

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: RULE TITLE:
6M-8.201 Child Enrollment Procedure for the
Voluntary Prekindergarten (VPK) Education
Program

PURPOSE AND EFFECT: The proposed revisions update the rule and incorporated forms to remove duplicative language and form, update incorporated forms, and provide clarifying language.

SUBJECT AREA TO BE ADDRESSED: Child enrollment in the VPK Program.

RULEMAKING AUTHORITY: 1001.02(1)(n), 1002.79 FS.
LAW IMPLEMENTED: 1002.53(4), (5), 1002.73(2)(d)(1.) F.S.

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

DATE AND TIME: July 6, 2023, 11:00 a.m. – 12:00 p.m., ET or until business is concluded, whichever is earlier.

PLACE: GoToWebinar only, for which the link may be found at:

<http://www.floridaearlylearning.com/statewide-initiatives/proposed-rules>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amber Gibbens, (850)717-8611. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amber Gibbens, Division of Early Learning, Amber.Gibbens@del.fldoe.org. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available prior to rule workshop at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

Division of Early Learning

RULE NO.: RULE TITLE:
6M-8.210 Reenrollment in the Voluntary
Prekindergarten Education Program

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the incorporated forms' nomenclature and provide clarifying language.

SUBJECT AREA TO BE ADDRESSED: Reenrollment in the Voluntary Prekindergarten Education Program.

RULEMAKING AUTHORITY: 1001.02(2)(n), 1002.79, F.S.
LAW IMPLEMENTED: 1002.71(4), 1002.73(2)(d)1., 1002.73(2)(d)9., F.S.

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

DATE AND TIME: July 6, 2023, from 2:00 p.m. to 3:00 p.m., ET or until business is concluded, whichever is sooner

PLACE: Via GoToWebinar, for which the link may be found at:

<http://www.floridaearlylearning.com/statewide-initiatives/proposed-rules>

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amber Gibbens, Division of Early Learning, Telephone: (850)717-8611 or email: Amber.Gibbens@del.fldoe.org. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available prior to rule workshop at <https://web02.fldoe.org/rules>.

Section II
Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-36.019	Emergency Management
59A-36.025	Emergency Environmental Control for Assisted Living Facilities

PURPOSE AND EFFECT: The Agency proposes to revise Rules 59A-36.019 and 59A-36.025 to align language with statute regarding submission and approval of comprehensive emergency management plans (CEMP) and emergency environmental control plans, remove obsolete language and update incorporated CEMP form for assisted living facilities.

SUMMARY: The Agency proposes to revise Rules 59A-36.019 and 59A-36.025 to align with statute regarding submission and approval of comprehensive emergency management plans (CEMP) and emergency environmental control plans. Revisions will also amend language regarding extensions for emergency environmental control plan implementation, Agency requests for assistance from the State Fire Marshal to complete inspections, annual notification of plan approval to residents or their legal representatives and update incorporated CEMP form for assisted living facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 429.41, 408.821, F.S.

LAW IMPLEMENTED: 429.19, 429.41, 408.821, F.S.

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

DATE AND TIME: July 25, 2023, 10:00 a.m. – 12:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL, 32308. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials can be found on the web at: https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml

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: Jeremy Roberts, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850) 412-4432. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jeremy Roberts at (850) 412-4432 or email at: Jeremy.Roberts@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-36.019 Emergency Management.

(1) EMERGENCY PLAN COMPONENTS. Pursuant to section 429.41, F.S., each facility must prepare a written comprehensive emergency management plan ~~in accordance with the~~ using ~~the~~ “Minimum Emergency Management Criteria for Assisted Living Facilities,” AHCA Form 3180-XXXX, June 2023, dated October 1995, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. ~~This document~~ This document is also available at: https://ahca.myflorida.com/MCHQ/Emergency_Activities/index.shtml. ~~from the local emergency management agency.~~ The emergency management plan must, at a minimum, address the following:

- (a) Though (e) no change.
- (f) Identification of and coordination with the county ~~local~~ emergency management agency;
- (g) Arrangement for post-disaster activities including responding to family inquiries, obtaining medical intervention for residents, transportation, and reporting to the county ~~local~~ emergency management agency the number of residents who have been relocated, and the place of relocation; and,
- (h) No change.

(2) EMERGENCY PLAN APPROVAL. ~~The plan must be submitted for review and approval to the local emergency management agency.~~

~~(a) If the local emergency management agency requires revisions to the emergency management plan, such revisions must be made and the plan resubmitted to the local office within 30 days of receiving notification that the plan must be revised.~~

~~(b) A new facility as described in rule 59A 36.014, F.A.C., and facilities whose ownership has been transferred, must submit an emergency management plan within 30 days after obtaining a license.~~

~~(a)(e)~~ The facility must review and submit its emergency management plan on an annual basis in accordance with section 408.821(1), F.S. Any substantive changes must be submitted to the local emergency agency for review and approval.

1. A significant modification to a previously approved plan must be submitted within 30 days after the change. For the purposes of this rule, "significant modification" means a change to the information provided in support of the minimum required plan criteria, procedures or agreements identified in the plan, or appendices or supporting documentation that alters the execution of the plan and the required arrangements made therein. Changes in spelling or grammar, or in the name, address, telephone number, or position of staff listed in the plan are not considered significant modifications for the purposes of this rule. Changes in the name, address, telephone number, or position of staff listed in the plan are not considered substantive revisions for the purposes of this rule.

2. Changes in the identification of specific staff must be submitted to the county local emergency management agency annually as a signed and dated addendum that is not subject to review and approval.

~~(b)(d)~~ The county local emergency management agency is the final administrative authority for emergency management plans prepared by assisted living facilities.

~~(c)(e)~~ Any plan approved by the county local emergency management agency is considered to have met all the criteria and conditions established in this rule.

(3) PLAN IMPLEMENTATION.

(a) All staff must be trained in their duties and are responsible for implementing the emergency management plan. New staff must be trained on the plan within 30 days of employment.

(b) No change.

(4) FACILITY EVACUATION. The facility must evacuate the premises during or after an emergency if so directed by the county local emergency management agency.

(a) The facility must report the evacuation to the county local office of emergency management agency or designee and to the agency within 6 hours of the evacuation order. If the

evacuation takes more than 6 hours, the facility must report when the evacuation is completed.

(b) The facility must not be re-occupied until the area is cleared for reentry by the county local emergency management agency or its designee and the facility can meet the immediate needs of the residents.

(c) Through (f) no change.

(5) No change.

Rulemaking Authority 429.41, 408.821, FS. Law Implemented 429.41, 408.821, FS. History—New 10-17-99, Amended 7-30-06, 4-17-14, Formerly 58A-5.026, 7-1-19. Amended _____.

59A-36.025 Emergency Environmental Control for Assisted Living Facilities.

(1) No change.

(2) SUBMISSION OF THE PLAN.

~~(a) Each assisted living facility licensed prior to the effective date of this rule shall submit its plan to the local emergency management agency for review within 30 days of the effective date of this rule. Assisted living facility plans previously submitted and approved pursuant to emergency rule 58AER17-1 will require resubmission only if changes are made to the plan.~~

~~(a)(b)~~ Each new assisted living facility shall submit the plan required under this rule prior to obtaining a license.

~~(b)(e)~~ Each existing assisted living facility that undergoes any additions, modifications, alterations, refurbishment, renovations or reconstruction that require modification of its systems or equipment affecting the facility's compliance with this rule shall amend its plan and submit it to the county local emergency management agency for review and approval.

(3) APPROVED PLANS.

(a) Each assisted living facility must maintain a copy of its approved plan in a manner that makes the plan readily available at the licensee's physical address for review by a legally authorized entity. If the plan is maintained in an electronic format, assisted living facility staff must be readily available to access and produce the plan. For purposes of this section, "readily available" means the ability to immediately produce the plan, either in electronic or paper format, upon request.

(b) Within 30 two (2) business days of the approval of the plan from the county local emergency management agency, the assisted living facility shall submit in writing proof of the approval to the Agency for Health Care Administration to assistedliving@ahca.myflorida.com.

(c) The assisted living facility shall submit a consumer-friendly summary of the emergency power plan to the Agency. The Agency shall post the summary and notice of the approval and implementation of the assisted living facility emergency power plans on its website within ten (10) business days of the plan's approval by the county local emergency management

agency and update within ten (10) business days of implementation.

(4) IMPLEMENTATION OF THE PLAN.

(a) Each assisted living facility licensed prior to the effective date of this rule shall, no later than June 1, 2018, have implemented the plan required under this rule.

(b) ~~The Agency shall allow an extension up to January 1, 2019 to providers in compliance with paragraph (c) below and who can show delays caused by necessary construction, delivery of ordered equipment, zoning or other regulatory approval processes. Assisted living facilities shall notify the Agency that they will utilize the extension and keep the Agency apprised of progress on a quarterly basis to ensure there are no unnecessary delays. If an assisted living facility can show in its quarterly progress reports that unavoidable delays caused by necessary construction, delivery of ordered equipment, zoning or other regulatory approval processes will occur beyond the initial extension date, the assisted living facility may request a waiver pursuant to section 120.542, F.S.~~

(c) ~~During the extension period, an assisted living facility must make arrangements pending full implementation of its plan that provides the residents with an area or areas to congregate that meets the safe indoor air temperature requirements of subsection (1) (a) for a minimum of ninety six (96) hours.~~

~~1. An assisted living facility not located in an evacuation zone must either have an alternative power source onsite or have a contract in place for delivery of an alternative power source and fuel when requested. Within twenty four (24) hours of the issuance of a state of emergency for an event that may impact primary power delivery for the area of the assisted living facility, it must have the alternative power source and no less than ninety six (96) hours of fuel stored onsite.~~

~~2. An assisted living facility located in an evacuation zone pursuant to chapter 252, F.S. must either:~~

~~a. Fully and safely evacuate its residents prior to the arrival of the event; or~~

~~b. Have an alternative power source and no less than ninety six (96) hours of fuel stored onsite, within twenty four (24) hours of the issuance of a state of emergency for the area of the assisted living facility.~~

(d) through (e) renumbered (b) through (c)

~~(f) The Agency for Health Care Administration may request cooperation from the State Fire Marshal to conduct inspections to ensure implementation of the plan in compliance with this rule.~~

(5) through (7) No change.

(8) NOTIFICATION.

(a) Within five (5) business days, each assisted living facility must notify in writing, unless permission for electronic communication has been granted, each resident and the resident’s legal representative:

1. Upon the initial submission of the plan to the county local emergency management agency that the plan has been submitted for review and approval;

2. Upon final implementation of the plan by the assisted living facility.

3. Annual submissions and approvals of the plan do not require notification to residents or their legal representatives unless a significant modification as defined in Rule 59A-36.019, F.A.C., has been made to the plan.

(b) No change.

Rulemaking Authority 429.41, FS. Law Implemented 429.19, 429.41, FS. History—New 3-26-18, Formerly 58A-5.036, 7-1-19, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jeremy Roberts

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Jason Weida

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: 06/08/2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: 07/05/2022

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NOS.:	RULE TITLES:
73B-8.001	Definitions
73B-8.002	State of Florida Eligible Training Provider List Management Information System
73B-8.003	Eligible Entities
73B-8.004	Registered Apprenticeship Program Eligibility
73B-8.005	Minimum Criteria for Training Providers' Programs of Study
73B-8.006	Training Provider Registration and Initial Eligibility
73B-8.007	Program of Study Initial Eligibility
73B-8.008	Continued/Subsequent Eligibility
73B-8.009	Out-of-Local -Area and Out-of-State Eligible Training Provider Initial Eligibility
73B-8.010	Out-of-Local -Area and Out-of-State Eligible Training Provider Continued Eligibility
73B-8.011	Losing Eligibility
73B-8.012	Program of Study Denial
73B-8.013	Notifications
73B-8.014	Public Comment

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 49 No. 59, March 27, 2023 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

RULE NO.: RULE TITLE:

18-20.004 Management Policies, Standards and Criteria
The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida hereby gives notice: that the petition for variance filed by Pine Island Resort Club Condominium Association, Inc., on March 14, 2023, was

dismissed by order dated June 12, 2023. The petition requested a variance from subsection 18-20.004(5) and Rule 18-21.004, F.A.C., which set forth criteria for docks located on sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. This matter was assigned OGC #23-0355. Notice of receipt of the petition was published in the Florida Administrative Register on March 29, 2023, and no public comment was received. The petition was dismissed because the variance and waiver process described in 120.542, F.S., does not apply when the Board of Trustees of the Internal Improvement Trust Fund is acting in its proprietary capacity.

A copy of the Order or additional information may be obtained by contacting: Toni Sturtevant, e-mail Toni.Sturtevant@FloridaDEP.gov, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

RULE NO.: RULE TITLE:

18-21.004 Management Policies, Standards, and Criteria
The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida hereby gives notice:

that the petition for variance filed by Pine Island Resort Club Condominium Association, Inc., on March 14, 2023, was dismissed by order dated June 12, 2023. The petition requested a variance from Rule 18-21.004 and subsection 18-20.004(5), F.A.C., which set forth criteria for docks located on sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. This matter was assigned OGC #23-0355. Notice of receipt of the petition was published in the Florida Administrative Register on March 29, 2023, and no public comment was received. The petition was dismissed because the variance and waiver process described in 120.542, F.S., does not apply when the Board of Trustees of the Internal Improvement Trust Fund is acting in its proprietary capacity.

A copy of the Order or additional information may be obtained by contacting: Toni.Sturtevant@FloridaDEP.gov, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

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 20, 2023, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner’s Name: GlenLakes Master Homeowners Association, Inc. - File Tracking No. 23-4360

Date Petition Filed: March 21, 2023

Rule No.: Fla. Admin. Code R. 40D-22.201

Nature of the rule for which variance or waiver was sought:

Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: March 27, 2023.

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:

Sarah Kreisle, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481, water.variances@watermatters.org. (M2023017)

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 20, 2023, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner’s Name: Edgewater Place Homeowners Association, Inc. - File Tracking No. 23-4364

Date Petition Filed: April 27, 2023

Rule No.: Fla. Admin. Code R. 40D-22.201

Nature of the rule for which variance or waiver was sought:

Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: May 2nd, 2023.

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:

Sarah Kreisle, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481, water.variances@watermatters.org. (M2023022)

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 20, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from Clematis Street Food and Beverage LLC located In West Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers and employees.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 20, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Las Comays Lonchera LLC located in Melbourne. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.021 Additional Education Requirements for Reexamination

NOTICE IS HEREBY GIVEN that on June 12, 2023, the Board of Dentistry, received a petition for variance or waiver filed by Anish Reddy, D.D.S., regarding paragraph 64B5-2.021(1), F.A.C, which requires any applicant who has failed to pass the clinical examination in three attempts shall not be eligible for reexamination until he or she completes a one year general practice residency, advanced education general dentistry residency, or pedodontic residency or a minimum of one academic year of undergraduate clinical coursework in dentistry at a dental school approved by the American Dental Association’s Commission on Dental Accreditation. The Petitioner request that the board waive or grant a variance to approve his application for licensure without him having to take the residency required under this rule. Comments on this petition should be filed with the Board of Dentistry within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jessica Sapp, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3258; Jessica.Sapp@flhealth.gov

DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on June 15, 2023, the Florida Office of Financial Regulation, received a petition for Waiver of paragraph 69W-600.0024(6)(b), Florida Administrative Code from Paul Klosterman. The petition seeks a Waiver of subsection 69W-600.0024(6) which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law Examination (Series 65); or
2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for registration, the Securities Industry Essentials (SIE)

Examination. Comments on this petition should be filed with the Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver 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.gov.

DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on June 15, 2023, the Florida Office of Financial Regulation, received a petition for Waiver of Paragraph 69W-600.0024(6)(b), Florida Administrative Code from Christina Wolfe. The petition seeks a Waiver of subsection 69W-600.0024(6) which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law Examination (Series 65); or
2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for registration, the Securities Industry Essentials (SIE) Examination. Comments on this petition should be filed with the Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver 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.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Articulation Coordinating Committee's Subcommittee on Residency announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2023, 10:00 a.m.

PLACE:

<https://us06web.zoom.us/j/89603996696?pwd=T2VXNW1xV3JaRUFR0luWTV6eWNmUT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business meeting

A copy of the agenda may be obtained by contacting: Articulation@fldoe.org or (850)245-0427.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville (FSCJ) District Board of Trustees (DBOT) announce their attendance at the following campus tour on Wednesday, June 28, 2023, which is open to the public.

CAMPUS TOUR:

DATE: Wednesday, June 28, 2023, 2:00 p.m. – 3:30 p.m.

PLACE: FSCJ Downtown Campus, 101 State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of FSCJ’s Downtown Campus, including the College’s Automotive Technology, Advanced Manufacturing, HVAC, Culinary Arts, and VERC programs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend the tour is asked to advise the agency at least 24 hours before the tour by contacting: The Office of the College President (OCP) Administration Support Manager Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida State College at Jacksonville does not discriminate against any person on the basis of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information in its programs, activities and employment. For more information, visit FSCJ’s Equal Access/Equal Opportunity page.

For more information, you may contact: Kimberli Sodek, OCP Administration Support Manager at (904)632-3205 or Kim.Sodek@fscj.edu.

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

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

DATE AND TIME: Tuesday, June 27, 2023, 10:00 a.m., ET

PLACE: Tallahassee Fire Department Training Division, 2964 Municipal Way, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Apalachee Local Emergency Planning Committee (LEPC)

A copy of the agenda may be obtained by contacting: Christian Levings, ARPC Emergency Planning Manager & LEPC Coordinator at 2507 Callaway Road, Ste 100, Tallahassee, FL 32303; CLevings@arpc.org or (850)312-3202

DEPARTMENT OF MANAGEMENT SERVICES

State Retirement Commission

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

DATE AND TIME: July 17, 2023, 8:30 a.m. – 5:00 p.m.

PLACE: Hyatt Place Lakeland Center, 525 West Orange Street Lakeland Florida 33815 and by Teams Meeting ID: 250 130 435 897, Passcode: qsYivv

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: the Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida, 32399-0950 or by calling (850)487-2410.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 15 days before the workshop/meeting by contacting: the Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida, 32399-0950 or by calling (850)487-2410. If you are hearing or speech impaired, please contact the agency 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: the Department of Management Services, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or call (850)-487-2410.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: July 7, 2023, 8:30 a.m. or soon thereafter

PLACE: via video and/or telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Rebecca Sammons at least 10 days prior to the meeting.

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Meeting ID: 897 2354 0154

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 26, 2023, 9:00 a.m.

PLACE: via-Zoom or Telephone. To attend the meeting by telephone toll-free, please call (888)475-4499 US or (855)703-8985 Canada and enter meeting ID 429 115 1196 and pass code 412913 when prompted. Or to Join Zoom Meeting

<https://zoom.us/j/4291151196?pwd=YIJNUWd3Vjhwakx0VERXdzhjM3NGQT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the public meeting is to discuss official business of the Florida Mobile Home Relocation Corporation which will include, among other things, personnel matters, the operations of FMHRC, the review and approval of the 2023-2024 fiscal year budget, and such other business as may come before the Board.

A copy of the agenda may be obtained by contacting: Vicky Krentz at (888)862-7010.

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: Vicky Krentz at (888)862-7010. 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: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL, 33758, (888)862-7010. Ms. Krentz may be reached by email at vicky@fmhrc.org

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Office of Resilience and Coastal Protection’s Coral Reef Conservation Program announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, August. 2, 2023, 9:15 a.m. – 5:00 p.m. AND Thursday, August. 3, 2023, 9:15 a.m. – 5:00 p.m.

PLACE: Long Key Nature Center, 3501 SW 130th Ave., Davie, FL 33330 OR

Listen Only Mode: Zoom: <https://us06web.zoom.us/j/86940198538>

Meeting ID: 869 4019 8538

Call in: +1(305)224-1968 US

GENERAL SUBJECT MATTER TO BE CONSIDERED: DEP’s Coral Reef Conservation Program is holding an annual Southeast Florida Coral Reef Initiative (SEFCRI) Team Meeting to facilitate discussions with and get feedback from Team and Technical Advisory Group members regarding the following:

- Sharing the current status of the Coral ECA Plan and provide updates on the 6 Issues included in the plan.
- Providing feedback on Chapter 5 of the Coral ECA Plan Goals, Objectives, and Strategies.
- Identifying opportunities for additions to Ch. 5 of the Coral ECA Plan, including specific projects within the 6 Issues.

Online attendees will be in listen only mode. Several portions of the meeting, including small group discussions, will not be able to be streamed. Public comment will only be available for in-person attendees. There will be an online format for submitting feedback.

A copy of the agenda may be obtained by contacting: Alycia Shatters by email: Alycia.Shatters@FloridaDEP.gov, phone: (786)798-4502, or mail: 1277 NE 79th St, Miami, FL 33138.

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: Alycia.Shatters@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-16.0051 Delegation of Remediabale Restorative Functions to Dental Assistants; Supervision Level; and Training and Experience Requirements

The Board of Dentistry hereby gives notice: that the Petition for declaratory statement filed by Michael Childers, DDS and Dental Assisting Training Schools, Inc, (DATS), on April 11, 2023, seeking the agency’s opinion as to the applicability of subsection 64B5-16.0051(3), F.A.C., as it applies to the petitioner, has been withdrawn. The Notice of Petition was published in Vol. 49 No. 72 of the April 13, 2023, issue of the Florida Administrative Register. At the Board meeting held on May 19, 2023, the Petition for declaratory statement was verbally withdrawn by Petitioner.

Additional information may be obtained by contacting: Jessica Sapp, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3258; Jessica.Sapp@flhealth.gov

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF TRANSPORTATION

Notice of Upcoming Public Meetings for E3W23

In accordance with 120.525 F.S., the Florida Department of Transportation (FDOT) announces public meetings associated with the subject procurement, to which all persons are invited.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection of intended awardee for Project E3W23

PROJECT DESCRIPTION: This project provides for the design-build of SR 30 (US 98) over St. Andrews Bay Intercoastal Waterway Bridge. The successful bidder will be responsible for implementation of this project from concept to completion of construction.

For complete advertisement information including the agenda for all public meetings and any schedule updates please refer to the Procurement Internet site:

<http://www2.dot.state.fl.us/procurement/ProfessionalServices/advertise/advall.shtml>

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 14, 2023 and 3:00 p.m., Tuesday, June 20, 2023.

Rule No.	File Date	Effective Date
1A-39.001	6/16/2023	7/6/2023
40B-400.091	6/15/2023	7/5/2023
64B5-12.013	6/20/2023	7/10/2023
64B16-28.140	6/19/2023	7/9/2023
68A-20.005	6/16/2023	7/6/2023
69C-2.033	6/15/2023	7/5/2023

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
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-6.001	5/10/2022	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Moke America FLL, LLC, line-make CRUS
 Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Cruise Car, Inc., intends to allow the establishment of Moke America FLL, LLC, as a dealership for the sale of low-speed vehicles manufactured by Cruise Car, Inc., (line-make CRUS) at 2300 East Las Olas Boulevard 2nd Floor, Fort Lauderdale, (Broward County), Florida 33301, on or after July 21, 2023.

The name and address of the dealer operator(s) and principal investor(s) of Moke America FLL, LLC are dealer operator(s): Frits Van Der Werff, 2647 Northeast 27 Avenue, Fort Lauderdale, Florida 33306; principal investor(s): Frits Van Der Werff, 2647 Northeast 27 Avenue, Fort Lauderdale, Florida 33306.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Adam Suliminski, Cruise Car, Inc., 1227 Hardin Avenue, Sarasota, Florida 34243.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of McKibben Motorsports LP Inc., dba McKibben Powersports of Sebring, Make BMBR

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

Pursuant to section 320.642, Florida Statutes, notice is given that BRP US, Inc., intends to allow the establishment of McKibben Motorsports LP Inc., dba McKibben Powersports of Sebring as a dealership for the sale of motorcycles manufactured by Bombardier Recreational Products Inc. (line-make BMBR) at 7820 Tractor Road, Sebring, (Highlands County), Florida, 33876, on or after July 21, 2023.

The name and address of the dealer operator(s) and principal investor(s) of McKibben Motorsports LP are dealer operator(s): Casey L. McKibben, 8 Morton Road, Winter Haven, Florida 33881, principal investor(s): Casey L. McKibben, 8 Morton Road, Winter Haven, Florida 33881, Charles McKibben, 2230 Lake Ariana Boulevard, Auburndale, Florida 33876.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Steven Pye, BRP US, Inc., 10101 Science Drive, Sturtevant, Wisconsin 53177.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of RideNow Powersports Tallahassee, LLC, dba RideNow Powersports Tallahassee

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

Pursuant to section 320.642, Florida Statutes, notice is given that CF Moto Powersports, Inc., intends to allow the establishment of RideNow Powersports Tallahassee, LLC, dba RideNow Powersports Tallahassee, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co, Ltd (line-make CFHG) at 3355 Capital Circle Northeast, Tallahassee, (Leon County), Florida 32308, on or after July 21, 2023.

The name and address of the dealer operator(s) and principal investor(s) of Ridenow Powersports Tallahassee, LLC are dealer operator(s): Jarrett Brown, 3355 Capital Circle Northeast, Tallahassee, Florida 32308, principal investor(s): Rumbleon, Inc., 901 West Walnut Hill Lane, Irving, Texas 75038.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Derek Jordahl, CF Moto Powersports, Inc, 3555 Holly Lane # 30, Plymouth, Minnesota 55447.

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

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.
