

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV of the NSSP Model Ordinance. Copies of the Shellfish Harvesting Area Classification Maps, (FDACS-P-01773, Revised April 2019 2018), and the Shellfish Harvesting Area Classification Boundaries and Management Plans, (FDACS-P-01593, Revised April 2019 2018), containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria are hereby incorporated by reference and may be obtained by writing to Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399, or online as indicated.

(a) Shellfish Harvesting Area Classification Maps, (FDACS-P-01773, Revised April 2019 2018) <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-09529>.

(b) Shellfish Harvesting Area Classification Boundaries and Management Plans, (FDACS-P-01593, Revised April 2019 2018) <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-09528>.

(2) through (9) No change.

(10) Shellfish harvesting area numbers are as follows:

AREA NUMBER	HARVEST AREA NAME
0222	Pensacola Bay Conditionally Approved Bay
0232	Pensacola Bay Conditionally Approved East Bay
0622	Choctawhatchee Bay Conditionally Approved Central Section
0632	Choctawhatchee Bay Conditionally Approved Eastern Section
0822	West Bay Conditionally Approved
1012	North Bay Conditionally Approved Western Section
1022	North Bay Conditionally Approved Eastern Section
1206	East Bay Conditionally Restricted Section
1212	East Bay Conditionally Approved Section 1
1222	East Bay Conditionally Approved Section 2
1401	St. Joseph Bay Approved
1506	Indian Lagoon Conditionally Restricted Winter Nov – Feb

1512	Indian Lagoon	Conditionally Approved	Spring/Fall Mar – Jun, Oct
1542	Indian Lagoon	Conditionally Approved Zone A	Winter Nov – Feb
1552	Indian Lagoon	Conditionally Approved Zone B	Winter Nov – Feb
1572	Indian Lagoon	Conditionally Approved	Summer Jul – Sep
1601	Apalachicola Bay System	Approved	Jan – May, Sept – Dec
1611	Apalachicola Bay System	Approved	Jan – May, Sept – Dec
1605	Apalachicola Bay System	Zone A , Zone B, Zone C	Jan – May, Sept – Dec
1621	Apalachicola Bay System	Approved	June – Aug
1631	Apalachicola Bay	Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981	Summer June – Aug
1612	Apalachicola Bay System	Conditionally Approved	Jan – May, Sept – Dec
1622	Apalachicola Bay System	Conditionally Approved	Jan – May, Sept – Dec
1632	Apalachicola Bay System	Conditionally Approved	Jan – May, Sept – Dec
1671	Apalachicola Bay System	Approved	Jun – Aug
1642	Apalachicola Bay System	Conditionally Approved	Jan – May, Sept – Dec
1652	Apalachicola Bay System	Conditionally Approved	June – Aug
1662	Apalachicola Bay System	Conditionally Approved	June – Aug
1801	Alligator Harbor	Approved	
2002	Ochlockonee Bay	Conditionally Approved	
2006	Ochlockonee Bay	Conditionally Restricted	
2206	Wakulla County	Conditionally Restricted	
2212	Wakulla County	Conditionally Approved	Zone 1
2222	Wakulla County	Conditionally Approved	Zone 2
2502	Horseshoe Beach	Conditionally Approved	Winter Oct – Mar
2802	Suwannee Sound Spring	Summer Conditionally Approved	Feb – May and Sept or Suwannee Sound Winter Conditionally Approved Oct – Jan
2812	Suwannee Sound Spring	Winter Conditionally Approved	Oct – Jan
3001	Cedar Key	Approved	
3012	Cedar Key	Conditionally Approved	Zone A
3022	Cedar Key	Conditionally Approved	Zone B
3202	Waccasassa Bay	Conditionally Approved	
3402	Withlacoochee Bay	Conditionally Approved	
3701	Citrus County	Approved	Spring/Fall Mar – June and Oct

3702 Citrus County Conditionally Approved Winter
Nov – Feb

3703 Citrus County Prohibited

3705 Citrus County Restricted Spring/Fall Mar – June
and Oct

3706 Citrus County Conditionally Restricted Winter
Nov – Feb

4202 Boca Ciega Bay Conditionally Approved

4802 Lower Tampa Bay Conditionally Approved

5402 Sarasota Bay Conditionally Approved

5602 Lemon Bay Conditionally Approved

5802 Gasparilla Sound Conditionally Approved

6002 Myakka River Conditionally Approved

6006 Myakka River Conditionally Restricted

6212 Pine Island Sound Conditionally Approved

Section 1

6222 Pine Island Sound Conditionally Approved

Section 2

6602 Ten Thousand Islands Conditionally Approved

7001 Indian River/St. Lucie Approved

7006 Indian River/St. Lucie Restricted

7202 North Indian River Conditionally Approved

7206 North Indian River Conditionally Restricted

7412 Body F Conditionally Approved

7416 Body F Conditionally Restricted

7506 Body E Conditionally Restricted

7602 Body D Conditionally Approved

7606 Body D Conditionally Restricted

7712 Body C Conditionally Approved Zone 1
Spring/Summer/Fall Mar – Nov

7722 Body C Conditionally Approved Zone 2
Spring/Summer/Fall Mar – Nov

7732 Body C Conditionally Approved Winter Dec –
Feb

7716 Body C Conditionally Restricted Winter Dec –
Feb

7726 Body C Conditionally Restricted
Spring/Summer/Fall Mar – Nov

7812 Body B Conditionally Approved Zone 1

7822 Body B Conditionally Approved Zone 2

7902 South Banana River Conditionally Approved

7906 South Banana River Conditionally Restricted

8001 Body A Approved

8005 Body A Restricted

8201 South Volusia Approved

8212 South Volusia Conditionally Approved Zone 1

8222 South Volusia Conditionally Approved Zone 2

8206 South Volusia Conditionally Restricted

8802 South St. Johns Conditionally Approved

8806 South St. Johns Conditionally Restricted

9202 North St. Johns Conditionally Approved

9206 North St. Johns Conditionally Restricted

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History–New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended 6-19-00, 8-9-00, 10-14-01(1), 10-14-01(1), 8-17-04, 9-28-04, 9-5-05, 6-11-06, 3-11-07, 10-2-07, 4-14-08, 7-28-08, 5-5-09, 6-18-09, 12-28-09, 2-9-11, 8-19-12, 3-23-17, 6-28-18,_____.

5L-1.004 Production and Market Standards.

(1) through (2) No change.

(3) No shucked shellfish shall be sold, offered for sale, processed, packed, or repacked after the “Sell By” terminal sale date as defined in subsection 5L-1.007(1)(a), F.A.C.

(4) through (8) No change.

Rulemaking Authority 500.09, 597.020 FS. Law Implemented 500.10, 500.172, 597.020 FS. History–New 1-4-87, Amended 8-10-88, 7-9-89, Formerly 16R-7.006, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.006, Amended 8-9-00, 5-29-02, 3-23-17,_____.

5L-1.013 Facility Operation.

(1) through (9) No change.

(10) Records – Complete, legible, and accurate dated records of purchase and sale of all shellfish shall be kept by all shellfish facilities operating in the state. Records shall remain on file for not less than one year for fresh product and two years for fresh and frozen product. Records shall be made available for the inspection and copying by the Department personnel during facility inspections. Records shall indicate:

(a) through (h) No change.

(11) through (19) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History–New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.016, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.016, Amended 8-9-00, 5-29-02, 7-29-08, 4-26-10, 3-23-17, 4-2-19,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Portia Sapp, Director of the Division of Aquaculture

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole “Nikki” Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 6/5/2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 6/10/2019

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-761.210	Reference Guidelines
62-761.405	Notification
62-761.500	Storage Tank System Requirements
62-761.800	Out-of-Service and Closure Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 62, March 29, 2019 issue of the Florida Administrative Register.

62-761.210 Reference Guidelines.

(1) Reference guidelines listed in paragraphs 62-761.210(2)(a) through (n), F.A.C., are available for inspection during business hours at the Department of Environmental Protection's Tallahassee Office located at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and directly from the source. Secondary references found within the following primary reference guidelines that have insufficient information to obtain those references can be obtained as provided in the document titled *Appendix A – Secondary References, May 2019 April 2016*, hereby adopted and incorporated by reference, located here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10742>, or the Department address listed above. All other secondary references can be obtained through the following reference guidelines.

(2) Titles of documents. References to the following documents listed in paragraphs 62-761.210(2)(a) through (n), F.A.C., are made throughout this chapter. Each document or part thereof is adopted and incorporated by reference only to the extent that it is specifically referenced in this chapter. To the extent that the provisions contained in the following reference guidelines conflict with this chapter, the Department's requirements as stated in this chapter shall control.

(a) through (d) No change.

(e) Florida Department of Environmental Protection (DEP). A copy of the following document is available at the Department located at 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-8705, or the Department's website at <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference>, or at the following website location: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10770>, *Instructions for Conducting Sampling During Underground Storage Tank Closure, June 2019 December 2018* Edition.

(f) through (l) No change.

(m) Underwriters' Laboratories Standards (UL). Copies of the following documents are available at the Department

address listed in subsection 62-761.210(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or from the publisher's website at www.ul.com/:

1. through 2. No change.

3. *Standard for Fibre Reinforced Underground Tanks for Flammable and Combustible Liquids (formerly Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products, Alcohols, and Alcohol-Gasoline Mixtures)*, UL/ULC 1316, January 1994, Revised November 2018, ~~3rd 2nd~~ Edition. Secondary references to this guideline can be found here: <https://www.flrules.org/Gateway/reference.asp?No=Ref-10742>, or the Department address listed in subsection 62-761.210(1), F.A.C.,

4. through 5. No change.

(n) No change.

(3) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History—New 12-10-90, Formerly 17-761.210, Amended 7-13-98, 6-21-04, 1-11-17,___.

62-761.405 Notification.

(1) through (4) No change.

(5) Facility owners and operators are advised that notice must be provided through the State Watch Office if the discharge is a reportable pollution release as defined by Section 403.077, F.S. In addition to providing the Discharge Report Form in accordance with subsection 62-761.405(4), F.A.C., facility owners or operators may be required to provide notice through the State Watch Office pursuant to Section 403.077, F.S.

Rulemaking Authority 376.303 FS. Law Implemented 376.30, 376.303, 403.077 FS. History—New 1-11-17, Amended ___.

Editorial Note: Portions of this rule were copied from 62-761.450, Formerly 17-761.450, F.A.C.

62-761.500 Storage Tank System Requirements.

(1) No change.

(2) Storage tank installation.

(a) No change.

(b) Fiberglass reinforced plastic double-walled tanks shall be constructed in accordance with the following document: *Standard for Fibre Reinforced Underground Tanks for Flammable and Combustible Liquids (formerly Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products, Alcohols, and Alcohol-Gasoline Mixtures)*, UL/ULC 1316, January 1994, Revised November 2018, ~~3rd 2nd~~ Edition, available from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or from the publisher's website at www.ul.com/, or the Department address listed in subsection 62-761.210(1), F.A.C.; or these tanks shall be certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-761.850(2), F.A.C.

(c) through (h) No change.

(3) through (7) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History—New 12-10-90, Amended 5-4-92, Formerly 17-761.500, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17,___.

62-761.800 Out-of-Service and Closure Requirements.

(1) through (2) No change.

(3) Closure Integrity Report, Closure Report, and Limited Closure Report Requirements.

(a) Closure Integrity Report.

1. through 4. No change.

5. A failed Closure Integrity Evaluation requires the reporting of the failed evaluation as an incident in accordance with subsection 62-761.405(3), F.A.C., and the investigation of the incident in accordance with subsection 62-761.430, F.A.C. If sampling is necessary to determine whether a discharge has occurred, then an investigation shall be conducted during closure in accordance with *Instructions for Conducting Sampling During Underground Storage Tank Closure, June 2019 December 2018* Edition, hereby adopted and incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10770>, or the Department address given in paragraph 62-761.210(1)(e), F.A.C., or the Department’s website at <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference>, regardless of the date of installation of the storage tank system or system component being closed.

6. The owner or operator who does not or elects not to conduct a Closure Integrity Evaluation, in accordance with paragraph 62-761.800(3)(a), F.A.C., before the storage tank system or system component has been removed or closed in-place, regardless of the date of installation of the storage tank system or system component, shall conduct an investigation at the time of closure in accordance with *Instructions for Conducting Sampling During Underground Storage Tank Closure, June 2019 December 2018* Edition.

(b) Closure Report. In cases where an investigation is conducted at the time of closure in accordance with *Instructions for Conducting Sampling During Underground Storage Tank Closure, June 2019 December 2018* Edition, a Closure Report shall be submitted in writing or electronic format to the County within 60 days of completion of the system or system component closure, replacement, or change in service from a regulated substance to a non-regulated substance. The Closure Report shall be prepared in accordance with *Instructions for Conducting Sampling During Underground Storage Tank Closure, June 2019 December 2018* Edition.

(c) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.30716 FS. History—New 12-10-90, Formerly 17-761.800, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17,___.

Form 62-761.900(3) Financial Mechanisms for Storage Tanks: Page 26 of 42 on the Certification of Acknowledgement for Storage Tank Standby Trust Fund Agreement may be witnessed or notarized, and blanks for a witness's signature and printed

name have been added, along with the word "or" between the two signature options.

Reference Guideline *Appendix A – Secondary References*, May 2019 has been updated with citations of secondary reference guidelines found in primary reference guidelines and the version date updated.

Reference Guideline *Instructions for Conducting Sampling During Underground Storage Tank Closure*, June 2019, has been edited to clarify department approved methods and protocols on page 4 and page 15, and the version date updated. To view Storage Tank Rulemaking revisions, go to <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-systems-rulemaking>.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-762.201	Definitions
62-762.211	Reference Guidelines
62-762.411	Notification
62-762.421	Financial Responsibility
62-762.431	Incidents
62-762.501	Storage Tank System Requirements for Shop Fabricated Storage

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 62, March 29, 2019 issue of the Florida Administrative Register.

62-762.201 Definitions.

All words and phrases defined in Sections 376.031, ~~and 376.301~~, ~~and 487.021~~, F.S., shall have the same meaning when used in this chapter unless specifically stated otherwise in this chapter. See Sections 376.031, ~~and 376.301~~, ~~and 487.021~~, F.S., for definitions of the following terms: “Bulk product facility,” “Compression vessel,” “Contaminant,” “Contaminated site,” “Department,” “Discharge,” “Facility,” “Flow-through process tank,” “Hazardous substances,” “Operator,” “Owner,” “Pesticides.” “Petroleum products,” “Pollutants,” “Transfer;” or “transferred,” and “Vessel.” The following words and phrases used in this chapter shall, unless the context indicates otherwise, have the following meaning:

(1) through (53) No change.

~~(54) “Pesticides” means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, nematodes, fungi, weeds, or other forms of plant or animal life or viruses, except viruses, bacteria, or fungi on or in living humans or other animals, which the Department of Agriculture and Consumer Services by rule declares to be a pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant; however, the term “pesticide” does not include any article that:~~

~~(a) Is a “new animal drug” within the meaning of 21 U.S.C. § 321(v) of the Federal Food, Drug, and Cosmetic Act;~~

~~(b) No change.~~

~~(c) Is an animal feed within the meaning of 21 U.S.C. § 321(w) of the Federal Food, Drug, and Cosmetic Act bearing or containing an article covered in this subsection.~~

(55) through (75) renumbered (54) through (74) No change.

(75) through (77) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.031, 376.301, 376.303, 487.021 FS. History—New 6-21-04, Amended 1-11-17, .

Editorial Note: – for Pesticides defined in section 487.021, F.S., the definition of a “new animal drug” is now located in 21 U.S.C. § 321(v), and the definition of an animal feed is now located in 21 U.S.C. § 321(w), of the Federal Food, Drug, and Cosmetic Act.

62-762.211 Reference Guidelines.

(1) Reference guidelines listed in paragraphs 62-762.211(2)(a) through (n), F.A.C., are available for inspection during business hours at the Department of Environmental Protection’s Tallahassee Office located at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and directly from the source. Secondary references found within the following primary reference guidelines that have insufficient information to obtain those references can be obtained as provided in the document titled *Appendix A – Secondary References, May 2019 April 2016*, hereby adopted and incorporated by reference, located here: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10747>, or the Department address listed above. All other secondary references can be obtained through the following reference guidelines.

(2) Titles of documents. References to documents listed in paragraphs 62-762.211(2)(a) through (n), F.A.C., below are made throughout this chapter. Each document or part thereof is adopted and incorporated by reference only to the extent that it is specifically referenced in this chapter. To the extent that the provisions contained in the following reference guidelines conflict with this chapter, the Department’s requirements as stated in this chapter shall control.

(a) through (f) No change.

(g) NACE International. Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or at <http://www.nace.org/>:

1. *Application of Cathodic Protection to Control External Corrosion of Carbon Steel On-Grade Storage Tank Bottoms (formerly External Cathodic Protection of On-Grade*

Carbon Steel Storage Tank Bottoms), NACE Standard SP0193-2016-SG (formerly RP0193-2001), 2016 Edition,

2. through 4. No change.

(h) through (k) No change.

(l) Steel Tank Institute (STI). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at <https://www.steeltank.com/>:

1. *Steel Tank Institute Standard for Fire Tested Tanks Flameshield® Flameshield® Standard for Fire Tested Tanks*, STI F001, April 2017. Secondary references to this guideline can be found here: <https://www.flrules.org/Gateway/reference.asp?No=Ref-10747>,

2. through 8. No change.

(m) through (n) No change.

(3) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History—New 6-21-04, Amended 1-11-17, .

62-762.411 Notification.

(1) through (6) No change.

(7) Facility owners and operators are advised that notice must be provided through the State Watch Office if the discharge is a reportable pollution release as defined by Section 403.077, F.S. In addition to providing the Discharge Report Form in accordance with subsection 62-762.411(5), F.A.C., facility owners or operators may be required to provide notice through the State Watch Office pursuant to Section 403.077, F.S.

Rulemaking Authority 376.303 FS. Law Implemented 376.30, 376.303, 403.077 FS. History—New 1-11-17, .

Editorial Note: *Portions of this rule were copied from Rule 62-762.451, F.A.C.*

62-762.421 Financial Responsibility.

(1) through (2) No change.

(3) The demonstration of financial responsibility for storage tank systems shall be made in accordance with reference guideline *Technical Standards And Corrective Action Requirements For Owners And Operators Of Underground Storage Tanks (UST), Financial Responsibility*, 40 CFR Part 280, Subpart H, revised July 15, 2015, hereby adopted and incorporated by reference and available at from the publisher at the Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, N.W., Washington, DC 20401-0001, or <http://www.flrules.org/Gateway/reference.asp?No=Ref-07664>, except that: or <https://www.ecfr.gov/cgi-bin/text-idx?SID=fc39ac52f9d11adfed71beec374f05d&pid=2015071>

~~5&node=pt40.27.280&rgn=div5, or the Department address located in subsection 62-762.211(1), F.A.C. However,~~

(a) Department Form 62-761.900(3) effective date, *Form Date*, Financial Mechanisms for Storage Tanks, hereby adopted and incorporated by reference, and available in Rule 62-761.900, F.A.C., or <http://www.flrules.org/Gateway/reference.asp?No=Ref-10737>, or the Department's website at <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-system-rules-forms-and-reference>, shall be used in lieu of the United States Environmental Protection Agency's financial wording; ~~except that:~~

(b)(a) All references to underground storage tank(s) (UST) within 40 CFR Part 280, Subpart H, as adopted by reference herein, shall mean aboveground storage tank(s) (AST);

(c)(b) 40 CFR Part 280.90(c) is not adopted as part of this rule;

(d)(e) Owners or operators of petroleum or petroleum product aboveground storage tanks must demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum or petroleum product aboveground storage tanks in at least the following per-occurrence and annual aggregate amounts:

1. For a facility with a storage tank system or systems with a cumulative capacity greater than 550 gallons and less than or equal to 10,000 gallons, the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of \$500,000.00 per incident and \$1 million annual aggregate.

2. For a facility with a storage tank system or systems with a cumulative capacity greater than 10,000 gallons and less than or equal to 30,000 gallons, the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of \$1 million per incident and \$1 million annual aggregate.

3. For a facility with a storage tank system or systems with a cumulative capacity greater than 30,000 gallons and less than or equal to 250,000 gallons the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of \$1 million per incident and \$2 million annual aggregate.

4. For a facility with a storage tank system or systems with a cumulative capacity greater than 250,000 gallons, the demonstration of financial responsibility for cleanup of a discharge and third-party liability shall be a minimum of \$3 million per incident and \$6 million annual aggregate.

(4) through (8) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.308, 376.309, 403.091, 403.141, 403.161 FS. History-New 1-11-17,_____.

Editorial Note: *Portions of this rule were copied from Rule 62-762.401, F.A.C.*

62-762.431 Incidents.

(1) through (3) No change.

(4) In cases where an INF is required to be submitted, the investigation shall be completed within 14 days of the date of discovery of the incident to determine if a discharge has occurred. Incident investigations that require additional time can be extended for cause with the prior written approval of the Department or the county. For cause includes issues that are out of the control of the owner such as a local government permitting delay, lack of contractor availability within the 14-day time period, or engineering constraints.

(5) through (8) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History-New 1-11-17,_____.

Editorial Note: *Portions of this rule were copied from Rule 62-762,821, F.A.C.*

62-762.501 System Requirements for Shop Fabricated Storage Tanks.

(1) No change.

(2) Storage tank installation.

(a) No change.

(b) Storage tank construction requirements.

1. Storage tanks shall be constructed in accordance with one of the following requirements hereby adopted and incorporated by reference, and available from the Department address given in subsection 62-762.211(1):

a. through e. No change.

f. *Steel Tank Institute Standard for Fire Tested Tanks Flameshield®* ~~*Flameshield® Standard for Fire Tested Tanks*~~, STI F001, April 2017. To obtain this reference from the publisher, see paragraph 62-762.211(2)(l), F.A.C.;

g. through h. No change.

2. No change.

(c) Cathodic and corrosion protection. Steel tanks in contact with the soil shall have a cathodic or corrosion protection system meeting the following requirements:

1. The cathodic protection system shall be designed, constructed, and installed in accordance with *Cathodic Protection of Aboveground Petroleum Storage Tanks*, API RP 651, 4th Edition, September 2014, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, D.C.

20005, (202)682-8000, or at <http://www.api.org/>; and *Application of Cathodic Protection to Control External Corrosion of Carbon Steel On-Grade Storage Tank Bottoms (formerly External Cathodic Protection of On-Grade Carbon Steel Storage Tank Bottoms)*, NACE Standard SP0193-2016-SG (formerly RP0193-2001), 2016 Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at NACE International, 1440 South Creek Drive, Houston, Texas 77084-4906, (800)797-6223, or at <http://www.nace.org/>,

2. through 5. No change.

(d) through (j) No change.

(3) through (4) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History—New 6-21-04, Amended 1-11-17,___.

Reference Guideline *Appendix A – Secondary References, May 2019* has been updated with citations of secondary reference guidelines found in primary reference guidelines.

To view Storage Tank Rulemaking revisions, go to <https://floridadep.gov/waste/permitting-compliance-assistance/content/storage-tank-systems-rulemaking>

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER19-04 Sales of Clothing and School Supplies; Sales Tax Holiday During the Period August 2 through August 6, 2019

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 19 of Chapter 2019-42, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the law specifying a period during which the sale of certain clothing, school supplies, and personal computers and personal computer-related accessories are exempt from sales and use tax. The law provides that conditions necessary for an emergency rule have been met. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the exemption during the period August 2, 2019, through August 6, 2019, for sales of clothing, wallets, or bags having a selling price of \$60 or less per item, sales of school supplies having a selling price of \$15 or less per item, and personal computers and personal computer-related accessories selling for \$1,000 or less per item. The exemption does not apply to sales within a theme park or entertainment

complex, as defined in subsection 509.013(9), F.S., or within a public lodging establishment, as defined in subsection 509.013(4), F.S., or within an airport, as defined in subsection 330.27(2), F.S. The rule defines “clothing,” “school supplies,” “personal computers,” “personal computer-related accessories,” “theme park or entertainment complex,” “public lodging establishment,” “airport,” and “mail order sales.” The rule describes the items included in the exemption and explains how various transactions are to be handled for purposes of the exemption, including sales of sets of both exempt and taxable items, items normally sold as a unit, mail order sales, shipping and handling charges, layaway sales, rain checks, exchanges, coupons, rebates, and discounts, repairs and alterations, gift certificates, rentals of clothing, and merchant’s license fees. The rule provides procedures for qualified businesses to opt out of participation in the holiday, as allowed by the law creating the holiday. The rule provides a list of items and their taxable status during the exemption period for clothing, school supplies, and personal computers and personal computer-related accessories.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule to administer the provisions of Section 19 of Chapter 2019-42, Laws of Florida, which specify a period during which the sales of certain clothing and school supplies are exempt from sales and use tax. Additionally, an emergency rule is the most expedient and appropriate means of notifying dealers and taxpayers of the provisions of Section 19 of Chapter 2019-42, Laws of Florida.

SUMMARY: Emergency Rule 12AER19-04 notifies the general public and retailers of the exemption during the period August 2, 2019, through August 6, 2019, for sales of clothing, wallets, or bags having a selling price of \$60 or less per item, sales of school supplies having a selling price of \$15 or less per item, and personal computers and personal computer-related accessories selling for \$1,000 or less per item.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER19-04 Sales of Clothing and School Supplies; Sales Tax Holiday During the Period August 2 through August 6, 2019.

(1) Definitions. For purposes of this rule, the following definitions apply:

(a) “Holiday period” means the period from August 2, 2019, through August 6, 2019.

(b)1. "Clothing" means any article of wearing apparel intended to be worn on or about the human body, including all footwear, except skis, swim fins, roller blades, and skates.

2. "Clothing" does not include watches, watchbands, jewelry, umbrellas, and handkerchiefs.

(c) "School supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, staplers and staples used to secure paper products, protractors, compasses, and calculators.

(d)1. "Personal computers" includes electronic book readers, laptops, desktops, handhelds, tablets, or tower computers.

2. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

(e) "Personal computer-related accessories."

1. The term includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit.

2. The term does not include furniture, or systems, devices, software, or other peripherals that are designed or intended primarily for recreational use.

3. The term "monitor" does not include a device that includes a television tuner.

4. The term "nonrecreational software" includes software such as antivirus, word processing, financial, database, and educational software. It does not include gaming software.

(f) "Theme park or entertainment complex" means a facility as defined in s. 509.013(9), F.S.

(g) "Public lodging establishment" means a facility as defined in s. 509.013(4), F.S.

(h) "Airport" means a facility as defined in s. 330.27(2), F.S.

(i) "Mail order sale" means a sale as defined in Section 212.0596(1), F.S.

(2) Clothing Sales.

(a) During the holiday period, no tax is due on the sale or purchase of any article of clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, with a selling price of \$60 or less per item. This exemption does not apply to sales of clothing, wallets, or bags within a theme park or entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of clothing, wallet, or bag, selling for \$60 or less per item. The

exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases two shirts for \$50 each. Both items are eligible for the exemption, even though the customer's total purchase price (\$100) exceeds \$60.

(c)1. The exemption does not apply to the first \$60 of price of an eligible item of clothing, wallet, or bag selling for more than \$60.

2. Example: A customer purchases a pair of pants costing \$80. Tax is due on the entire \$80.

(3) School Supplies.

(a)1. During the holiday period, no tax is due on the sale or purchase of any item of school supplies with a selling price of \$15 or less per item. This exemption does not apply to sales of school supplies within a theme park or entertainment complex, public lodging establishment, or airport.

2. Example: A customer purchases a set of markers for \$12. The purchase qualifies for the exemption.

3. Example: A customer purchases a calculator costing \$18. Tax is due on the entire \$18.

(b)1. The sales tax exemption applies to each eligible item of school supplies selling for \$15 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases ten composition books for \$2.50 each. All ten items will qualify for the exemption, even though the customer's total purchase price (\$25) exceeds \$15.

(4) Personal Computers and Certain Personal Computer-Related Accessories.

(a) During the holiday period, no tax is due on the sale or purchase of any personal computer or personal computer-related accessories for noncommercial home or personal use with a selling price of \$1,000 or less per item. This exemption does not apply to sales of personal computers or personal computer-related accessories within a theme park or entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible personal computer or qualifying personal computer-related accessory selling for \$1,000 or less per item.

2. Example: A customer purchases a \$600 personal computer, a \$100 printer, and a \$200 tablet in a single transaction. Each item will qualify for the exemption.

(c)1. The exemption does not apply to the first \$1,000 of the price of an eligible personal computer or qualifying related accessory selling for more than \$1,000.

2. Example: A customer purchases a personal computer costing \$1,200. Tax is due on the entire \$1,200.

(5) Sales of Sets Containing Both Exempt and Taxable Items.

(a) When exempt items are normally sold together with taxable merchandise as a set or single unit, the sales price of the set or single unit is subject to sales tax.

(b) Example: A gift set consisting of a wallet (which is defined as an eligible “clothing item”) and key chain (which is not defined as an eligible “clothing item”) is sold for a single price of \$35. Although the wallet would otherwise be exempt during the holiday period, the sales price of the gift set is subject to tax.

(c) Example: A packaged set consisting of a bottle of correction fluid (which is not defined as an eligible “school supply”) and pens (which are defined as an eligible “school supply”) is sold for a single price of \$10. Although the pens would otherwise be exempt during the holiday period, the sales price of the packaged set is subject to tax.

(6) Articles Normally Sold as a Unit.

(a) Articles that are normally sold as a unit must continue to be sold in that manner; they cannot be separately stated and sold as individual items in order to obtain the exemption.

(b) Example: A pair of shoes normally sells for \$120. The pair of shoes cannot be split in order to sell each shoe for \$60 to qualify for the exemption.

(c) Example: A two-piece suit is normally priced at \$100 on a single price tag. The suit cannot be split into separate articles so that any of the components may be sold for \$60 or less in order to qualify for the exemption. However, components that are normally priced as separate articles may continue to be sold as separate articles and qualify for the exemption if the price of an article is \$60 or less.

(d) Example: A pen and pencil set is normally priced at \$18 on a single price tag. The set cannot be split into separate articles so that either of the components may be sold for \$15 or less in order to qualify for the exemption.

(7) Buy One, Get One Free or for a Reduced Price.

(a) The total price of items advertised as “buy one, get one free” or “buy one, get one for a reduced price” cannot be averaged in order for both items to qualify for the exemption.

(b) Example: A retailer advertises pants as “buy one, get one free.” The first pair of pants is priced at \$110; the second pair of pants is free. Tax is due on \$110. The store cannot sell each pair of pants for \$55 in order for the items to qualify for the exemption. However, the retailer may advertise and sell the items for 50 percent off, selling each pair of \$110 pants for \$55, making each pair eligible for the exemption.

(c) Example: A retailer advertises shoes as “buy one pair at the regular price, get a second pair for half price.” The first pair of shoes is sold for \$80; the second pair is sold for \$40 (half price). Tax is due on the \$80 shoes, but not on the \$40 shoes. The store cannot sell each pair of shoes for \$60 in order for the items to qualify for the exemption. However, a retailer may advertise the pairs for 25 percent off, thereby selling each pair

of \$80 shoes for \$60, making each pair eligible for the exemption.

(8) Mail Order Sales.

(a) During the holiday period, eligible items purchased by mail order, including sales transactions over the Internet, are exempt if the order is accepted during the holiday period for immediate shipment, even if delivery is made after the holiday period.

(b) An order is accepted by the company when action has been taken to fill the order for immediate shipment. Actions to fill an order include assigning an “order number” to a telephone order, confirming an Internet order by an email to the customer, or placing a date received on an order received by mail.

(c) An order is considered to be for immediate shipment when delayed shipment is not requested by the customer. An order is for immediate shipment even if the shipment may be delayed because of a backlog of orders or stock is currently unavailable or on back order.

(9) Shipping and Handling Charges.

(a) When separately stated shipping charges are part of the sales price of the items listed on a sales invoice or receipt, the shipping charges must be proportionately allocated to each item sold to determine the total sales price of the item. The cost of each item is divided by the total cost of all the items ordered to obtain the percentage of cost that each item bears to the total order. The amount of the shipping charge applicable to each item is calculated by multiplying the total shipping charge by the percentage of cost for each item.

(b) Example 1: A customer orders a \$60 dress and a \$20 shirt, for a total of \$80 during the holiday period. The shipping charge is \$10. The percentage of cost for the shirt is 25 percent (the ratio of shirt cost to total cost is \$20 to \$80; \$20 divided by \$80 is 25 percent). The portion of the \$10 shipping charge which is allocated to the shirt is therefore \$2.50, or 25 percent of \$10. The percentage of cost for the dress is 75 percent (the ratio of dress cost to total cost is \$60 to \$80; \$60 divided by \$80 is 75 percent). The portion of the \$10 shipping charge which is allocated to the dress is therefore \$7.50, or 75 percent of \$10. Once the shipping charge has been allocated, the total sales price for the shirt is \$22.50 and the total sales price for the dress is \$67.50. The shirt qualifies for the exemption. The dress is more than \$60 and does not qualify for the exemption.

(10) Layaway sales. A layaway sale is a transaction in which merchandise is set aside for future delivery to a customer who makes a deposit, agrees to pay the balance of the purchase price over a period of time, and receives the merchandise at the end of the payment period. Eligible items placed on layaway during the holiday period are tax exempt, even if final payment of the layaway is made after the holiday period. If a customer makes a final payment and takes delivery of the item during the holiday period, the eligible items are tax exempt.

(11) Rain checks. Eligible items purchased during the holiday period using a rain check will qualify for the exemption regardless of when the rain check was issued. However, issuance of a rain check during the holiday period will not qualify an eligible item for the exemption if the item is actually purchased after the holiday period.

(12) Exchanges.

(a) If a customer purchases an eligible item during the holiday period, then later exchanges the item for the same item (different size or different color), no additional tax will be due even if the exchange is made after the holiday period.

(b) If a customer purchases an eligible item during the holiday period, then later returns the item and receives credit on the purchase of a different item, the new item purchased is subject to tax.

(13) Coupons, Rebates, and Discounts.

(a)1. Manufacturer's coupons. The sales price of an item includes all consideration received by the retailer for that item. The price of an item is not limited to the amount paid by a customer. Manufacturer's coupons do not reduce the sales price of an item, because the retailer is reimbursed for the amount of any discount provided to a customer. Therefore, the amount of the reimbursement is included in the taxable sales price of an item.

2. Example: A jacket sells for \$65. The customer has a \$10 manufacturer's coupon good for the purchase of the jacket. The manufacturer's coupon does not reduce the sales price of the jacket. Tax is due on \$65, even though the customer only pays the retailer \$55 for the jacket.

(b)1. Store coupons and discounts. A coupon, discount, or rebate offered by the retail seller reduces the sales price of an item because it reduces the total amount received by the retail seller for the item. Therefore, a store coupon or discount can be used to reduce the sales price of a clothing item to \$60 or less, a school supply item to \$15 or less, or a personal computer or related accessory to \$1,000 or less, to determine if or to what extent an item qualifies for the exemption.

2. Example: A customer buys a \$400 suit and a \$65 shirt. The retailer is offering a 10 percent discount. After applying the 10 percent discount, the final sales price of the suit is \$360, and the sales price of the shirt is \$58.50. The suit is taxable (its price is over \$60), and the shirt is exempt (its price is less than \$60).

(c)1. Rebates. Rebates occur after the sale and do not affect the sales price of an item purchased.

2. Example: A jacket sells for \$65. The customer receives a \$10 rebate from the manufacturer. The rebate occurs after the sale, so it does not reduce the sales price of the jacket. Tax is due on \$65.

(14) Repairs or Alterations to Eligible Items.

(a) Repairs to eligible items do not qualify for the exemption.

(b)1. Alterations to clothing or footwear do not qualify for the exemption, even though alterations may be sold, invoiced, and paid for at the same time as the item to be altered is purchased.

2. Example: A customer purchases a pair of pants for \$55 and pays \$5 to the retailer to have the pants cuffed. The \$55 charge for the pants is exempt; however, tax is due on the \$5 alteration charge.

(15) Gift Cards.

(a) Eligible items purchased during the holiday period using a gift card will qualify for the exemption, regardless of when the gift card was purchased. Eligible items purchased after the holiday period using a gift card are taxable, even if the gift card was purchased during the holiday period. A gift card does not reduce the selling price of an item.

(b) Example: A customer purchases a dress priced at \$110 and uses a \$50 gift card. Tax is due on \$110. The gift card does not reduce the selling price to \$60 for purposes of the exemption.

(16) Rentals. Rentals of eligible items do not qualify for the exemption.

(17) License Fees or Other Fees imposed by Panama City and Panama City Beach.

(a) Panama City and Panama City Beach impose a 1 percent merchant's license fee or tax on retailers. The merchant's license fee is included in the sales price of each item. If the fee is separately stated, it must be assigned to the sales price of each item on the invoice to determine if an item is exempt during the holiday.

(b) Example: A jacket sells for \$59.95. The separately stated 1 percent gross receipts fee for this item is \$0.60. Since the gross receipts fee is part of the sales price of the item (\$60.55), the jacket will not qualify for the exemption.

(18) Option to not participate. Qualified businesses may choose not to participate in the tax holiday.

(a) Qualification. Businesses may choose to opt out of the tax holiday when less than five percent (5%) of their gross sales of tangible personal property during calendar year 2018 are sales of items that would be exempt during the tax holiday period. Businesses with multiple locations must include the gross sales of all of their Florida locations into this calculation. For businesses that were not in operation during the 2018 calendar year, this option is available when less than five percent (5%) of the inventory of items for sale by the business are items that would be tax exempt during the tax holiday.

(b) Election. Qualifying businesses choosing not to participate in the tax holiday must send a written notice to the Department by August 1, 2019. The notice must be on business letterhead and state that the business meets the qualifications stated in paragraph (a) and has chosen not to participate in the tax holiday. The notice must be signed by an individual

authorized to sign on behalf of the business. Businesses with multiple locations may send a single notice stating that all of their Florida locations will not participate in the tax holiday. The notice may be delivered in one of three ways:

1. A letter can be mailed to the following mailing address:

Sales Tax Holiday
 Account Management MS 1-5730
 Florida Department of Revenue
 5050 W Tennessee St
 Tallahassee, FL 32399-0160

2. A scanned letter can be emailed to: registration@floridarevenue.com

3. A letter can be faxed to 850-922-0859.

(c) Sample Notice. The notice may take any form as long as it clearly states that the business is electing not to participate in the holiday. An example of notice language is as follows: "In accordance with Section 19 of Chapter 2019-42, Laws of Florida, (Name of Business) has chosen not to participate in the Back-to-School Sales Tax Holiday, August 2-6, 2019. For questions, please contact (name of contact person at business) at (contact telephone number or email address)." The notice must be signed by an authorized individual.

(d) Posting of Notice. Businesses that do not participate in the tax holiday must post the notice at each business location stating their choice not to participate in the Back-to-School Sales Tax Holiday. The notice must be posted in a conspicuous location where it is easily visible to customers.

(19) List of Items of Clothing and Their Taxable Status During the Holiday Period. The following is a list of items of clothing and their taxable status during the holiday period, if they are sold for \$60 or less per item. This is not an exhaustive list. T = Taxable, E = Exempt.

<u>A</u>	
<u>T</u>	Accessories (generally)
<u>E</u>	Barrettes and bobby pins
<u>E</u>	Belt buckles
<u>E</u>	Bow ties
<u>E</u>	Hair nets, bows, clips, and hairbands
<u>E</u>	Handbags
<u>T</u>	Handkerchiefs
<u>T</u>	Jewelry
<u>T</u>	Key cases
<u>E</u>	Neckwear
<u>E</u>	Ponytail holders
<u>E</u>	Scarves
<u>E</u>	Ties
<u>E</u>	Wallets
<u>T</u>	Watchbands
<u>T</u>	Watches
<u>E</u>	Aerobic and fitness clothing

<u>E</u>	Aprons and clothing shields
<u>T</u>	Athletic gloves
<u>T</u>	Athletic pads
<u>E</u>	Athletic supporters
<u>B</u>	
<u>E</u>	Baby clothes
<u>E</u>	Backpacks and bookbags
<u>E</u>	Bandanas
<u>E</u>	Baseball cleats
<u>E</u>	Bathing suits, caps, and cover-ups
<u>E</u>	Belts
<u>E</u>	Bibs
<u>E</u>	Bicycle helmets (youth)**
<u>E</u>	Blouses
<u>E</u>	Boots (except ski or fishing boots)
<u>E</u>	Bowling shoes (purchased)
<u>T</u>	Bowling shoes (rented)
<u>E</u>	*Braces and supports worn to correct or alleviate a physical incapacity or injury
<u>E</u>	Bras
<u>T</u>	Briefcases
<u>C</u>	
<u>T</u>	Checkbook covers (separate from wallets)
<u>T</u>	Chest protectors
<u>E</u>	*Choir and altar clothing
<u>E</u>	Cleated and spiked shoes
<u>E</u>	*Clerical vestments
<u>T</u>	Cloth and lace, knitting yarns, and other fabrics
<u>T</u>	Clothing repair items, such as thread, buttons, tapes, iron-on patches, or zippers
<u>E</u>	Coats
<u>E</u>	Coin purses
<u>T</u>	Corsages and boutonnieres
<u>T</u>	Cosmetic bags
<u>E</u>	Costumes
<u>E</u>	Coveralls
<u>T</u>	Crib blankets
<u>D-E</u>	
<u>E</u>	Diaper bags
<u>E</u>	Diapers, diaper inserts (adult and baby, cloth or disposable)
<u>T</u>	Diving suits (wet and dry)
<u>E</u>	Dresses
<u>T</u>	Duffel bags
<u>T</u>	Elbow pads

<u>F</u>		<u>E</u>	<u>Lingerie</u>
<u>E</u>	<u>Fanny packs</u>	<u>T</u>	<u>Luggage</u>
<u>T</u>	<u>Fins</u>		
<u>T</u>	<u>Fishing boots (waders)</u>	<u>M-N</u>	
<u>E</u>	<u>Fishing vests (nonflotation)</u>	<u>T</u>	<u>Make-up bags</u>
<u>T</u>	<u>Football pads</u>	<u>E</u>	<u>Martial arts attire</u>
<u>E</u>	<u>Formal clothing (purchased)</u>		
<u>T</u>	<u>Formal clothing (rented)</u>	<u>O-P</u>	
		<u>E</u>	<u>Overshoes and rubber shoes</u>
<u>G</u>		<u>T</u>	<u>Pads (football, hockey, soccer, elbow, knee, shoulder)</u>
<u>T</u>	<u>Garment bags</u>	<u>T</u>	<u>Paint or dust masks</u>
<u>E</u>	<u>Gloves (generally)</u>	<u>E</u>	<u>Pants</u>
<u>T</u>	<u>Baseball</u>	<u>T</u>	<u>Patterns</u>
<u>T</u>	<u>Batting</u>	<u>T</u>	<u>Protective masks (athletic)</u>
<u>T</u>	<u>Bicycle</u>	<u>E</u>	<u>Purses</u>
<u>E</u>	<u>Dress (purchased)</u>		
<u>E</u>	<u>Garden</u>	<u>R</u>	
<u>T</u>	<u>Golf</u>	<u>E</u>	<u>Raincoats, rain hats, and ponchos</u>
<u>T</u>	<u>Hockey</u>	<u>E</u>	<u>Receiving blankets</u>
<u>E</u>	<u>Leather</u>	<u>E</u>	<u>*Religious clothing</u>
<u>T</u>	<u>Rubber</u>	<u>T</u>	<u>Rented clothing (including uniforms, formal wear, and costumes)</u>
<u>T</u>	<u>Surgical</u>	<u>T</u>	<u>Repair of wearing apparel</u>
<u>T</u>	<u>Tennis</u>	<u>E</u>	<u>Robes</u>
<u>E</u>	<u>Work</u>	<u>T</u>	<u>Roller blades</u>
<u>T</u>	<u>Goggles (except *prescription)</u>	<u>T</u>	<u>Roller skates</u>
<u>E</u>	<u>Graduation caps and gowns</u>		
<u>E</u>	<u>Gym suits and uniforms</u>		
		<u>S</u>	
<u>H</u>		<u>E</u>	<u>Safety clothing</u>
<u>T</u>	<u>Hard hats</u>	<u>T</u>	<u>Safety glasses (except *prescription)</u>
<u>E</u>	<u>Hats and caps</u>	<u>E</u>	<u>Safety shoes</u>
<u>T</u>	<u>Helmets (bicycle**, baseball, football, hockey, motorcycle, sports)</u>	<u>E</u>	<u>Scout uniforms</u>
<u>E</u>	<u>Hosiery, including support hosiery</u>	<u>T</u>	<u>Shaving kits/bags</u>
<u>E</u>	<u>Hunting vests</u>	<u>E</u>	<u>Shawls and wraps</u>
		<u>T</u>	<u>Shin guards and padding</u>
<u>I-J</u>		<u>E</u>	<u>Shirts</u>
<u>T</u>	<u>Ice skates</u>	<u>E</u>	<u>Shoe inserts and insoles</u>
<u>T</u>	<u>In-line skates</u>	<u>E</u>	<u>Shoes (including athletic)</u>
<u>E</u>	<u>Jackets</u>	<u>E</u>	<u>Shoulder pads (e.g., dresses, jackets)</u>
<u>E</u>	<u>Jeans</u>	<u>T</u>	<u>Shoulder pads (e.g., football, hockey)</u>
		<u>E</u>	<u>Shorts</u>
<u>K</u>		<u>T</u>	<u>Ski boots (snow)</u>
<u>T</u>	<u>Key chains</u>	<u>T</u>	<u>Ski vests (water)</u>
<u>T</u>	<u>Knee pads</u>	<u>E</u>	<u>Ski suits (snow)</u>
		<u>T</u>	<u>Skin diving suits</u>
<u>L</u>		<u>E</u>	<u>Skirts</u>
<u>E</u>	<u>Lab coats</u>	<u>E</u>	<u>Sleepwear (nightgowns and</u>
<u>E</u>	<u>Leggings, tights, and leg warmers</u>		
<u>E</u>	<u>Leotards</u>		
<u>T</u>	<u>Life jackets and vests</u>		

pajamas)

<u>E</u>	<u>Slippers</u>
<u>E</u>	<u>Slips</u>
<u>E</u>	<u>Socks</u>
<u>T</u>	<u>Suitcases</u>
<u>E</u>	<u>Suits, slacks, and jackets</u>
<u>T</u>	<u>Sunglasses (except *prescription)</u>
<u>E</u>	<u>Suspenders</u>
<u>E</u>	<u>Sweatbands</u>
<u>E</u>	<u>Sweaters</u>
<u>T</u>	<u>Swimming masks</u>
<u>E</u>	<u>Swim suits and trunks</u>
<u>T</u>	
<u>E</u>	<u>Ties (neckties, bow ties)</u>
<u>E</u>	<u>Tuxedos (excluding rentals)</u>
<u>U</u>	
<u>T</u>	<u>Umbrellas</u>
<u>E</u>	<u>Underclothes</u>
<u>E</u>	<u>Uniforms (work, school, and athletic - excluding pads)</u>

V-W

<u>E</u>	<u>Vests</u>
<u>T</u>	<u>Weight-lifting belts</u>
<u>T</u>	<u>Wigs</u>

* These items are always exempt as religious, prescription, prosthetic, or orthopedic items.

** Bicycle helmets marketed for use by youth are always exempt from sales tax.

(20) List of School Supplies and Their Taxable Status During the Holiday Period. The following is a list of school supplies and their taxable status during the holiday period if they are sold for \$15 or less per item. T = Taxable, E = Exempt.

<u>E</u>	<u>Binders</u>
<u>T</u>	<u>Books not otherwise exempt</u>
<u>E</u>	<u>Calculators</u>
<u>E</u>	<u>Cellophane (transparent) tape</u>
<u>E</u>	<u>Colored pencils</u>
<u>E</u>	<u>Compasses</u>
<u>E</u>	<u>Composition books</u>
<u>E</u>	<u>Computer disks (blank CDs only)</u>
<u>T</u>	<u>Computer paper</u>
<u>E</u>	<u>Construction paper</u>
<u>T</u>	<u>Correction tape, fluid, or pens</u>
<u>E</u>	<u>Crayons</u>
<u>E</u>	<u>Erasers</u>
<u>E</u>	<u>Folders</u>
<u>E</u>	<u>Glue (stick and liquid)</u>
<u>E</u>	<u>Highlighters</u>

<u>E</u>	<u>Legal pads</u>
<u>E</u>	<u>Lunch boxes</u>
<u>E</u>	<u>Markers</u>
<u>T</u>	<u>Masking tape</u>
<u>E</u>	<u>Notebook filler paper</u>
<u>E</u>	<u>Notebooks</u>
<u>E</u>	<u>Paste</u>
<u>E</u>	<u>Pencils, including mechanical and refills</u>
<u>E</u>	<u>Pens, including felt, ballpoint, fountain, highlighters, and refills</u>
<u>E</u>	<u>Poster board</u>
<u>E</u>	<u>Poster paper</u>
<u>T</u>	<u>Printer paper</u>
<u>E</u>	<u>Protractors</u>
<u>E</u>	<u>Rulers</u>
<u>E</u>	<u>Scissors</u>
<u>E</u>	<u>Staplers</u>
<u>E</u>	<u>Staples</u>

(21) List of Personal Computers and Related Accessories and Their Taxable Status During the Holiday Period. The following is a list of personal computers and related accessories, and their taxable status during the holiday period if they are sold for \$1,000 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

<u>T</u>	<u>Batteries (regular)**</u>
<u>E</u>	<u>Cables for computers</u>
<u>E</u>	<u>Car adaptors for laptop computers</u>
<u>T</u>	<u>Cases for electronic devices (including electronic reader covers)</u>
<u>T</u>	<u>CDs/DVDs (music, voice, pre-recorded items)</u>
<u>T</u>	<u>Cellular telephones (including smart telephones)</u>
<u>E</u>	<u>Central processing units (CPU)</u>
<u>E</u>	<u>Compact disk drives</u>
<u>E</u>	<u>Computer for noncommercial or personal use</u>
<u>E</u>	<u>Desktop</u>
<u>E</u>	<u>Laptop</u>
<u>E</u>	<u>Tablet</u>
<u>T</u>	<u>Computer bags</u>
<u>E</u>	<u>Computer batteries</u>
<u>T</u>	<u>Computer paper</u>
<u>E</u>	<u>Computer towers consisting of a central processing unit, random-access memory and a storage drive</u>
<u>T</u>	<u>Computers designed/intended for recreation (games and toys)</u>
<u>T</u>	<u>Copy machines and copier ink/toner</u>

E Data storage devices (excludes those devices designed for use in digital cameras or other taxable items)

- E Blank CDs
- E Diskettes
- E Flash drives
- E Jump drives
- E Memory cards
- E Portable hard drives
- E Storage drives
- E Thumb drives
- E Zip drives
- T Digital cameras
- T Digital media receivers
- E Docking stations (designed for a computer)
- E Electronic book readers
- T Fax machines (standalone)
- T Furniture
- T Game controllers (e.g., joy sticks, nunchucks)
- T Game systems and consoles
- T Games and gaming software
- E Hard Drives
- E Headphones (including “ear buds”)
- E Ink cartridges (for computers)
- E Keyboards (for computers)
- E Mice (mouse devices)
- E Microphones (built-in computers)
- E Modems
- E Monitors (except devices that include a television tuner)
- E Motherboards
- T MP3 players or accessories
- E Personal digital assistant devices (except cellular telephones)
- E Port replicators
- E Printer cartridges
- E Printers (including “all-in-one” models)
- T Projectors
- E RAM - random access memory
- T Rented computers or computer accessories
- E Routers
- E Scanners
- T Smart telephones
- E Software (nonrecreational)
- E Antivirus
- E Database
- E Educational
- E Financial
- E Word processing

- E Speakers (for computers)
- E Storage drives (for computers)
- T Surge protectors
- E Tablets
- T Tablet cases or covers
- T Televisions (including digital media receivers)
- T Video game consoles
- E Web cameras
- ** Batteries for use in prosthetic or orthopedic appliances

are always exempt from tax.
Rulemaking Authority 212.17(6), 212.18(2), 213.06(1), (2) FS, Section 19 of Chapter 2019-42, L.O.F. Law Implemented 95.091, 212.02(16), 212.05, 212.0596, 212.06, 212.13, 213.35, 215.26(1), 330.27(2), 509.013(4), (9) FS, Section 19 of Chapter 2019-42, L.O.F. History-New 06-19-19.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
 EFFECTIVE DATE: 06/19/2019

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
 Southwest Florida Water Management District
 RULE NO.: RULE TITLE:
 40D-22.201 Year-Round Water Conservation Measures
 The Southwest Florida Water Management District hereby gives notice: that on June 18, 2019, the Southwest Florida Water Management District has issued an order granting a variance.
 Petitioner's Name: Greenbriar of Citrus Hills Owners; Association, Inc.- File Tracking No. 19-4298
 Date Petition Filed: April 11, 2019
 Rule No.: 40D-22.201, F.A.C.
 Nature of the rule for which variance or waiver was sought:
 Lawn and landscape irrigation
 Date Petition Published in the Florida Administrative Register:
 April 17, 2019
 General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.
 A copy of the Order or additional information may be obtained by contacting: NA
 A copy of the Order may be obtained by contacting: Michael Bench, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/05/2019, the Department issued a Final Order granting Brookdale Senior Living Communities, Inc. d/b/a Brookdale Pointe West, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 02/28/2019, and noticed in FAR Volume 45, Number 58. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Five Star Coral Springs, LLC d/b/a, Park Summit at Coral Springs, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 05/08/2019, and noticed in FAR Volume 45, Number 93. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Laurin Manor Assisted Living Facility, LLC, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/13/2019, and noticed in FAR Volume 45, Number 71. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting The Beacon at Gulf Breeze, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/26/2019, and noticed in FAR Volume 45, Number 71. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting La Grande Belle, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/04/2019, and noticed in FAR Volume 45, Number 77. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Karen's Sanctuary, LLC, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/25/2019, and noticed in FAR Volume 45, Number 70. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Bishop's Glen Retirement Center, a temporary variance from

Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/25/2019, and noticed in FAR Volume 45, Number 70. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Migdalia's ACLF, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/19/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Ashton Palms, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/25/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Ashton Palms, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/25/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Royal Living at Pompano ALF, Inc., a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/28/2019, and noticed in FAR Volume 45, Number 72. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Sunrise of Jacksonville, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/19/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/06/2019, the Department issued a Final Order granting Harbor Place at Port St. Lucie, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/20/2018, and noticed in FAR Volume 45, Number 04. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/10/2019, the Department issued a Final Order granting Emeritus Corporation d/b/a, Brookdale Sunrise, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/19/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/10/2019, the Department issued a Final Order granting SH Lake Howard, LLC, d/b/a Lake Howard Heights, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/23/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/11/2019, the Department issued a Final Order granting Hampton ALF at Belleview, LLC, a temporary variance from

Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/22/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/11/2019, the Department issued a Final Order granting Hampton ALF at Deerwood, LLC, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/22/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/11/2019, the Department issued a Final Order granting American Eagle Tuskawilla, LLC d/b/a Palmetto Landing, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/23/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure

the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/11/2019, the Department issued a Final Order granting American Eagle Tuskawilla, LLC d/b/a Palmetto Landing, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 04/23/2019, and noticed in FAR Volume 45, Number 90. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/11/2019, the Department issued a Final Order granting Grand Court ALF LLC, a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 12/07/2018, and noticed in FAR Volume 44, Number 240. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

The Florida Department of Elder Affairs hereby gives notice: On 06/14/2019, the Department issued a Final Order granting Dr. Phillips Residential Living, Inc., a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 03/14/2019, and noticed in FAR Volume 45, Number 62. Petitioner demonstrated that its current temperature control measures are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.023 Housing Credits General Program Procedures and Requirements

NOTICE IS HEREBY GIVEN that on June 17, 2019, the Florida Housing Finance Corporation, received a petition for variance from Florida Administrative Code subsection 67-48.023(2) F.A.C. from HTG Addision, LLC, requesting a variance from the provisions of rules to allow for calculation of the minimum set aside percentage based on income averaging.

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

Section VI Notice of Meetings, Workshops and Public Hearings

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District – Executive Director Evaluation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2019, 9:30 a.m. (teleconference)

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Director Evaluation Committee Teleconference Meeting to discuss District business. The meeting will be held at District Headquarters and Committee members may teleconference in. Public must be present at District Headquarters to participate.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) when available.

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: (386)362-1001 or 1(800)226-1066 (Florida only). 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 ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Water and Springs Restoration Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2019, 10:00 a.m. – 11:30 a.m.

PLACE:

<https://register.gotowebinar.com/register/6679264157730231298>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public webinar which will commence at 10:00 a.m. until not later than 11:30 a.m., with the primary purpose of providing the public with an opportunity to comment on proposed springs projects for the upcoming fiscal year. The list of proposed springs projects can be found by visiting: <https://floridadep.gov/springs/restoration->

[funding/documents/proposed-springs-restoration-projects-fy19-20](https://floridadep.gov/springs/restoration-projects-fy19-20).

A copy of the agenda may be obtained by contacting: Sandy Waters, Water and Springs Restoration Program, 3900 Commonwealth Boulevard, Mail Station 3602, Tallahassee, Florida 32399-3000, (850)245-2815, sandra.waters@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sandy Waters. 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: Sandy Waters, (850)245-2815, sandra.waters@dep.state.fl.us, Water and Springs Restoration Program, 3900 Commonwealth Boulevard, Mail Station 3602, Tallahassee, Florida 32399-3000.

DEPARTMENT OF HEALTH

The Florida Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 3, 2019, 9:00 a.m.

PLACE: Call in number: 1(888)585-9008, Conference room number: 852-642-835

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Florida Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 17, 2019, 1:30 p.m.

PLACE: Call in number: 1(888)585-9008, Conference room number: 852-642-835

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Florida Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 7, 2019, 9:00 a.m.

PLACE: 1(888)585-9008, Conference room number: 852-642-835

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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 days before the workshop/meeting by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Florida Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 21, 2019, 1:30 p.m.

PLACE: Call in number: 1(888)585-9008, Conference room number: 852-642-835

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Florida Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 4, 2019, 9:00 a.m.

PLACE: Call in number: 1(888)585-9008, Conference room number: 852-642-835

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

The Florida Department of Health IRB announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 18, 2019, 1:30 p.m.

PLACE: 1(888)585-9008, Conference room number: 852-642-835

GENERAL SUBJECT MATTER TO BE CONSIDERED: Institutional Review Board (IRB) conference call agenda items. A copy of the agenda may be obtained by contacting: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628. 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: Rotanya Bryan, Rotanya.Bryan@flhealth.gov, (850)558-9628.

DEPARTMENT OF HEALTH

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

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2019, 1:00 p.m. ET

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

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

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

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: August 5, 2019, 1:30 p.m. – August 6, 2019, 9:00 a.m.

PLACE: Four Points by Sheraton Suites, 4400 W. Cypress Street, Tampa, FL 33607, 1(813)873-8675.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice will replace # 21071230. General board business and disciplinary matters.

A copy of the agenda may be obtained by contacting: www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (850)245-4474.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Department of Health/Emergency Medical Service Advisory Council and constituent Group announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, July 15, 2019, 1:00 p.m. – 5:00 p.m.; Tuesday, July 16, 2019, 8:00 a.m. – 6:00 p.m.; Wednesday, July 17, 2019, 8:00 a.m. – 6:00 p.m.; Thursday, July 18, 2019, 9:00 a.m. – 6:00 p.m.

PLACE: Doubletree by Hilton Universal Orlando, 5780 Major Blvd, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the EMS Advisory Council and constituent groups.

A copy of the agenda may be obtained by contacting: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Department of Health/Statewide Stroke Triage Form announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 17, 2019, 11:00 a.m.

PLACE: Doubletree by Hilton Universal Orlando, 5780 Major Blvd, Orlando, FL 32819, Room: Seminole Ballroom A
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Stroke Triage

A copy of the agenda may be obtained by contacting: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.
 For more information, you may contact: Bonnie Anderson, (850)558-9544m Bonnie.Anderson@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: June 25, 2019, 10:00 a.m. – 2:00 p.m.

PLACE: Stay Bridge Hotel, 1600 Summit Lake Drive, Tallahassee, Florida 32317

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Child Protective Investigations

A copy of the agenda may be obtained by contacting: Vannah Parramore, (850)717-4678

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: Vannah Parramore, (850)717-4678. 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: Vannah Parramore, (850)717-4678.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

The Agency for Persons with Disabilities announces a workshop to which all persons are invited.

DATE AND TIME: June 25, 2019, 9:30 a.m. – 11:00 a.m.

PLACE: This workshop will meet via GoToWebinar, <https://attendee.gotowebinar.com/register/2171676601773734925>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Persons with Disabilities (APD) will be holding an online stakeholder workgroup. The purpose of the workgroup is to assist APD in redesigning Adult Day Training (ADT) and employment-related services, funded by the Medicaid Developmental Disabilities Individual Budgeting (iBudget) Home and Community-Based Services Waiver, to support more individuals who want to work and participate in their community.

A copy of the agenda may be obtained by contacting: An agenda will be posted on the APD website at <http://apd.myflorida.com> and the meeting will be recorded.

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: David Darm, Senior Management Analyst, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)414-8096.

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

For more information, you may contact: David Darm, Senior Management Analyst, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)414-8096, David.Darm@apdcares.org.

Florida Independent Living Council

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Executive Committee, Tuesday, July 2, 2019, 9:00 a.m. – 10:00 a.m.; Finance Committee, Monday, July 15, 2019, 10:00 a.m. – 11:00 a.m.

PLACE: Call in number: 1(888)585-9008 Code:605155637

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Business of the Committees

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

Enterprise Florida, Inc.

The Enterprise Florida, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 24, 2019, 8:30 a.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will have a call to discuss ongoing issues.

A copy of the agenda may be obtained by contacting: Katie Richardson at krichardson@enterpriseflorida.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 1 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathleen Keenan at kkeenana@enterprise-florida.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Westcliff Technologies, Inc. dba National Bitcoin ATM. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 6/13/2019, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Westcliff Technologies, Inc. dba National Bitcoin ATM. The petitioner seeks a declaratory statement from the Office whether its proposed business model (sale of virtual currency to the public in exchange for US dollars via kiosks) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

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

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

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

NONE

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

JUAN FRANCISCO VEGA,

Petitioner,

vs.

DEPARTMENT OF CHILDREN AND FAMILIES,

Respondent.

CASE NO.: 19-2556RU; Dismissed

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

University of North Florida

ITB 19-24 Arena Restroom Improvements

NOTICE TO CONTRACTORS

The University of North Florida Board of Trustees, a public body corporate, is soliciting bids to plumbing/general contractors for the improvement of the restroom facilities at the UNF Arena, Building 34 located at the University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

The scope of work includes all labor, materials, equipment and supervision required for the Arena restroom improvements. The awarded contractor will upgrade the fixtures in 16 restrooms located in the Arena. The current fixtures are outdated and insufficient. This scope includes removing, salvaging and cleaning the existing restroom partitions for re-installation. In addition, the successful contractor will remove and replace the toilets, urinals, lavatories, re-install dispensers and install new solid surface countertops. Ceiling tiles, LED light fixtures/bulbs, supply/return grill replacement, some painting, and pressure/acid washing of ceramic tile are included within this project scope. The project will be phased to keep 8 functional restrooms available at all times during the renovation. The phasing plan must be approved. Work is to be performed primarily during normal work hours. See the

construction drawings for complete plans and specifications and the full scope of work.

The preliminary schedule for this ITB:

- Advertisement June 19, 2019
- Mandatory Pre-Bid Meeting June 25, 2019, 10:30 a.m.
- Deadline for questions July 1, 2019
- Response to questions July 3, 2019
- Bids due July 9, 2019, 2:00 p.m.

Minority business participation is strongly recommended and supported by the University of North Florida.

A performance and payment bond for 100 percent of the amount of the bid will be required of the successful contractor for any project with a cost that exceeds \$100,000.

As required by §287.133, Fla. Stat., a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Contractor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national origin, marital status or religion; neither contractor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

Full sets of bidding documents and descriptive project information may be obtained online at the UNF Procurement Services website:
http://www.unf.edu/procurement/Bids_and_Notices.aspx.

Submit one complete copy of your bid response in full accordance with the requirements of the bid documents to:
 University of North Florida Procurement Services, 4892 First Coast Technology Parkway, Hicks Hall, Suite 2950, Jacksonville, Florida 32224

Sealed bids must be received no later than 2:00 p.m. Eastern Standard Time on July 9, 2019. Facsimile (fax) or email submittals are not acceptable and will not be considered.

WATER MANAGEMENT DISTRICTS
 St. Johns River Water Management District
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
THE GOVERNING BOARD OF THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
INVITATION TO NEGOTIATE (ITN) 34349 – GROUP
HEALTH INSURANCE
 Submittals were received for this solicitation on May 10, 2019. The District held evaluation committee meetings at District

Headquarters regarding this solicitation on May 23, 2019 and on June 5, 2019. Oral presentations and negotiations have been previously advertised to begin at 9:00 am on July 2, 2019.

The District’s Evaluation Committee will meet at 9:00 am on July 10, 2019, to review and rank the Best-and-Final Offers (BAFOs) for the health plans and decide which of the plans best meets the needs of the District.

If any person decides to appeal a decision made by the District with respect to any matter considered at the additional meetings, he or she will need a record of the meeting and may need to ensure that a verbatim record is made that includes the testimony and evidence upon which the appeal would be based. For questions or to receive further information concerning the above referenced solicitations, contact Wendy Cox at wcox@sjrwmd.com or at (386)329-4118.

WATER MANAGEMENT DISTRICTS
 St. Johns River Water Management District
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
THE GOVERNING BOARD OF THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
INVITATION TO NEGOTIATE (ITN) 34352 – GROUP
EMPLOYEE DENTAL INSURANCE

Submittals were received for this solicitation on May 8, 2019. The District held evaluation committee meetings at District Headquarters regarding this solicitation on May 23, 2019 and on June 5, 2019. Oral presentations and negotiations have been previously advertised to begin at 9:00 am on July 2, 2019.

The District’s Evaluation Committee will meet at 10:30 am on July 10, 2019, to review and rank the Best-and-Final Offers (BAFOs) for the dental plans and decide which of the plans best meets the needs of the District.

If any person decides to appeal a decision made by the District with respect to any matter considered at the additional meetings, he or she will need a record of the meeting and may need to ensure that a verbatim record is made that includes the testimony and evidence upon which the appeal would be based. For questions or to receive further information concerning the above referenced solicitations, contact Wendy Cox at wcox@sjrwmd.com or at (386)329-4118.

Section XII Miscellaneous

DEPARTMENT OF STATE
 Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, June 12, 2019 and 3:00 p.m., Tuesday, June 18, 2019.

Rule No.	File Date	Effective Date
5E-4.002	6/17/2019	7/7/2019
5E-4.003	6/17/2019	7/7/2019
5E-4.004	6/17/2019	7/7/2019
5E-4.0041	6/17/2019	7/7/2019
5E-4.006	6/17/2019	7/7/2019
5E-4.007	6/17/2019	7/7/2019
5E-4.0071	6/17/2019	7/7/2019
5E-4.011	6/17/2019	7/7/2019
5E-4.013	6/17/2019	7/7/2019
5E-4.014	6/17/2019	7/7/2019
12-26.008	6/18/2019	7/8/2019
12A-19.071	6/18/2019	7/8/2019
12B-5.150	6/18/2019	7/8/2019
29D-1.001	6/14/2019	7/4/2019
29D-1.002	6/14/2019	7/4/2019
29D-1.003	6/14/2019	7/4/2019
29D-1.004	6/14/2019	7/4/2019
29D-1.005	6/14/2019	7/4/2019
29D-1.006	6/14/2019	7/4/2019
29D-1.007	6/14/2019	7/4/2019
29D-1.008	6/14/2019	7/4/2019
29D-1.009	6/14/2019	7/4/2019
29D-1.010	6/14/2019	7/4/2019
29D-1.011	6/14/2019	7/4/2019
29D-1.012	6/14/2019	7/4/2019
29D-1.013	6/14/2019	7/4/2019
29D-1.014	6/14/2019	7/4/2019
29D-1.015	6/14/2019	7/4/2019
29D-1.016	6/14/2019	7/4/2019
29D-1.017	6/14/2019	7/4/2019

29D-1.018	6/14/2019	7/4/2019
29D-1.019	6/14/2019	7/4/2019
29D-2.001	6/14/2019	7/4/2019
29D-3.0001	6/14/2019	7/4/2019
29D-3.0004	6/14/2019	7/4/2019
29D-5.101	6/14/2019	7/4/2019
29D-5.201	6/14/2019	7/4/2019
29D-5.202	6/14/2019	7/4/2019
29D-5.203	6/14/2019	7/4/2019
29D-5.301	6/14/2019	7/4/2019
29D-5.302	6/14/2019	7/4/2019
29D-5.303	6/14/2019	7/4/2019
29L-1.001	6/14/2019	7/4/2019
29L-1.002	6/14/2019	7/4/2019
29L-1.003	6/14/2019	7/4/2019
29L-1.004	6/14/2019	7/4/2019
29L-1.005	6/14/2019	7/4/2019
29L-1.006	6/14/2019	7/4/2019
29L-1.007	6/14/2019	7/4/2019
29L-1.008	6/14/2019	7/4/2019
29L-1.009	6/14/2019	7/4/2019
29L-1.010	6/14/2019	7/4/2019
29L-1.011	6/14/2019	7/4/2019
29L-1.012	6/14/2019	7/4/2019
29L-1.013	6/14/2019	7/4/2019
29L-1.014	6/14/2019	7/4/2019
29L-1.015	6/14/2019	7/4/2019
29L-1.016	6/14/2019	7/4/2019
29L-1.017	6/14/2019	7/4/2019
29L-1.018	6/14/2019	7/4/2019
29L-1.019	6/14/2019	7/4/2019
29L-1.020	6/14/2019	7/4/2019

29L-1.021	6/14/2019	7/4/2019
29L-1.022	6/14/2019	7/4/2019
29L-1.023	6/14/2019	7/4/2019
29L-1.024	6/14/2019	7/4/2019
29L-2.001	6/14/2019	7/4/2019
29L-2.002	6/14/2019	7/4/2019
29L-2.003	6/14/2019	7/4/2019
29L-2.004	6/14/2019	7/4/2019
29L-2.005	6/14/2019	7/4/2019
29L-2.006	6/14/2019	7/4/2019
29L-2.007	6/14/2019	7/4/2019
29L-2.008	6/14/2019	7/4/2019
29L-2.009	6/14/2019	7/4/2019
29L-3.001	6/14/2019	7/4/2019
29L-3.002	6/14/2019	7/4/2019
29L-4.001	6/14/2019	7/4/2019
29L-4.002	6/14/2019	7/4/2019
29L-4.003	6/14/2019	7/4/2019
29L-4.004	6/14/2019	7/4/2019
29L-4.005	6/14/2019	7/4/2019
29L-4.006	6/14/2019	7/4/2019
29L-4.007	6/14/2019	7/4/2019
61G5-18.004	6/18/2019	7/8/2019
64B9-8.003	6/18/2019	7/8/2019
64B10-15.001	6/14/2019	7/4/2019
64B12-16.003	6/14/2019	7/4/2019
67-57.001	6/12/2019	7/2/2019
67-57.005	6/12/2019	7/2/2019
67-57.010	6/12/2019	7/2/2019
67-57.020	6/12/2019	7/2/2019
67-57.030	6/12/2019	7/2/2019
67-57.040	6/12/2019	7/2/2019

67-57.050	6/12/2019	7/2/2019
67-57.060	6/12/2019	7/2/2019
67-57.070	6/12/2019	7/2/2019
67-57.080	6/12/2019	7/2/2019
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
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On June 17, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Joshua Rivera-Pulliza, R.N., License # RN 9420283. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On June 17, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the certificate of Brittany L. Anderson, C.N.A., Certificate # CNA 273240. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-19-015

In re: AMENDMENT TO THE ISLAMORADA, VILLAGE

OF ISLANDS, FLORIDA, LAND DEVELOPMENT
REGULATIONS ADOPTED BY ORDINANCE NO. 19-
07

FINAL ORDER

APPROVING ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 19-07

The Florida Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Islamorada, Village of Islands, Florida (“Village”) by Ordinance No. 19-07 (“Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the Village on April 4, 2019, and rendered to the Department on May 7, 2019.
3. The Ordinance amends several sections to allow outdoor storage and display areas as a permitted use under specified circumstances.
4. The Ordinance amends Chapter 30, Article II of the Village Code to allow outdoor storage and display areas as a permitted use for vacant lots fronting US1 in the following zoning districts: Tourist commercial, Highway commercial, Village center, and Neighborhood commercial.
5. The Ordinance also amends Chapter 30, Article II of the Village Code to allow outdoor storage and display areas for lots that do not front US1 as a major conditional use in the following zoning districts: Tourist commercial, Highway commercial, and Neighborhood commercial.

CONCLUSIONS OF LAW

6. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. § 380.05(6), Fla. Stat.
7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations amended by the Ordinance are land development regulations.
8. The Ordinance is consistent with the Village’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically, Policy 1-4.2.1: Implement Comprehensive Plan through Land Development Regulations.
9. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent and in compliance with the principles for

guiding development for that area. See § 380.05(6), Fla. Stat. The Principles for Guiding Development for the Village are set forth in section 380.0552(7), Florida Statutes.

10. The Ordinance is consistent with the Principles for Guiding Development for the Village as a whole, and specifically furthers the following principles:

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 19-07 is consistent with the Village’s Comprehensive Plan and Principles for Guiding Development for the Village and is hereby APPROVED.

This Final Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below. DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to SUBSECTIONS 28-106.104(2), 28-106.201(2), and Section 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either section 120.569 and SUBSECTION 120.57(1), Florida statutes, Section 120.569, or subsection 120.57(2), Florida statutes.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk, Department of Economic Opportunity, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the florida administrative register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 14th day of June 2019.

/s/Stephanie Webster

Stephanie Webster, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Deb Gillis, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Kelly S. Toth, Village Clerk, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

Ty Harris, Director of Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036

EDITOR'S NOTE: The foregoing final order corrects and replaces final order no. DEO-19-015, published in volume 45 issue 117 of the Florida Administrative Register on June 17, 2019.

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.
