.400	3/22/2017	3/22/2017
64B5-7.003	3/22/2017	4/13/2017
64B5-9.011	3/22/2017	4/14/2017
64B7-29.002	3/22/2017	4/15/2017
64B16-32.007	3/23/2017	4/12/2017
64B16-32.009	3/23/2017	4/12/2017
65A-1.602	3/22/2017	4/12/2017
69B-228.010	3/23/2017	4/12/2017
69B-228.020	3/23/2017	4/12/2017
69B-228.030	3/23/2017	4/12/2017
69B-228.040	3/23/2017	4/12/2017
69B-228.050	3/23/2017	4/12/2017
69B-228.060	3/23/2017	4/12/2017
69B-228.080	3/23/2017	4/12/2017
69B-228.090	3/23/2017	4/12/2017
69B-228.110	3/23/2017	4/12/2017
69B-228.120	3/23/2017	4/12/2017
69B-228.130	3/23/2017	4/12/2017
69B-228.150	3/23/2017	4/12/2017
69B-228.160	3/23/2017	4/12/2017
69B-228.180	3/23/2017	4/12/2017
69B-228.190	3/23/2017	4/12/2017

69B-228.210	3/23/2017	4/12/2017
69B-228.220	3/23/2017	4/12/2017
69B-228.230	3/23/2017	4/12/2017
69B-228.240	3/23/2017	4/12/2017
69B-228.250	3/23/2017	4/12/2017
69B-228.260	3/23/2017	4/12/2017
69B-228.270	3/23/2017	4/12/2017
69B-228.280	3/23/2017	4/12/2017i

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

Rule No.	File Date	Effective Date
40B-9.021	12/21/2016	**/**/*****
40B-9.041	12/21/2016	**/**/*****
40B-9.126	12/21/2016	**/**/*****
40B-9.131	12/21/2016	**/**/*****
40B-9.1381	12/21/2016	**/**/*****
40B-9.1411	12/21/2016	**/**/*****
40B-9.142	12/21/2016	**/**/*****
40B-9.145	12/21/2016	**/**/*****
40B-9.123	12/9/2016	**/**/*****
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 HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Arrigo MAR Ft. Pierce, LLC dba Arrigo Alfa Romeo Ft. Pierce for the establishment of Arrigo Alfa Romeo vehicles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that FCA US LLC, intends to allow the establishment of Arrigo MAR Ft. Pierce, LLC d/b/a Arrigo Alfa Romeo Ft. Pierce as a dealership for the sale of Alfa Romeo passenger cars and light trucks (line-make ALFA) at 6010 S US Highway 1, Ft. Pierce, (St Lucie County), Florida, 34982, on or after April 24, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Arrigo MAR Ft. Pierce, LLC d/b/a Arrigo Alfa Romeo Ft. Pierce are dealer operator(s): James J. Arrigo, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411, John Arrigo, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411; principal investor(s): The James J. Arrigo Revocable Trust I dated June 9, 2011, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411-2701, James J. Arrigo, Trustee and Beneficiary; The John J. Arrigo 2012 Irrevocable Trust dated December 27, 2012, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411-2701, Trustees: John J. Arrigo and Kevin Richardson, Beneficiaries: John J. Arrigo, Alyssa Arrigo, Angela Arrigo and Amanda Arrigo, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411-2701; The Virginia A. Landrum 2012 Irrevocable Trust dated December 27, 2012, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411-2701, Trustees: Virginia A. Landrum and Kevin Richardson, Beneficiaries: Virginia A. Landrum, Don Landrum, Frances Landrum, Gina Landrum and Ashley Landrum, 6500 Okeechobee Boulevard, West Palm Beach, Florida 33411-2701.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chris Chandler, FCA US LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Boom Florida Corp. d/b/a Attack Motors for the establishment of SADY motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Brilliant Stone Enterprises, Inc. intends to allow the establishment of Boom Florida Corp., dba Attack Motors as a dealership for the sale of motorcycles manufactured by Nigbo Sanjiang Dykon Motorcycle Co., Ltd. (line-make SADY) at 4829 Pembroke Road, Hollywood, (Broward County), Florida 33021, on or after April 24, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Boom Florida Corp., dba Attack Motors are dealer operator(s): Marisa Haspel, 4829 Pembroke Road, Hollywood, Florida 33021; principal investor(s): Marisa Haspel, 4829 Pembroke Road, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Lance Ball, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bin Wang, Brilliant Stone Enterprises, Inc., 11220 Petal Street #B, Dallas, Texas, 75238.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's

compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

KNR Rentals, Inc. for the establishment of PIAG motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of KNR Rentals, Inc., as a dealership for the sale of motorcycles manufactured by Piaggio Group Americas, Inc. (line-make PIAG) at 125 King Street, St. Augustine, (St Johns County), Florida 32084, on or after April 24, 2017.

The name and address of the dealer operator(s) and principal investor(s) of KNR Rentals, Inc. are dealer operator(s): Kenneth Lankford, 125 King Street, St Augustine, Florida 32084, principal investor(s): Kenneth Lankford, 125 King Street, St Augustine, Florida 32084.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Lance Ball, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael J. Babich, Piaggio Group Americas, Inc., 257 Park Avenue South, 4th Floor, New York, New York 10010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Santana's Powersports & Small Engine Repair Inc. for the establishment of RIYA motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group (USA), Inc., intends to allow the establishment of Santana's Powersports & Small Engine Repair Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Riya Motorcycle Co., Ltd. (line-make RIYA) at 2522 West Tampa Bay Boulevard, Tampa, (Hillsborough County), Florida 33607, on or after April 24, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Santana's Powersports & Small Engine Repair Inc. are dealer operator(s): Eusebio Santana, 2522 West Tampa Bay Boulevard, Tampa, Florida 33607; principal investor(s): Eusebio Santana, 2522 West Tampa Bay Boulevard, Tampa, Florida 33607.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Lance Ball, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Meiredith Huang, Peace Industry Group (USA), Inc., 2885 Pacific Drive, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Sky Powersports North Orlando LLC for the establishment of ZERO motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zero Motorcycles, Inc., intends to allow the establishment of Sky Powersports North Orlando LLC, as a dealership for the sale of motorcycles manufactured by Zero Motorcycles, Inc. (line-make ZERO) at 855 North US Highway 17 92, Longwood, (Seminole County), Florida 32750, on or after April 24, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Sky Powersports North Orlando LLC are dealer operator(s): Charles R. Northey, 246 Mclean Point, Winter Haven, Florida 33884, Nathan D. Stickney, 709 Elkhorn Fern Lane, Deland, Florida 32720; principal investor(s): Charles R. Northey, 246 Mclean Point, Winter Haven, Florida 33884, Nathan D. Stickney, 709 Elkhorn Fern Lane, Deland, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Lance Ball, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Cunningham, Zero Motorcycles, Inc., 380 El Pueblo Road, Scotts Valley, California 95066.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Volusia Motorsports, Inc. for the establishment of STAR motorcycles

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JH Global Services, Inc., intends to allow the establishment of Volusia Motorsports, Inc., as a dealership for the sale of low-speed vehicles manufactured by JH Global Services, Inc. (line-make STAR) at 1701 State Road 44, New Smyrna Beach, (Volusia County), Florida 32168, on or after April 24, 2017.

The name and address of the dealer operator(s) and principal investor(s) of Volusia Motorsports, Inc. are dealer operator(s): Andy Pallemmaerts, 1701 State Road 44, New Smyrna Beach, Florida 32168; principal investor(s): Andy Pallemmaerts, 1701 State Road 44, New Smyrna Beach, Florida 32168.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Lance Ball, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jane Zhang, JH Global Services, Inc., 378 Neely Ferry Road, Simpsonville, South Carolina 29680.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:RULE TITLES:

62-307.100 Scope and Intent

62-307.200 Definitions

62-307.300 Nonagricultural Nonpoint Source Best Management Practices

62-307.400 Water Quality Monitoring In Lieu Of Best Management Practices

62-307.500 Implementation Procedures

NOTICE OF EXTENSION UNDER SECTION 120.74(5), FLORIDA STATUTES

In accordance with Section 120.74(5), Florida Statutes, the Department of Environmental Protection (Department) extends the April 1 deadline to publish a Notice of Proposed Rule for each rule within Chapter 62-307, F.A.C. The extension is to facilitate further Departmental deliberation on certain aspects of the rules. A rule development workshop will be held in the future and will be noticed in the Florida Administrative Register. A Notice of Development of Rulemaking for Chapter 62-307 was published on October 25, 2016, in Vol. 42, No. 208 of the Florida Administrative Register.

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.