

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.125 Behavior Analysis Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.125, Florida Administrative Code, (F.A.C.), is to incorporate by reference the Florida Medicaid Behavior Analysis Services Coverage Policy, _____. The updated coverage policy clarifies provider and service delivery requirements including coverage of services through the Florida Medicaid Statewide Medicaid Managed Care (SMMC) program.

SUBJECT AREA TO BE ADDRESSED: Behavior Analysis Services.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.125, Florida Administrative Code, will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.906, 409.973 FS.

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

DATE AND TIME: September 16, 2024, from 2:00 p.m. to 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407.

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: MedicaidRuleComments@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: MedicaidRuleComments@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/medicaid/review/Rules.shtml>.

Official comments to be entered into the rule record will be received until 5:00 p.m., September 17, 2024. Comments may be emailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact: MedicaidRuleComments@ahca.myflorida.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.125 Behavior Analysis Services.

(1) No change.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Behavior Analysis Services Coverage Policy, _____ ~~September~~ 2023, incorporated by reference. The policy is available on the Agency for Health Care Administration’s website at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at <https://www.flrules.org/Gateway/reference.asp?No=Ref--15896>.

~~(3) This rule is in effect for 5 years from its effective date. Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.906, 409.973 FS. History—New 2-19-17, Amended 10-29-17, 10-9-23, _____.~~

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-1.009 Definitions

PURPOSE AND EFFECT: An addition is made to the definition of “Internship Certification Program” in the rule to reflect the new statutory requirements in s. 468.609(2)(c)7., F.S. An internship program for residential inspectors is added as a board-approved program for those seeking certification as a residential inspector, which emphasizes on-the-job training and provides an alternative to the typical prerequisite experience/education for licensure as a residential inspector.

SUBJECT AREA TO BE ADDRESSED: An addition is made to the definition of “Internship Certification Program” in the rule to reflect the new statutory requirements in s. 468.609(2)(c)7., F.S. An internship program for residential inspectors is added as a board-approved program for those seeking certification as a residential inspector, which emphasizes on-the-job training and provides an alternative to the typical prerequisite experience/education for licensure as a residential inspector.

RULEMAKING AUTHORITY: 468.606, 468.607 FS.

LAW IMPLEMENTED: 455.01, 468.603, 468.609 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Krista Woodard, Executive Director, Building Code Administrators

and Inspectors Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0791, Krista.Woodard@myfloridalicense.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:
 61G19-6.017 Residential Inspector Certification
 PURPOSE AND EFFECT: New language is added to the rule to reflect recent changes to section 468.609(2)(c)7., F.S., which allow applicants for standard or provisional certification as a residential inspector to meet the eligibility requirements by completion of a 4-year internship program as a residential inspector.

SUBJECT AREA TO BE ADDRESSED: New language is added to the rule to reflect recent changes to section 468.609(2)(c)7., F.S., which allow applicants for standard or provisional certification as a residential inspector to meet the eligibility requirements by completion of a 4-year internship program as a residential inspector.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.609(2), (7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Krista Woodard, Executive Director, Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0791, Krista.Woodard@myfloridalicense.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:
 64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The Board proposes the rule amendment to add an anti-glaucoma agent.

SUBJECT AREA TO BE ADDRESSED: Formulary of Topical Ocular Pharmaceutical Agents.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dayle DeCastro Mooney, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – MQA.Optometry@flhealth.gov.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NOS.: RULE TITLES:
 65D-30.002 Definitions
 65D-30.003 Department Licensing and Regulatory Standards
 65D-30.0031 Certifications and Recognitions Required by Statute
 65D-30.0032 Display of Licenses
 65D-30.0033 License Types
 65D-30.0034 Change in Status of License
 65D-30.0036 Licensure Application and Renewal
 65D-30.0037 Department Licensing Procedures

PURPOSE AND EFFECT: Amendments update the licensure process to issue a license by site pursuant to Chapter Law 2024-176. Amendments also clarify and update the rules.

SUBJECT AREA TO BE ADDRESSED: Licensing.

RULEMAKING AUTHORITY: 397.321(5) FS.

LAW IMPLEMENTED: 397.311, 397.321, 397.4014, 397.403, 397.407, 397.410, 397.411, 397.417, 397.4871 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-1.001	Definitions
5M-1.004	Notice of Intent to Implement Best Management Practices
5M-1.008	Implementation Verification
5M-1.009	Best Management Practices Implementation Assistance
5M-1.010	Temporarily Inactive Operations
5M-1.011	Record Keeping

PURPOSE AND EFFECT: The purpose of the proposed rules is to consolidate rules common to the various FDACS Best Management Practices Program manuals into a single Chapter, define “Equivalent Program” to prevent duplicative regulation, and adopt language allowing agricultural Producers and Landowners enrolled in the FDACS Best Management Practices Program to apply additional fertilizer if impacted by an emergency event that results in an unmarketable, destroyed, or flooded crop.

SUMMARY: The proposed rulemaking brings requirements from the various, commodity-specific rules that are applicable to all FDACS Best Management Practices Programs—chapters 5M-2 through 5M-14 and 5M-16 through 5M-19, F.A.C.—into Chapter 5M-1, F.A.C., and makes all enrollments in any of the FDACS Best Management Practices programs subject to the requirements of Chapter 5M-1, F.A.C. The common elements include definitions, enrollment terms and requirements, and implementation verification site visit requirements. Rules 5M-1.004 and 5M-1.011, F.A.C., are created to incorporate common elements of all BMP manuals and the rules adopting them. An addition to the rule provides conditions under which agricultural Producers and Landowners enrolled in the FDACS Best Management Practices program may apply additional fertilizer if impacted by an emergency event identified in a Governor-issued Executive Order under chapter 252, F.S., to re-establish or recondition a crop that is unmarketable, destroyed, or flooded. The rules adopt an additional form used to modify an enrollment without impacting the effectiveness status and revises the Generic NOI form and the Nutrient Application Record Form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rules does not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied on producer input and the office’s experience and knowledge working with the industry. The proposed rulemaking will not add any cost to regulated businesses or the department. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., 570.07(10), 570.07(23), F.S.

LAW IMPLEMENTED: 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Angela Chelette, Chief of Policy, Planning and Coordination at Angela.Chelette@FDACS.gov or (850)617-1719.

THE FULL TEXT OF THE PROPOSED RULE IS:

5M-1.001 Definitions.

(1) “Applicable Best Management Practices” or “Applicable BMPs” means best management practices (BMPs) that have been adopted by Department rule in a BMP checklist and that are have been identified by the Enrollee and the Department for implementation on an Enrolled parcel.

(2) through (4) No change.

(5) “Enrolled” means the status of a Producer or Landowner who has an active Notice of Intent for implementation of the Applicable BMPs identified during a site visit with Department representatives; or pursuant to an Equivalent Program set forth in Rule 5M-1.001(7), F.A.C., or one whose operation who qualifies and is classified as a Temporarily Inactive Operation in accordance with for the purposes of Rule 5M-1.010, F.A.C. If the Producer is not the Landowner, the Department will notify the Landowner of the

date of enrollment and Applicable BMPs that are required to be properly implemented on the subject parcel(s).

(6) “Enrollee” means a Producer or Landowner who has Enrolled and has an active Notice of Intent.

(7) “Equivalent Program” means the following programs that provide water quality protection equal to or more stringent than the adopted and applicable Department BMPs:

(a) A permit or license issued by DEP under Chapter 62-670, F.A.C.;

(b) A permit or license issued by the South Florida Water Management District under Chapter 40E-63, F.A.C.;

(c) Conservation easements, leases, or other binding agreements with a state agency or water management district that require implementation of the Department’s BMPs and include an onsite verification performed at least every two years by the state agency or water management district issuing the easement, lease or other binding agreement; or

(d) A Conservation Plan developed in accordance with Chapter 5M-12, F.A.C.

(8)(6) “Landowner” means the owner of real property of record in the county where a parcel of land is situated, whose property is used in agriculture as defined in Section 570.02(1), F.S. Landowners may also be Producers, as defined herein.

(9)(7) “Notice of Intent” or “NOI” means a form provided by the Department to be submitted by an agricultural Producer or Landowner to indicate intent to enroll in and properly implement the Department’s program of best management practices in accordance with the manual under which they enroll. A Notice of Intent to Implement Best Management Practices form (FDACS-04002, rev.06/24)(FDACS 04002, 07/24), hereby adopted and incorporated by reference, shall be submitted for all new enrollments to the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida 32399. The NOI may be obtained from FDACS or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

<http://www.flrules.org/Gateway/reference.asp?No=Ref-13421>.

Except as provided in Rule 5M-1.004(3), sSubmittal of an NOI shall not result in enrollment until such time as a site visit is completed by the Producer or Landowner and Department representatives to identify the Applicable BMPs to be implemented on the subject parcel. A Producer or Landowner that has submitted an NOI but has not undertaken the required site visit will not be reported as unenrolled to the Florida Department of Environmental Protection unless they fail to undertake the required site visit within 60 days after notification by the Department of scheduling availability.

(10)(8) No change.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3. FS. History—New 11-1-17, Amended 9-12-21, _____.

5M-1.004 Notice of Intent to Implement Best Management Practices.

(1) Producers and Landowners in a BMAP area are required by Section 403.067, F.S., to either implement BMPs or other management strategies or to demonstrate their compliance with state water quality standards by conducting water quality monitoring prescribed by DEP or a water management district. The Department provides Producers and Landowners in a BMAP area the opportunity to enroll and implement BMPs and will notify DEP of any Producers and Landowners that do not enroll in accordance with Department rules. Producers and Landowners whose properties are outside a BMAP area may also enroll and avail themselves of the presumption of compliance found in Sections 403.067(7)(c), or 576.045(6), F.S., by enrolling and implementing BMPs pursuant to the requirements of this rule chapter.

(2) An Enrollee in the BMP programs as provided in any of the Chapters 5M-2 through 5M-14 or 5M-16 through 5M-19, F.A.C., must also comply with Chapter 5M-1, F.A.C.

(3) A Producer or Landowner that holds a permit or license issued for one of the programs listed in Rule 5M-1.001(7)(a) or (b), F.A.C., is required to complete the Notice of Intent to Implement Best Management Practices form (FDACS-04002, Rev. 06/24, incorporated in 5M-1.001, F.A.C.) but is not required to complete a BMP manual checklist nor to conduct a site assessment visit for the enrolled lands subject to the permit or license. These NOIs shall remain in effect for the duration of the permit or license and any update or renewal thereof. A Producer or Landowner who has an active permit, license or other instrument for an Equivalent Program must submit a copy of the permit, license, or other instrument to the Department as part of their BMP enrollment. Any renewal or modification of the permit, license, or other instrument must be provided to the Department prior to or as part of the next implementation verification site visit.

(4) Any NOI for property being operated pursuant to a Conservation Plan developed in accordance with Chapter 5M-12, F.A.C., shall remain in effect so long as the Enrollee maintains the Conservation Plan.

(5) NOIs, excepting those enrolled pursuant to subsection (3) or (4) of this rule, remain in effect until:

(a) The manual under which the NOI is enrolled or the rule incorporating the manual is repealed through the rulemaking process;

(b) Production or operation on the site subject to the NOI changes such that the manual or checklist are no longer applicable, such as a change in the produced commodity type

or agriculture on the site becomes temporarily inactive. These NOIs shall remain in effect until the conditions of subsection (8) of this rule are met so long as the agricultural activity on the site is eligible for enrollment in accordance with any of Chapters 5M-2 through 5M-14 or 5M-16 through 5M-19, F.A.C., or classified as a Temporarily Inactive Operation under Rule 5M-1.010;

(c) There is a change in ownership of an enrolled parcel that terminates the Enrollee's property control;

(d) Land use is no longer agricultural; or

(e) The Enrollee is conducting water quality monitoring prescribed by DEP or a water management district.

(6) If only a portion of the enrolled lands are affected by the conditions listed in subsection (5), the NOI shall remain in effect for the unaffected portion.

(7) When a manual or rule incorporating the manual is revised through the rulemaking process, existing NOIs enrolled in accordance with that manual will remain in effect under the manual and rule that were in effect prior to the effective date of the new manual or rule. Enrollees in the prior superseded manual or rule must update their enrollment to the most recent version, by submitting the updated BMP Checklist, at the time of the next BMP implementation verification site visit or the next time an Enrollee enters a cost share agreement with the Department for assistance with BMP implementation, whichever occurs first. Upon updating enrollment in the most recent version of the manual, the NOI remains in effect and retains the initial enrollment date. If the Enrollee does not update their enrollment as provided in this subsection, the NOI will be terminated. For those portions of an NOI enrolled as an Equivalent Program listed under Rule 5M-1.001(7), F.A.C., the NOI remains in effect as provided in Rule 5M-1.004(3), F.A.C.

(8) When an NOI is subject to conditions identified in paragraph (5)(b), the existing NOI will remain in effect until the Enrollee can meet with FDACS staff to update the status or enroll in the appropriate manual or rule.

(9) With the exception of updating an enrollment pursuant to subsections (7) or (8) of this rule, Enrollees are required to use the Request Change to Notice of Intent to Implement BMPs form (FDACS-01985, rev. 07/24), hereby adopted and incorporated by reference, to request a revision of their existing NOI. The Request Change to Notice of Intent to Implement BMPs form may be obtained from the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida 32399 or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref->.

(10) An NOI on which the enrolled property does not include any portion that is located within a BMAP area can be terminated if:

(a) The Enrollee submits a request in writing to the Department and there are no:

1. Outstanding contractual obligations to the Department for cost share related to the NOI;

2. Unresolved enforcement actions related to the NOI; or

3. Conditions of a permit, license or other agreement issued by FDEP or a water management district that require enrollment in an FDACS BMP program.

(b) The Department is unable, after two separate contact attempts, to confirm whether the Enrollee is implementing Applicable BMPs. For purposes of this subsection, a contact attempt will provide notice using all methods by which the Enrollee has provided contact information in the NOI, including mail, telephone and email. The Enrollee will be given at least 30 days to respond following each contact attempt.

(11) A Producer or Landowner enrolling a parcel(s) of land under a manual for the first time or an Enrollee updating their enrollment to a revised rule or manual must implement any new BMP requirements within 18 months of enrollment or update. *Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., FS. History—New*.

5M-1.008 Implementation Verification.

(1) Agricultural Best Management Practices (BMPs) are individual practices or combinations of practices that, based on scientific research, field-testing, and expert review, have been identified as the most effective and practicable means for improving water quality and water conservation, which include nutrient management, irrigation management, and water resource management. The Department has adopted in this Rule Title BMP manuals for many of Florida's agricultural commodities. At least every two years, the Department will perform an implementation verification site visit of each Enrollee ~~Enrolled Producer or Landowner~~ to verify the proper implementation of all Applicable BMPs or, in the case of Equivalent Programs pursuant to Rule 5M-1.001(7), F.A.C., confirmation of the criteria in subsection (8) below. The Department will use ~~using~~ the data from the site visit, supplemented as needed, by information from other sources including county property appraisers, DEP, and water management districts. The Department will provide the Enrollee ~~Producer or Landowner~~ any materials needed to complete the implementation verification site visit at least seven days prior to the date of the visit. The Department will notify DEP of any Enrollee ~~Producer or Landowner~~, if the ~~Landowner is not the Producer~~, that fails to cooperate with the Department to complete an implementation verification site visit ~~within 60 days of contact by Department representatives~~.

(2) Upon completion of the implementation verification site visit, the Department will provide the Enrollee ~~Enrolled~~

~~Producer or Landowner will be provided notice as to the requirement of any changes in additional Applicable BMPs to be implemented on the subject parcel(s) through issuance of an updated NOI. Other updates to the NOI, such as changes to contact information, the enrollment area, or parcel information must also be documented on the updated NOI form at the time of the implementation verification site visit. The Department will provide the Enrollee a separate, written notice of any necessary, corrective or remedial measures pursuant to the requirements of Rule 5M-1.009, F.A.C., as well as any cost share opportunities available for the implementation of additional recommended practices or projects on the subject parcel(s).~~

(3) No change.

(4) ~~The Department will collect and retain records regarding the application of nitrogen and phosphorus on the Enrolled parcel(s) as part of any During the implementation verification site visit conducted to confirm proper implementation of Applicable BMPs as described in subparagraph (3), the Department will collect and retain records regarding the application of nitrogen and phosphorus on the Enrolled parcel(s). Enrollees Producers or Landowners shall provide the required nutrient application records for the preceding two years to the Department by completing and submitting a Nutrient Application Record Form (FDACS-04005, rev. 06/24) (FDACS-04005, 07/21), adopted herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref->~~

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13422>. Unless it is demonstrated that utilization of an electronic version is technically infeasible, Enrollees Producers or Landowners shall utilize and submit an electronic version of the form or a substantially similar form to Department representatives during the implementation verification site visit or within ten days after completion of the visit. Any Producers or Landowners may submit a substantially similar form must include if it contains the following information for the Enrolled parcel(s):~~

(a) Manual of Best Management Practices in which the Enrollee producer is enrolled, including the identification of separate commodities if there are multiple enrollments under a specific manual;

(b) through (f) No Change.

(5) ~~Enrolled areas subject to a permit or license for biosolids application issued by DEP in accordance with Chapter 62-640, F.A.C., must comply with the nutrient limitations in the permit or license. The Department will utilize DEP's nutrient records regarding those areas of any enrollment subject to a biosolids application permit or license.~~

~~(6)(5) Section 403.067(7)(c)65., F.S., provides that agricultural records, defined therein, are confidential and exempt from public records disclosure.~~

~~(7)(6) For Enrollees participating in any of the Equivalent Programs described in subsection 5M-1.001(7), F.A.C., the Department's the Producers or Landowners described below in paragraph (a), (b), or (c), verification of implementation verification regarding the area(s) of the NOI property subject to the Equivalent Program instrument of the Applicable BMPs will consist of confirming that the Enrollee is confirmed by:~~

(a) ~~Maintaining a valid permit or license for programs identified in paragraphs 5M-1.001(7)(a) or (b), F.A.C. Compliance with the following permits, as determined by the issuing agency, pursuant to its statutory and/or rule authority:~~

1. ~~Permits or authorizations issued by DEP under rule Chapter 62-670, F.A.C., or~~

2. ~~Permits or authorizations issued by the South Florida Water Management District under rule Chapter 40E-63, F.A.C.~~

(b) ~~Upholding Compliance with the terms of the conservation easements, leases, or other binding agreements identified in paragraph 5M-1.001(7)(c), F.A.C., including an with a state agency or water management district that require implementation of the Department's BMPs and include annual onsite verification by the state agency or water management district issuing the easements, leases or binding agreements, that BMPs are being implemented, or~~

(c) ~~Maintaining cCompliance with the Conservation Plan for the program identified in paragraph 5M-1.001(7)(d), F.A.C. requirements of proprietary certifications issued by Department qualified non-governmental entities as provided in subsection (8).~~

~~(7) A Producer's or Landowner's proof of compliance with any of the permits, agreements, or certifications presented by the issuing agency, as provided in (6), shall be made available to the Department upon request.~~

~~(8) In the event of an emergency declared in a Governor-issued Executive Order, Enrollees are authorized to apply replacement fertilizer on enrolled areas located within a county identified in the Executive Order. Entities seeking to issue proprietary certifications for use in accordance with section 5M-1.001(6)(e), F.A.C., must request a qualification review by the Department's Office of Agricultural Water Policy. Applicants will be required to demonstrate the following qualification requirements:~~

(a) ~~Replacement fertilizer may be applied when: Certification standards that incorporate implementation of the Department's BMPs;~~

1. ~~Re-establishing, re-planting, or reconditioning crops rendered unmarketable or destroyed by the emergency event;~~

2. ~~There is onsite field or grove flooding; or~~

3. Rainfall exceeds three inches in three days or four inches in seven days.

(b) A replacement application of fertilizer may not exceed the amount of N or P that was applied to the initial crop prior to the Executive Order, that was based upon the rate established in the applicable commodity BMP Manual; A process to license or authorize inspectors or auditors who shall not be employed by or affiliated with the standard setting entity;

(c) For nutrient reporting and implementation verification purposes, the Enrollee must provide documentation of the initial application of N or P and documentation of the replacement application. When conducting the implementation verification, the Department will consider only the replacement application to determine whether an Enrollee is properly implementing the applicable BMP. A process for revocation of licenses or authorizations for inspectors or auditors;

(d) The replacement application authorized by this rule shall not constitute improper implementation of any applicable BMP for implementation verification purposes, provided the Enrollee; Procedures or protocols for selection of inspectors or auditors who shall not be employed by or affiliated with the Producers or Landowners holding or seeking certification for their operations;

1. Applies replacement fertilizer within 90 days of the effective date of the initial Executive Order addressing the emergency event; and

2. Applies replacement fertilizer in accordance with the NOI and BMP Checklist submitted by the Enrollee during enrollment, or the most recent BMP Checklist if revised during an implementation verification site visit; and

3. Maintains all application records and other records required by the BMP Checklist and provides the required documentation to the Department during their next implementation verification site visit.

(e) The conditions for the application of replacement fertilizer pursuant to this rule are not required for the application of supplemental fertilizer under the applicable BMP Manual. An annual certification review and renewal process that includes a site inspection by the licensed or authorized inspector or auditor; and,

(f) A certification revocation process if the Producer or Landowner is found to be out of compliance with the entity's certification standards.

(9) Implementation verification of Best Management Practices for Silviculture shall be provided in accordance with Chapter 51-6, F.A.C.

Rulemaking Authority, 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3. FS. History—New 11-1-17, Amended 9-12-21, _____.

5M-1.009 Best Management Practices Implementation Assistance.

(1) The Department will provide implementation assistance to ~~Enrollees Enrolled Producers or Landowners~~ as follows:

(a) If the implementation verification site visit described in subsection 5M-1.008(1), F.A.C., indicates that an ~~Enrollee Enrolled Producer or Landowner~~ has not achieved proper implementation of Applicable BMPs, the Department will work in cooperation with the ~~Enrollee Producer or Landowner~~ to identify corrective measures to be taken as soon as practicable to achieve proper implementation of Applicable BMPs. The identification of corrective measures will include the setting of expectations and the time required to complete them. If the ~~Enrollee Producer~~ is not the Landowner, the Landowner will be notified that corrective measures have been identified for the Producer's implementation.

(b) If the ~~Enrollee Producer~~ does not fully implement the identified corrective measures within the established timeframe, the Department will issue the Enrollee a letter of non-compliance identifying remedial measures to be taken by the ~~Enrollee Producer~~ and, if necessary, the Landowner, to achieve proper implementation of Applicable BMPs. The identification of remedial measures will include setting of expectations and the time required to complete them. ~~An Enrollee A Producer or Landowner~~ that fails to implement the identified remedial measures will be subject to subsection (2).

(c) No change.

(d) ~~An Enrollee A Producer or Landowner~~ that does not cooperate with the Department to identify or implement corrective or remedial measures will be subject to subsection (2).

(2) The Department will notify DEP ~~within 60 days~~ after the date of scheduled completion of remedial measures identified pursuant to paragraph (1)(b), of any ~~Enrollee Enrolled Producer or Landowner~~ that refuses or fails to properly implement Applicable BMPs.

~~(3) Producers and Landowners in a BMAP area are required by Section 403.067, F.S., to implement agricultural BMPs or other management strategies. The Department will provide Producers and Landowners in a BMAP area the opportunity to enroll and implement BMPs and will notify DEP of any Producers and Landowners that do not enroll in accordance with Department rules.~~

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3. FS. History—New 11-1-17, Amended 9-12-21, _____.

5M-1.010 Temporarily Inactive Operations.

(1) To qualify as a Temporarily Inactive Operation under the best management practices (BMP) programs listed in

subsection (2) or (3) of this rule, an Enrollee agricultural producer must:

- (a) No change.
- (b) Be enrolled in the BMP programs as provided in any of Chapters 5M-2 through 5M-14 ~~or~~ 5M-16 through 5M-19, ~~or~~ 5M-6, F.A.C., on applicable parcels and production activities;
- (c) No change.
- (d) Notify the Department in writing to AgBmpHelp@FDACS.gov or the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, 407 South Calhoun Street, Tallahassee, FL 32399, and request classification as a Temporarily Inactive Operation ~~within 60 days of ceasing production or 90 days of adoption of this rule~~. Such notification shall include:

- 1. No change.
- 2. Confirmation that the Enrollee agricultural producer meets the requirements of paragraphs 5M-1.010(1)(a) and 5M-1.010(1)(b), F.A.C.; and
- 3. Statement that the Enrollee agricultural producer intends to return to active agricultural production on those parcels subject to temporarily inactive status within a time period not to exceed five (5) years from the date of notification, unless the production areas are verified as still inactive by the Department prior to the expiration of the five-year period.

- (2) No change.
- (3) Enrollees Producers who have executed, or expect to be under, a contract, easement, or other agreement with the Florida Department of Environmental Protection, a water management district, or the Department to operate a water resource project shall operate in compliance with the terms of such contract, easement, or other agreement. The Enrollee producer must return to active agricultural production within five (5) years of the expiration or termination of the contract, easement, or other agreement, including any extensions and amendments. If the operations are terminated prior to the expiration due to lack of funding, the time period to return to active agricultural operation shall begin from the last date of operating the system.
- (4) No change.
- (5) An Enrollee Producers who has a parcel(s) classified as a Temporarily Inactive Operation ~~are temporarily inactive~~ must notify the Department in writing to AgBmpHelp@FDACS.gov or the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, 407 South Calhoun Street, Tallahassee, FL 32399, and request re-classification or enroll in BMPs specific to their commodity within 60 days of starting production.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c. FS. History--New 5-12-20, Amended _____.

5M-1.011 Record Keeping.

Enrollees must keep records for a period of at least five years after they are generated to document implementation and maintenance of the practices identified in the NOI and Applicable BMPs. All documentation is subject to inspection by Department representatives.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 576.07(23) FS. Law Implemented 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3. FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
West Gregory, Director, Office of Agricultural Water Policy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Wilton Simpson
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2024
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 8/23/2024

**DEPARTMENT OF EDUCATION
State Board of Education**

RULE NO.: 6A-6.053
RULE TITLE: District Comprehensive Evidence-Based Reading Plan

PURPOSE AND EFFECT: The proposed changes for the District Comprehensive Evidenced-Based Reading plan are based on provisions included in Senate Bill 7004. Revised requirements include: the criteria for identification and requirements for students in Voluntary Prekindergarten (VPK) who demonstrate a substantial deficiency in early literacy; the added timeline requirement for the development of an Individualized Progress Monitoring Plan (IPMP) within 45 days after the results of the coordinated screening and progress monitoring system become available for students who have a substantial reading deficiency; and the requirement for districts to prioritize funds for VPK students who have a substantial deficiency in early literacy skills. The effect of the rule will be that VPK students who have a substantial deficiency in early literacy skills will receive interventions to increase early literacy skills and that students who have a substantial reading deficiency will have an IPMP in place within a set timeframe.
SUMMARY: The Department is revising requirements of the District Comprehensive Evidence-Based Reading Plan based on provisions included in Senate Bill 7004. Revised requirements include: identification and requirements for VPK students who demonstrate a substantial deficiency in early literacy skills; the timeline to develop the IPMP for students who have a substantial reading deficiency; and the addition of prioritizing VPK students who have a substantial deficiency in early literacy skills when districts allocate remedial and supplemental instruction resources.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to have any adverse impact on economic growth or business competitiveness or increase regulatory costs or any other factor and will not require legislative ratification. This is based upon the nature of the proposed rule.

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: 1001.02(1), (2)(n), 1003.4201, 1008.25(11), F.S.

LAW IMPLEMENTED: 1001.215, 1003.4201, 1008.25, F.S.

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

DATE AND TIME: September 25, 2024, 9:00 a.m.

PLACE: St. Johns River State College, 2990 College Drive, Building J, Room J-149, St. Augustine, FL 32084.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Barash, Executive Director, Just Read, Florida! 325 West Gaines Street, Tallahassee, FL, 32399, (850)245-953

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.053 District Comprehensive Evidence-Based Reading Plan.

(1) through (2) No change.

(3) Assessment, Curriculum, and Reading Instruction.

(a) K-12 reading instruction must be grounded in the science of reading and align with Florida’s Formula for Reading Success, 6 + 4 + T1 + T2 +T3, which includes:

1. through 2. No change.

3. Three (3) tiers of instruction that are standards-aligned; include accommodations for students with a disability, students with an Individual Educational Plan (IEP), and students who are English language learners; and incorporate the principles of Universal Design for Learning as defined in 34 C.F.R. 200.2(b)(2)(ii);

a. through b. No change.

c. Intensive, Individualized Instruction/Interventions (Tier 3): provides explicit, systematic, individualized instruction based on student need, one-on-one or very small group instruction with more guided practice, immediate corrective feedback, and frequent progress monitoring; and occurs in addition to core instruction and Tier 2 interventions. Tier 3 interventions must be provided to students identified as having a substantial ~~reading~~ reading deficiency in reading or characteristics of dyslexia pursuant to s. 1008.25(5)(a), F.S. Intensive reading interventions must be delivered by instructional personnel who are certified or endorsed in reading or who possess the elementary or secondary literacy micro-credential. For instructional personnel who possess the literacy micro-credential and provide intensive reading interventions, supervision must be provided by an individual certified or endorsed in reading.

(b) through (d) No change.

(4) No change.

(5) Students with a Substantial Deficiency in Early Literacy Skills.

(a) Identification. A VPK student is identified as having a substantial deficiency in early literacy skills if the student scores below the tenth (10th) percentile or is unable to complete the practice items at the middle or end of the year test administration of the coordinated screening and progress monitoring system pursuant to s. 1008.25(9), F.S.

(b) Interventions. Immediately following identification, public VPK students with a substantial deficiency in early literacy skills must be provided interventions in early literacy skills that are intensive, explicit, systematic, and multisensory in accordance with s. 1008.25(5)(a), F.S.

(6)(5) Students with a Substantial ~~Reading~~ Deficiency in Reading.

(a) Identification. A kindergarten through grade 3 student is identified as having a substantial ~~reading~~ reading deficiency in reading if:

1. No change.

2. A student in grades K-3 demonstrates through progress monitoring, formative assessments, or teacher observation data, minimum skill levels for reading competency in one or more of the six (6) components of reading; and

a. For kindergarten, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the designated grade-level assessment at the beginning, middle, or ~~the~~ end of the year test administration of the coordinated screening and progress monitoring system pursuant to s. 1008.25(9), F.S.;

b. For grades 1 and 2, the student scores below the tenth (10th) percentile or is unable to complete the practice items on the designated grade-level assessment for the specified test

~~administration testing window~~ of the coordinated screening and progress monitoring system pursuant for s. 1008.25(9), F.S.; or

c. For grade 3, the student scores below the twentieth (20th) percentile at the beginning or middle of the year ~~test administration of~~ on the coordinated screening and progress monitoring system pursuant to s. 1008.25(9), F.S.

3. No change.

(b) Notification. Parents of students identified with a substantial ~~reading~~ deficiency in reading must be notified immediately in writing of the items listed in s. 1008.25(5)(d)-(e), F.S., and consulted in the development of a plan.

(c) Required Plan.

1. Students identified with a substantial ~~reading~~ deficiency in reading must have an individualized progress monitoring plan that is designed to address the student's specific reading deficiency and that meets the minimum requirements set forth in s. 1008.25(4)(c), F.S. The individualized progress monitoring plan must be developed within forty-five (45) days after the results of the coordinated screening and progress monitoring system become available.

2. Students with qualifying disabilities covered by an IEP under the Individuals with Disabilities Education Act or a ~~Section~~ 504 Plan under Section 504 of the Rehabilitation Act of 1973 are exempt from the requirement to have a progress monitoring plan, if the IEP or 504 Plan addresses the student's reading deficiency. Nothing in this rule should be construed to require or prohibit an IEP or 504 plan or the contents of these plans.

3. No change.

(d) Interventions. Immediately following identification, students with a substantial ~~reading~~ deficiency in reading must be provided reading interventions that are intensive, explicit, systematic, and multisensory, in accordance with s. 1008.25(5)(a), F.S.

~~(7)(6)~~ No change.

~~(8)(7)~~ Summer Reading Camps.

(a) No change.

(b) Districts may also offer Summer Reading Camps to students in grades K-5 with a ~~reading~~ deficiency in reading. With the exception of the students described in paragraph (7)(a), Summer Reading Camps must use classroom teachers or other district personnel who are certified or endorsed in reading or who possess the elementary literacy micro-credential.

~~(9)(8)~~ CERP Submission, Approval, and Evaluation by the Department.

(a) Annually, each district must develop a CERP and submit it for approval to its governing board or authority. After approval by its governing board or authority, each district must provide its approved CERP, including approved CERPs for each charter school sponsored by the district, to the Department

by August 1. Plans must be submitted to Just Read, Florida! via email at JustRead@fldoe.org.

1. A ~~district~~ CERP ~~submitted by a district~~ must include all district K-12 schools, including charter schools sponsored by the district, unless a charter school elects to create its own plan independently from the district.

2. through 3. No change.

(b) CERP Requirements. The CERP must demonstrate that the district is able to implement its reading plan with fidelity, that the plan uses data to drive decision-making, that the plan is designed to meet the needs of all students, and that the plan allocates sufficient resources toward each component. In order to be approved, CERPs must comply with the requirements found in subsections (3)-(7) and paragraph (9)(a) and must contain the following:

1. No change.

2. Assurances that:

a. All reading instruction and professional learning are ~~is~~ grounded in the science of reading; use ~~uses~~ instructional strategies that include phonics instruction for decoding and encoding as the primary strategy for word reading; and do ~~does~~ not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading;

b. All students identified with a substantial ~~reading~~ deficiency in reading are covered by an individualized progress monitoring plan that meets the requirements of s. 1008.25(4)(c), F.S., to address their specific reading deficiency, unless they have an IEP or 504 Plan that addresses their reading deficiency, or both in accordance with paragraph (5)(c);

c. through i. No change.

3. Descriptions of:

a. No change.

b. The district's planned expenditures for each component of the CERP, including salaries and benefits, professional learning, assessments, programs and materials, tutoring, and incentives, if offered as part of the district's comprehensive system of reading instruction. In accordance with s. 1008.25(3)(a), F.S., remedial and supplemental instruction resources must be prioritized for VPK students who have a substantial deficiency in early literacy skills and K-3 students with a substantial ~~reading~~ deficiency in reading or characteristics of dyslexia;

c. How the district improved the plan based on the CERP Reflection Tool;-

d. through j. No change.

k. The evidence-based literacy coaching model used in the district, if the Just Read, Florida! literacy coach model is not utilized; -

l. The multisensory strategies, including visual, auditory, and kinesthetic-tactile techniques, presented to students in

grades K-3 who have a substantial ~~reading~~ deficiency in reading or characteristics of dyslexia;

m. The district’s process for identifying students in grades K-12 in need of Tier 2 and Tier 3 interventions, which must be provided to students with a substantial ~~reading~~ deficiency in reading or characteristics of dyslexia;

n. No change.

o. How the district will provide the required notifications to parents of students identified with a substantial ~~reading~~ deficiency in reading, including a description of any literacy partnerships or programs the district utilizes to increase support for families to engage in reading at home, such as the New Worlds Reading Initiative pursuant to s. 1003.485, F.S.; and

p. No change.

4. No change.

(c) No change.

~~(10)(9)~~ No change.

~~(11)(10)~~ No change.

Rulemaking Authority 1001.02(1), (2)(n), 1003.4201, 1008.25(11) FS. Law Implemented 1001.215, 1003.4201, 1008.25 FS. History—New 6-19-08, Amended 4-21-11, 2-17-15, 12-22-19, 2-16-21, 3-15-22, 2-21-23, 2-20-24.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Barash, Executive Director, Just Read, Florida!

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 15, 2024

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.01761 Specialization Requirements for Certification in the Area of Speech-Language Impaired/Associate - Academic Class

NOTICE IS HEREBY GIVEN that on August 12, 2024, the Department of Education, received a petition for variance from Rule 6A-4.01761, F.A.C., Specialization Requirements for Certification in the Area of Speech-Language Impaired/Associate -- Academic Class. The petition requests a waiver from requirements related to issuance of a temporary teaching certificate in the area of speech-language services. The petitioner is Paola Victoria Fernandez, located at 7000 Tides Circle Unit 2, Sarasota, Florida 34240.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chris Emerson, Agency Clerk, 325 West Gaines St., Tallahassee, FL 32399, or via email at christian.emerson@fldoe.org. Public comments concerning this petition for a waiver can be made at <https://web02.flodoe.org/rules>. The Department 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. on September 9, 2024.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On August 14, 2024 the Division of Hotels and Restaurants received a Petition for an Emergency 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 Duran Food International LLC located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to

dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 50/160 on August 15, 2024. The Order for this Petition was signed and approved on August 26, 2024. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

**FLORIDA HOUSING FINANCE CORPORATION
RULE NOS.:RULE TITLES:**

- 67-21.0025 Miscellaneous Criteria
- 67-21.003 Application and Selection Process for Developments

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from paragraphs 67-21.025(7)(c) and 67-21.003(8)(b) Florida Administrative Code (2019) for Fairfield Abbey Park, LP, allowing Petitioner to make the requested changes to the Applicant and Developer Entities and relieve Petitioner of the principal disclosure requirement for all employee-owners of the referenced Profit-Sharing Entities, unless required by staff. Petitioner is advised that failure to provide staff requested information may result in staff withholding 8609s. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 7, 2024, and notice of the receipt of petition was published on August 8, 2024 in Vol. 50, Number 155 F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida

Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

The Florida Housing Finance Corporation hereby gives notice: On August 26, 2024, the Florida Housing Finance Corporation issued an order granting the waiver from paragraphs 67-48.004(3)(i) and 67-21.003(8)(b) Florida Administrative Code (06/28/2023) for Tampa 47th Street Apartments, LLC, allowing Petitioner to decrease the total number of units of the development identified in the application from 175 to 174, and to grant Board approval permitting Petitioner to change its organizational structure as described in the Petition. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on August 7, 2024, and notice of the receipt of petition was published on August 8, 2024, in Vol. 50, Number 155 F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center & Horse Park Authority Board of Directors Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2024, 11:00 a.m.

PLACE: Dial in number: 1(929)436-2866

Meeting ID: 821 8504 2588

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss general business.

A copy of the agenda may be obtained by contacting: Jason Reynolds; jreynolds@flhorsepark.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 2 days before the workshop/meeting by contacting: Jason Reynolds; jreynolds@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jason Reynolds; jreynolds@flhorsepark.com

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission
 The Criminal Justice Standards and Training Commission announces a public meeting to which all persons are invited.
 DATE AND TIME: September 17, 2024, 10:00 a.m., EDT
 PLACE: Polk State College Kenneth Thompson Institute of Public Safety, 1251 Jim Keene Boulevard, Winter Haven, Florida 32408.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to determine whether or not probable cause exists to pursue disciplinary action against the certification of sworn correctional, law enforcement, or correctional probation officers.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting Kamal Meshedi at (850)410-8632 or by e-mail at KamalMeshedi@fdle.state.fl.us. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Erica Gaines at (850)410-8645 or by e-mail at EricaGaines@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Erica Gaines at (850)410-8645 or by e-mail at EricaGaines@fdle.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The Executive Office of the Governor announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2024, 10:00 a.m.
 PLACE: Remote via TEAMS
https://teams.microsoft.com/l/meetup-join/19%3ameeting_MWU1MjAwYzgtMzMxOC00Yzc1LWIxMTEtYTJhYjU1ZmZkZjVj%40thread.v2/0?context=%7b%22Tid%22%3a%226ae1dc38-bd16-4caa-bed2-f923d518e145%22%2c%22Oid%22%3a%22aa423dc4-9e01-4061-a2c2-42f19313147d%22%7d
 Meeting ID: 232 556 048 516
 Passcode: Qki67K

GENERAL SUBJECT MATTER TO BE CONSIDERED: Negotiation Team Public Meeting.

A copy of the agenda may be obtained by contacting: Katie Wagner, katie.wagner@eog.myflorida.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 5 days before the workshop/meeting by contacting: Katie Wagner, katie.wagner@eog.myflorida.com.

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District
 The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 10, 2024, 3:00 p.m..
 PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Workshops, Public Hearings, and/or Committee Meetings. Consideration of Suwannee River Water Management District business. Information regarding viewing the meeting will be available on the District’s website at www.mysuwanneeriver.com. NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology. The Suwannee River Water Management District does not discriminate on the basis of race, color, national origin, sex, or disability in any of its activities or programs, including any activity or program receiving assistance from the Environmental Protection Agency or programs covered by section 13 of the Federal Water Pollution Control Act Amendments of 1972. The District has designated the following individual as its Civil Right Coordinator: Ben Glass, District Ombudsman, 9225 CR 49, Live Oak, FL 32060, Phone: (386)362-1001 Fax: (386)362-0418.

A copy of the agenda may be obtained by contacting: (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website at www.mysuwanneeriver.com, when published.

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.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District
 The Suwannee River Water Management District announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, September 10, 2024, 5:05 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official presentation of the Fiscal Year 2024-2025 Tentative Millage Rate and Tentative Budget Public Hearing and opportunity to receive public comment prior to consideration and adoption by the Governing Board. Information regarding viewing the meeting will be available on the District’s website at www.mysuwanneeriver.com. **NOTE:** One or more Governing Board members may attend and participate in the meetings by means of communications media technology. The Suwannee River Water Management District does not discriminate on the basis of race, color, national origin, sex, or disability in any of its activities or programs, including any activity or program receiving assistance from the Environmental Protection Agency or programs covered by section 13 of the Federal Water Pollution Control Act Amendments of 1972. The District has designated the following individual as its Civil Right Coordinator: Ben Glass, District Ombudsman, 9225 CR 49, Live Oak, FL 32060, Phone: (386)362-1001 Fax: (386)362-0418.

A copy of the agenda may be obtained by contacting: (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website at www.mysuwanneeriver.com, when published.

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 MANAGEMENT SERVICES

Florida Digital Service

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

DATE AND TIME: September 13, 2024, 9:00 a.m. - 12:00 noon, ET

PLACE: Florida Power and Light Company Command Center, 4255 Upthegrove Ln., West Palm Beach, FL 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Advisory Council, established pursuant to s. 282.319, Florida Statutes, announces its agenda to include: presentations and discussions related to cybersecurity issues.

The public may participate by phone by dialing: United States (toll-free) 1(646)931-3860; Meeting ID: (274)310-3408.

A copy of the agenda may be obtained by contacting: https://www.dms.myflorida.com/other_programs/cybersecurity_advisory_council.

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: Candace.Wynn@digital.fl.gov or (850)766-0270. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 10, 2024, 11:00 a.m.

PLACE: <https://meet.goto.com/337217893>

1(571)317-3116, Access Code: 337-217-893

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Florida Board of Accountancy Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 18, 2024, 10:00 a.m.

PLACE: Teleconference
 Dial-In-Number: (888)585-9008
 Conference Room Number: 624-410-563
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee on Continuing Professional Education will meet to discuss items relating to CPE credits.
 A copy of the agenda may be obtained by contacting: Karan Lee, Florida Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607
 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: Karan Lee. 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: Karan Lee

DEPARTMENT OF HEALTH
 Board of Optometry
 The Board of Optometry announces a telephone conference call to which all persons are invited.
DATE AND TIME: Friday, October 25, 2024, 9:00 a.m.
PLACE: Meet.goto.com/519857293
GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure.
 A copy of the agenda may be obtained by contacting: <https://floridasoptometry.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)245-4355. 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: MQA.Optometry@flhealth.gov

DEPARTMENT OF HEALTH
 Board of Pharmacy
 The Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2024, 8:30 a.m., E.T.
PLACE: Holiday Inn Tallahassee E Capitol - Univ, an IHG Hotel, 2003 Apalachee Pkwy, Tallahassee, FL 32301
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Disciplinary Matters.
 A copy of the agenda may be obtained by contacting: 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 Environmental Health
RULE NO.: **RULE TITLE:**
 64E-9.016 Variances
 The Department of Health announces a public meeting to which all persons are invited.
DATE AND TIME: September 11, 2024, 9:00 a.m. – 2:00 p.m., ET or until completed, whichever is first.
PLACE: Call-in toll-free phone number is 1(888)585-9008, Phone Conference ID: 754-420-028#, Your line will automatically be placed on mute, press *2 to unmute your line to speak, then *2 to re-mute line as a courtesy. Please do not put your line on hold. **NO “WALK-IN VARIANCE” APPLICATIONS WILL BE ACCEPTED AT THIS MEETING**
GENERAL SUBJECT MATTER TO BE CONSIDERED: DOH Public Swimming Pool Advisory Board will review, discuss and make recommendations to the Department regarding applications submitted by owners/agents for variance from the state’s public swimming pool codes per subsection 514.0115(9) of the Florida Statutes.
 A copy of the agenda may be obtained by contacting: by email DOHPoolVariances@FLhealth.gov or by calling Ms. Jutta Tolbert, (850)901-6499 or by writing to DOH, 4052 Bald Cypress Way, Bin A-08, Tallahassee, FL 32399-1710. **NOTE:** The Agenda will not be available until a week prior to the meeting.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 3 days before the workshop/meeting by contacting: by DOHPoolVariances@FLhealth.gov or Ms. Jutta Tolbert as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: by email DOHPoolVariances@FLhealth.gov or Ms. Jutta Tolbert as listed above.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

The Statewide Council on Opioid Abatement announces a public meeting to which all persons are invited.

DATE AND TIME: September 12, 2024, 2:00 p.m. - 4:00 p.m., EST

PLACE: Virtually via Teams:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjFkMzMzYjAtMWI1Ny00ZTZmLThkMmUtNjYzZGVjZDAwN2Y3%40thread.v2/0?context=%7b%22tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22oid%22%3a%22da12f449-7fe1-4e7b-b578-1ebdbd96eb32%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda is currently under development and will be forwarded to you prior to the meeting.

This meeting is in accordance with 397.335, F.S., which establishes the Statewide Council on Opioid Abatement. The terms of the Florida Opioid Settlement agreement require the state to create an Opioid Abatement Taskforce or Council to advise the Governor, Legislature, Florida's Department of Children and Families ("DCF"), and Local Governments on the priorities that should be addressed as part of the opioid epidemic, review how monies have been spent and the results that have been achieved with Opioid Funds. Discussion topics and duties will include expenditures and the results achieved, work and share information with the Drug Policy Advisory Council and ensure recommendations are consistent, review data from local, state, and national agencies to advise state and local governments on the status, severity, and stage of opioid epidemic, review data on expenditures, success, and metrics for assessing the epidemic and progress in abating it, and develop and recommend metrics, measures, or datasets to assess progress/success.

A copy of the agenda may be obtained by contacting: Jeanette Cherubini, Dept. of Children and Families, at Jeanette.Cherubini@myflfamilies.com, (850)938-9080

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: Jeanette Cherubini, Dept. of Children and Families,

at Jeanette.Cherubini@myflfamilies.com, (850)938-9080. 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: Jeanette Cherubini, Dept. of Children and Families, at Jeanette.Cherubini@myflfamilies.com, (850)938-9080

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:RULE TITLES:

68A-12.010 Regulations Governing the Operation of Private Hunting Preserves

68A-12.011 Regulations Governing the Establishment and Operation of Game Farms

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: RESCHEDULED: September 9-10, 2024, 9:00 a.m. - 4:00 p.m. each day

PLACE: Hilton Ocala, 3600 SW 36th Avenue, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice replaces notice #28657212. The Captive Cervid Technical Assistance Group meeting scheduled for September 3-4, 2024, has been rescheduled for September 9-10, 2024. The meeting is to discuss proposed draft rules related to hunting preserves and game farms.

A copy of the agenda may be obtained by contacting: Capt. Kara Hooker, Captive Wildlife Section, Phone: (850)488-6253. 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: (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF COMMERCE

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: September 4, 2024, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 261 180 880#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disposition of cases pending before the Reemployment Assistance Appeals Commission and Commission business. No public testimony or comment will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at

RAAC.Inquiries@commerce.fl.gov or by visiting <https://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about-the-reemployment-assistance-appeals-commission2/raac-notices>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: the Commission Clerk at (850)692-0180. 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: the Commission Clerk at (850)692-0180.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday September 9, 2024, 4:00 p.m. Audit/Budget/Finance Committee Meeting; Tuesday September 10, 2024, 8:30 a.m. Board of Governors Meeting.

PLACE: Westshore Grand Hotel, 4860 W. Kennedy Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit/Budget/Finance Committee Meeting: To discuss the proposed 2024-2025 budget and make recommendations to the Board; to review and discuss matters related to FAJUA Audited Financials and any other matters that may come before the Committee.

Board of Governors Meeting: to receive reports from the General Manager, Committees and General Counsel: to consider and take action based on those reports; Annual Statutory Rate Filing and to consider any other matters that may come before the Board.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive East, Suite 201-A, Tallahassee, Florida 32308, (850)681-2003, sneal@fajua.org

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

NOTICE IS HEREBY GIVEN that the Board of Accountancy has issued an order disposing of the petition for declaratory statement filed by Jonathan D. Marseglia, C.P.A., on January

21, 2020. The following is a summary of the agency's disposition of the petition:

Petitioner sought a determination from the Board regarding the practice requirements for partners owning at least 51 percent of the financial interest and voting rights of the partnership are certified public accountant in another state and is domiciled in this state must be a certified public accountant of this state and hold an active license. And Petitioner sought a determination as to whether a profit interest, without any equity right, a financial interest as it pertains to Section 473.309(1)(b), F.S. In the amended petition for declaratory statement filed on February 3, 2020, Petitioner inquired as to whether a firm offers employees a profit interest that exceeds 49% of the company's profits, without any equity right, comply with the Section 479.309(1)(b), F.S. And petitioner inquired as to whether a firm issued a salary bonus at the end of the year that exceeded 49% of the profits, would comply with Section 479.309(1)(b), F.S. The Notice of the Petition for Declaratory Statement was published in Vol.46, No.20, on January 30, 2020, in the Florida Administrative Register. The Amended Notice of Petition for Declaratory Statement was published in Vol.46, No.34, on February 19, 2020 in the Florida Administrative Register. No comments were received on the Petition. The Board, at its duly-noticed public meeting held by telephone conference and video conference on June 11, 2020, voted to deny the Petitions because Petitioner did not clearly state specific information by which an approval can be rendered.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, Roger.Scarborough@myfloridalicense.com.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

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., Tuesday, August 20, 2024, and 3:00 p.m., Monday, August 26, 2024.

Rule No.	File Date	Effective Date
5MER24-9	8/21/2024	8/21/2024
53ER24-36	8/22/2024	8/29/2024
65CER22-1	8/23/2024	8/25/2024
64B2-12.022	8/21/2024	9/10/2024
64B2-13.0045	8/21/2024	9/10/2024
64B13-6.001	8/21/2024	9/10/2024
64B16-31.010	8/22/2024	9/11/2024
64B16-31.011	8/22/2024	9/11/2024
64B16-31.012	8/22/2024	9/11/2024
68D-21.001	8/21/2024	9/10/2024
68D-21.002	8/21/2024	9/10/2024
68D-21.003	8/21/2024	9/10/2024
68D-21.004	8/21/2024	9/10/2024

68D-21.005	8/21/2024	9/10/2024
69C-6.003	8/21/2024	9/10/2024
69OER24-2	8/21/2024	8/21/2024
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	**/**/****
65C-9.004	3/31/2022	**/**/****

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN AUGUST 19, 2024, AND AUGUST 23, 2024

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

2A-2.2001 8/19/24 9/8/24 50/140

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

5MER24-9 8/21/24 8/21/24 50/165

DEPARTMENT OF THE LOTTERY

53ER24-36 8/22/24 8/26/24 50/167

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-12.022 8/21/24 9/10/24 50/143

64B2-13.0045 8/21/24 9/10/24 50/143

Board of Optometry

64B13-6.001 8/21/24 9/10/24 50/143

Board of Pharmacy

64B16-31.010 8/22/24 9/11/24 50/142

64B16-31.011 8/22/24 9/11/24 50/142

64B16-31.012 8/22/24 9/11/24 50/142

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

65CER22-1 8/23/24 8/25/24 50/167

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

68D-21.001 8/21/24 9/10/24 50/110 50/146
 68D-21.002 8/21/24 9/10/24 50/110
 68D-21.003 8/21/24 9/10/24 50/110
 68D-21.004 8/21/24 9/10/24 50/110 50/146
 68D-21.005 8/21/24 9/10/24 50/110 50/146

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

69C-6.003 8/21/24 9/10/24 50/103

OIR - Insurance Regulation

69OER24-2 8/21/24 9/10/24 50/165

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

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/16 **/**/** 42/105

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/15 **/**/** 39/95 41/49

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

65C-9.004 3/31/22 **/**/** 48/28

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.