

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-37.039 Prescribed Forms for Training and
Certification

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 69A-37.039, F.A.C., is to adopt a new form for interested firefighters and volunteer firefighters to use when applying for the Lifetime Firefighter designation provided under Section 633.415, F.S. The Division will use this form to determine whether an applicant meets the eligibility requirements described in Section 633.415, F.S., for receipt of the Lifetime Firefighter designation. The Division is authorized to adopt rules pursuant to its authority under Section 633.104(1), F.S., to implement the provisions of Section 633.415, F.S.

SUBJECT AREA TO BE ADDRESSED: Lifetime Firefighter Designation

RULEMAKING AUTHORITY: 633.104(1), 633.415(8), FS.

LAW IMPLEMENTED: 633.415, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, October 17, 2017, 1:00 p.m.

PLACE: Florida State Fire College, Classroom #105, 11655 NW Gainesville Road, Ocala, FL 34482-1486

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: Mark Harper, telephone: (352)369-2829, email: Mark.Harper@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Harper, Assistant Superintendent, Bureau of Fire Standards and

Training, Division of State Fire Marshal, Department of Financial Services, 11655 NW Gainesville Road, Ocala, FL 34482-1486, telephone: (352)369-2829, email: Mark.Harper@MyFloridaCFO.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 BUSINESS AND PROFESSIONAL
REGULATION**

**Division of Florida Condominiums, Timeshares and
Mobile Homes**

RULE NOS.: RULE TITLES:
61B-23.0027 Recall of One or More Members of a Board
of Administration at a Unit Owner Meeting;
Board Certification; Filling Vacancies
61B-23.0028 Recall by Written Agreement of the Voting
Interests; Board Certification; Filling
Vacancies

PURPOSE AND EFFECT: To amend 61B-23.0027, and 61B-23.0028, F.A.C. in order to bring current with amendments made to Chapter 718, F.S.

SUMMARY: The proposed rulemaking updates and amends Rules 61B-23.0027, and 61B-23.0028, F.A.C. in order to address amendments made to Chapter 718, F.S.

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 economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 718.112(2)(j)6., FS

LAW IMPLEMENTED: 718.112(2)(j)., FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rikki Anderson, Government Analyst, Division of Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-1631.

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-23.0027 Recall of One or More Members of a Board of Administration at a Unit Owner Meeting; ~~Board Certification~~; Filling Vacancies.

(1) Calling a Recall Meeting. Regardless of any provision to the contrary in the condominium documents, 10 percent of the voting interests may call a meeting of the unit owners to recall one or more members of the board by the voting interests giving the notice specified in paragraphs (2)(a) and (b) below. As utilized in this rule, the phrase “condominium documents” means the recorded declaration of condominium and all recorded exhibits and amendments thereto, and the articles of incorporation and bylaws of the condominium association in effect, and any amendments to each which are in effect.

(2) Noticing a Recall Meeting.

(a) Signature List. Prior to noticing a unit owner meeting to recall one or more members of the board, a list shall be circulated for the purpose of obtaining signatures of not less than 10 percent of the voting interests. The signature list shall:

1. State that the purpose for obtaining signatures is to call a unit owner meeting to recall one or more members of the board;

2. State that replacement board members shall be elected at the meeting if a majority or more of the existing board members are successfully recalled at the meeting; and,

3. Contain lines for the voting interest to fill in his unit number, signature and date of signature.

(b) Recall Meeting Notice. The recall meeting notice shall:

1. State that the purpose of the unit owner meeting is to recall one or more members of the board and, if a majority or more of the board is subject to recall, the notice shall also state that an election to replace recalled board members will be conducted at the meeting;

2. List by name each board member sought to be recalled at the meeting, even if every board member is sought to be recalled;

3. Specify a person, other than a board member subject to recall at the meeting, who shall determine whether a quorum is

present, call the meeting to order, preside, and proceed as provided in paragraph (3)(b) of this rule;

4. List at least as many eligible persons who are willing to be candidates for replacement board members as there are board members sought to be recalled, in those cases where a majority or more of the board is sought to be recalled. Candidates for replacement board members shall not be listed when a minority of the board is sought to be recalled, as the remaining members of the board may appoint replacements. In addition, the notice must state that nominations for replacement board members may be taken from the floor at the meeting;

5. Have attached to it a copy of the signature list referred to in paragraph (2)(a) above;

6. Be mailed or delivered to all unit owners at least 10 days prior to the meeting, if the association is incorporated, unless a different time for notice of the meeting is provided in the condominium documents. If the association is unincorporated, notice shall be mailed or delivered according to the time requirements stated in the condominium documents for sending unit owner meeting notices; and,

7. Be delivered to the board at least 10 days prior to the recall meeting, unless the condominium documents provide a different notice requirement. The notice shall become an official record of the association upon actual receipt by the board.

(3) Recall Meeting; Electing Replacements.

(a) Date for Recall Meeting. If the association is incorporated, a recall meeting shall be held not less than 10 days nor more than 60 days from the date when the notice of the recall meeting is mailed or delivered, unless otherwise provided in the condominium documents. If the association is unincorporated, the meeting shall be held within the times required by the condominium documents.

(b) Conducting the Recall Meeting. After determining that a quorum exists (proxies may be used to establish a quorum) and the meeting is called to order, the voting interests shall proceed, as follows:

1. A representative to receive pleadings (e.g., copies of a petition for recall arbitration; motions), notices, or other papers on behalf of the recalling unit owners in the event the board disputes the recall, shall be elected or designated by the presiding officer.

2. A person to record the minutes of the recall meeting, who shall not be a board member subject to recall at that meeting, shall be elected or designated by the presiding officer.

3. The requirements of this subsection do not prohibit the voting interests from electing one person to perform one or more of these functions.

(c) Recall Meeting Minutes. The minutes of the recall meeting shall:

1. Record the date and time the recall meeting was called to order and adjourned;

2. Record the name or names of the person or persons chosen as the presiding officer, the recorder of the official minutes and the unit owner representative's name and address;

3. Record the vote count taken on each member of the board sought to be recalled;

4. State whether the recall was effective as to each member sought to be recalled;

5. Record the vote count taken on each candidate to replace the board members subject to recall and, if applicable, the specific seat each replacement board member was elected to, in those cases where a majority or more of the existing board was subject to recall; and,

6. Be delivered to the board and, upon such delivery to the board, become an official record of the association.

(d) Separate Recall Vote. The voting interests shall vote to recall each board member separately, unless otherwise provided in the declaration or bylaws.

(e) Filling Vacancies. When the voting interests have recalled one or more board members at a unit owner meeting, the following provisions apply regarding the filling of vacancies on the board:

1. If less than a majority of the existing board is recalled at the meeting, no election of replacement board members shall be conducted at the unit owner meeting as the existing board may, in its discretion, fill these vacancies, subject to the provisions of Section 718.301, Florida Statutes, and Rules 61B-23.003 and 61B-23.0026, F.A.C., by the affirmative vote of the remaining board members. In the alternative, if less than a majority of the existing board is recalled at the unit owner meeting, the board may call and conduct an election which meets the requirements of Section 718.112(2)(d), Florida Statutes, and Rule 61B-23.0021, F.A.C., to fill a vacancy or vacancies;

2. If a majority or more of the existing board is recalled at the meeting, an election, which is subject to the provisions of Section 718.301, Florida Statutes, and Rules 61B-23.003 and 61B-23.0026, F.A.C., shall be conducted at the recall meeting to fill vacancies on the board occurring as a result of recall. The voting interests may vote in person or by limited proxy to elect replacement board members in an amount equal to the number of recalled board members.

(f) Taking office. When a majority or more of the board is recalled at a unit owner meeting, replacement board members shall take office:

1. Upon the expiration of five full business days after adjournment of the unit owner recall meeting, if the board fails to hold its board meeting to determine whether to certify the recall within five full business days of the adjournment of the unit owner recall meeting; or,

~~2. Upon the expiration of five full business days after adjournment of the board meeting to determine whether to certify the recall, if the board fails to certify the recall and fails to file a petition for arbitration; or,~~

~~3. Upon certification of the recall by the board; or,~~

~~4. Upon certification of the recall by the arbitrator, in accordance with subparagraph (5)(b)4. of this rule, if the board files a petition for recall arbitration.~~

~~(f)(g) After adjournment of the meeting to recall one or more members of the board of administration, any rescission of an individual unit owner vote or any additional unit owner votes received in regard to the recall shall be ineffective.~~

~~2. Where the board determines not to certify the recall of a director and that director resigns, any appointment to fill the resulting vacancy shall be temporary pending the arbitration decision.~~

(4) Substantial compliance with the provisions of subsections (1), (2) and (3) of this rule shall be required for the effective recall of a board member or members.

~~(5) Board Meeting Concerning a Recall at a Unit Owner Meeting; Filling Vacancies. The board shall properly notice the board meeting at which it will determine whether to certify the recall of one or more board members at a unit owner meeting. It shall be presumed that recall of one or more board members at a unit owner meeting shall not, in and of itself, constitute grounds for an emergency meeting of the board if the board has been provided notice of the recall meeting as provided in subparagraph (2)(b)7. of this rule.~~

(a) Certified Recall. If the recall of one or more board members by vote at a unit owner meeting is certified by the board, the recall shall be effective upon certification, and the following provisions apply:

1. Each recalled board member shall return to the board all association records in his possession within five full business days after adjournment of the board meeting at which the recall was certified.

2. If less than a majority of the existing board is recalled in a certified recall, a vacancy or vacancies on the board may be filled by the affirmative vote of a majority of the remaining board members, subject to the provisions of Section 718.301, Florida Statutes, and Rules 61B-23.003 and 61B-23.0026, F.A.C., regardless of whether the authority to fill vacancies in this manner is provided in the condominium documents. No recalled board member shall be appointed by the board to fill any vacancy on the board. A board member appointed pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled. If the board determines not to fill vacancies by vote of the remaining board members or if it is unable to fill vacancies in this manner (e.g., if there is a tie vote, as defined

by Rule 61B-23.0021, F.A.C., on the proposed replacement member; if a quorum is not obtained, or otherwise), the board may, in its discretion, call and hold an election in the manner provided by Section 718.112(2)(d)3., Florida Statutes, and Rule 61B-23.0021, F.A.C., in which case any person elected shall fill the entire remaining term.

3. If a majority or more of the board is recalled in a certified recall, those replacement board members elected at the recall meeting shall take office upon adjournment of the board meeting at which it was determined to certify the recall. A board member who is elected to fill a vacancy caused by recall shall fill the vacancy for the unexpired term of the seat being filled.

(b) Non certification of Recall by the board. If the board votes not to certify the recall of one or more board members at a unit owner meeting for any reason, the following provisions apply:

1. The board shall, subject to the provisions of Chapter 61B-50, F.A.C., file a petition for arbitration with the division (i.e., be received by the division) within five full business days after adjournment of the board meeting at which the board determined not to certify the recall of one or more members of the board.

2. Any board member sought to be recalled shall, unless he resigns, continue to serve on the board until a final order regarding the validity of the recall is mailed by the arbitrator.

3. If the arbitrator certifies the recall of less than a majority of the board, the remaining board members may fill the vacancy or vacancies as provided in subparagraph (5)(a)2. of this rule.

4. If the arbitrator certifies the recall of a majority or more of the board, the term of office of those replacement board members elected at the recall meeting shall become effective upon mailing of the final order of arbitration. The term of office of replacement board members elected at the recall meeting shall expire in accordance with the provisions of subparagraph (5)(a)3. of this rule.

(6) Board Meeting Minutes. The minutes of the board meeting at which the board determines whether to certify the recall by vote at a unit owner meeting are an official record of the association and shall record the following information:

(a) The date and time the board meeting is called to order and adjourned;

(b) Whether the recall is certified by the board;

(c) The manner in which any vacancy on the board occurring as a result of recall will be filled, if the recall is certified; and;

(d) If the recall was not certified, the specific reasons it was not certified.

(7) Failure to duly notice and hold the board meeting. If the board fails to duly notice and hold a meeting to determine whether to certify the recall within five full business days of the

adjournment of the unit owner recall meeting, the following shall apply:

(a) The recall shall be deemed effective immediately upon expiration of the last day of five full business days after adjournment of the unit owner recall meeting.

(b) If a majority of the board is recalled, replacement board members elected at the unit owner meeting shall take office immediately upon expiration of the last day of five full business days after adjournment of the unit owner recall meeting, in the manner specified in this rule.

(c) If the entire board is recalled, each recalled board member shall immediately return to the replacement board all association records in his possession. If less than the entire board is recalled, each recalled board member shall immediately return to the board all association records in his possession.

(8) Computation of five full business days. In computing the five full business days prescribed by Section 718.112(2)(j), Florida Statutes, and these rules, the day of the act from which the period of time begins to run shall not be included. Intervening days which are a Saturday, Sunday, or legal holiday as designated in Section 683.01, Florida Statutes, or as that section may subsequently be renumbered, shall not be included. The last day of the period which is not a Saturday, Sunday, or legal holiday as designated in Section 683.01, Florida Statutes, shall be included.

Rulemaking Authority 718.112(2)(j)56., FS. Law Implemented 718.112(2)(j) FS. History—New 12-20-92, Formerly 7D-23.0027, Amended 8-24-94, 12-20-95, 2-19-01,_____.

61B-23.0028 Recall by Written Agreement of the Voting Interests; Board Certification; Filling Vacancies.

(1) Form of Written Agreement. All written agreements used for the purpose of recalling one or more members of the board of administration shall:

(a) List by name each board member sought to be recalled;

(b) Provide spaces by the name of each board member sought to be recalled so that the person executing the agreement may indicate whether that individual board member should be recalled or retained;

(c) List, in the form of a ballot, at least as many eligible persons who are willing to be candidates for replacement board members as there are board members subject to recall, in those cases where a majority or more of the board is sought to be recalled. Candidates for replacement members shall not be listed when a minority of the board is sought to be recalled, as the remaining board may appoint replacements. A space shall be provided by the name of each candidate so that the person executing the agreement may vote for as many replacement candidates as there are board members sought to be recalled. A space shall be provided and designated for write-in votes. The

failure to comply with the requirements of this subsection shall not effect the validity of the recall of a board member or members;

(d) Provide a space for the person signing the written agreement to state his name, identify his unit and indicate the date the written agreement is signed;

(e) Provide a signature line for the person executing the written agreement to affirm that he is authorized in the manner required by the condominium documents to cast the vote for that unit;

(f) Designate a representative who shall open the written agreements, tally the votes, serve copies on the board and, in the event the board does not certify the recall by written agreement and files a petition for arbitration, receive pleadings (e.g., copies of a petition for recall arbitration; motions), notices, or other papers on behalf of the persons executing the written agreement;

(g) The written agreement or a copy shall be served on the board by certified mail or by personal service. Service on the board after 5:00 p.m. on a business day or on a Saturday, Sunday or legal holiday, as prescribed by Section 110.117, Florida Statutes, shall be deemed effective as of the next business day that is not a Saturday, Sunday, or legal holiday. Service of the written agreement on an officer, association manager, board member or the association's registered agent will be deemed effective service on the association. Service upon an attorney who has represented the association in other legal matters will not be effective on the association unless that attorney is a board member, the association's registered agent, or has otherwise been retained by the association to represent it in the recall proceeding. Personal service shall be effected in accordance with the procedures set out in Chapter 48, Florida Statutes, and the procedures for service of subpoenas as set out in Rule 1.410(d), Florida Rules of Civil Procedure; and

(h) Become an official record of the association upon service upon the board.

(i) Written recall ballots in a recall by written agreement may be reused in one subsequent recall effort. Written recall ballots do not expire through the passage of time, however, written recall ballots become void with respect to the board member sought to be recalled where that board member is elected during a regularly scheduled election.

(j) Written recall ballots may be executed by an individual holding a power of attorney or limited proxy given by the unit owner(s) of record.

(k) Any rescission or revocation of a unit owner's written recall ballot or agreement must be done in writing and must be delivered to the board prior to the board being served the written recall agreements.

(2) Substantial compliance with the provisions of subsection (1) of this rule shall be required for an effective recall of a board member or members.

~~(3) Board Meeting Concerning a Recall by Written Agreement; Filling Vacancies. The board shall hold a duly noticed meeting of the board to determine whether to certify (to validate or accept) the recall by written agreement within five full business days after service of the written agreement upon the board. It shall be presumed that service of a written agreement to recall one or more board members shall not, in and of itself, constitute grounds for an emergency meeting of the board to determine whether to certify the recall.~~

~~(a) Certified Recall. If the board votes to certify the written agreement to recall, the recall shall be effective upon certification, and the following provisions apply:~~

~~1. Each recalled board member shall return to the board all association records in his possession within five full business days after adjournment of the board meeting at which the recall was certified.~~

~~2. If less than a majority of the existing board is recalled in a certified recall, a vacancy or vacancies on the board may be filled by the affirmative vote of a majority of the remaining board members, subject to the provisions of Section 718.301, Florida Statutes, and Rules 61B-23.003 and 61B-23.0026, F.A.C., regardless of whether the authority to fill vacancies in this manner is provided in the condominium documents. As utilized in this rule, the phrase "condominium documents" means the recorded declaration of condominium and all recorded exhibits and amendments thereto, and the articles of incorporation and bylaws of the condominium association in effect, and any amendments to each which are in effect. No recalled board member shall be appointed by the board to fill any vacancy on the board. A board member appointed pursuant to this rule shall fill the vacancy for the unexpired term of the seat being filled. If the board determines not to fill vacancies by vote of the remaining board members or if it is unable to fill vacancies in this manner (e.g., if there is a tie vote, as defined by Rule 61B-23.0021, F.A.C., on the proposed replacement member; if a quorum is not obtained, or otherwise) the board may, in its discretion, call and hold an election in the manner provided by Section 718.112(2)(d)3., Florida Statutes, and Rule 61B-23.0021, F.A.C., in which case any person elected shall fill the entire remaining term.~~

~~3. If a majority or more of the board is recalled in a certified recall, those replacement board members elected by the written agreement pursuant to the procedure referenced in paragraph (1)(c) of this rule shall take office upon adjournment of the board meeting at which it was determined to certify the recall. A board member who is elected to fill a vacancy caused by~~

recall shall fill the vacancy for the unexpired term of the seat being filled.

(b) ~~Non-certification of Recall by the Board. If the board votes not to certify the written agreement to recall for any reason, the following provisions apply:~~

~~1. The board shall, subject to the provisions of Chapter 61B-50, F.A.C., file a petition for arbitration with the division (i.e., be received by the division) within five full business days after adjournment of the board meeting at which the board determined not to certify the written agreement to recall.~~

~~2. Any board member sought to be recalled shall, unless he resigns, continue to serve on the board until a final order regarding the validity of the recall is mailed by the arbitrator.~~

~~3. If the arbitrator certifies the recall of less than a majority of the board, the remaining board members may fill the vacancy or vacancies as provided in subparagraph (3)(a)2. of this rule.~~

~~4. If the arbitrator certifies the recall of a majority or more of the board, the term of office of those replacement board members elected by written agreement of the voting interests shall become effective upon mailing of the final order of arbitration. The term of office of those replacement board members elected by written agreement of the voting interests shall expire in accordance with the provisions of subparagraph (3)(a)3. of this rule.~~

~~5. A majority of the total voting interests entitled to vote in favor of recall is sufficient to recall a board member, regardless of any provision to the contrary in the condominium documents.~~

~~6. The failure of the association to enforce a voting certificate requirement in past association elections and unit owner votes shall preclude the association from rejecting a written recall ballot or agreement for failing to comply with a voting certificate requirement.~~

~~(4) Board Meeting Minutes. The minutes of the board meeting at which the board determines whether to certify the recall are an official record of the association and shall record the following information:~~

~~(a) The date and time the board meeting is called to order and adjourned;~~

~~(b) Whether the recall is certified by the board;~~

~~(c) The manner in which any vacancy on the board occurring as a result of recall will be filled, if the recall is certified; and,~~

~~(d) If the recall was not certified, the specific reasons it was not certified.~~

~~(3)(5) After service of a written agreement on the board:~~

~~(a) a Any written rescission of an individual unit owner vote or any additional unit owner votes received in regard to the recall shall be ineffective.~~

~~(b) Where the board determines not to certify the recall of~~

~~a director and that director resigns, any appointment to fill the resulting vacancy shall be temporary pending the arbitration decision.~~

~~(6) Taking Office. When a majority or more of the board is recalled by written agreement, replacement board members shall take office:~~

~~(a) Upon the expiration of five full business days after service of the written agreement on the board, if the board fails to hold its board meeting to determine whether to certify the recall within five full business days after service of the written agreement; or,~~

~~(b) Upon the expiration of five full business days after adjournment of the board meeting to determine whether to certify the recall, if the board fails to certify the recall and fails to file a petition for arbitration; or,~~

~~(c) Upon certification of the recall by the board; or,~~

~~(d) Upon certification of the recall by the arbitrator, in accordance with subparagraph (3)(b)4. of this rule, if the board files a petition for recall arbitration.~~

~~(7) Failure to Duly Notice and Hold a Board Meeting. If the board fails to duly notice and hold the board meeting to determine whether to certify the recall within five full business days of service of the written agreement, the following shall apply:~~

~~(a) The recall shall be deemed effective immediately upon expiration of the last day of the five full business days after service of the written agreement on the board.~~

~~(b) If a majority of the board is recalled, replacement board members elected by the written agreement shall take office upon expiration of five full business days after service of the written agreement on the board in the manner specified in this rule.~~

~~(c) If the entire board is recalled, each recalled board member shall immediately return to the replacement board all association records in his possession. If less than the entire board is recalled, each recalled board member shall immediately return to the board all association records in his possession.~~

~~(8) Computation of Five Full Business Days. In computing the five full business days prescribed by Section 718.112(2)(j), Florida Statutes, and these rules, the day of the act from which the period of time begins to run shall not be included. Intervening days which are a Saturday, Sunday, or legal holiday as designated in Section 110.117, Florida Statutes, or as that section may subsequently be renumbered, shall not be included. The last day of the period which is not a Saturday, Sunday, or legal holiday as designated in Section 110.117, Florida Statutes, shall be included.~~

Rulemaking Authority 718.112(2)(j)56. FS. Law Implemented 718.112(2)(j) FS. History—New 12-20-92, Formerly 7D-23.0028, Amended 12-20-95, 2-19-01, 6-7-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kevin Stanfield, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Rd., Tallahassee, Florida 32399-1030.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan Zachem, Secretary, Department of Business and Professional Regulation.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 9/27/2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 09/21/2017

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

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

RULE NO.: 64B4-5.001
RULE TITLE: Disciplinary Guidelines
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 66, April 5, 2017 issue of the Florida Administrative Register.

A previous Notice of Change for the rule published on June 13, 2017 in the Florida Administrative Register. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and a vote by the Board at a duly noticed public meeting held on May 11, 2017. The rule shall now read as follows:

64B4-5.001 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, registered intern, provisional licensee, or certificate holder whom it regulates under Chapter 491, F.S., has committed any of the acts set forth in Section 456.072(1) or 491.009(1), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.

(a) through (kk) No change.

(ll) Failing to remit the sum owed to the state for any overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement.

(Section 456.072(1)(jj), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine <u>and</u> ; Letter of concern	\$5,000 fine; <u>and/or</u> suspension

SECOND OFFENSE:	\$10,000 fine <u>and</u> ; reprimand	\$10,000 fine <u>and/or</u> ; permanent revocation
THIRD OFFENSE:	Permanent Revocation	

(mm) through (oo) No change.

(2) through (4) No change.

Rulemaking Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History—New 3-5-89, Amended 1-3-91, 6-1-92, Formerly 21CC-5.001, Amended 1-9-94, Formerly 61F4-5.001, Amended 12-22-94, Formerly 59P-5.001, Amended 12-11-97, 10-1-00, 2-5-01, 10-15-02, 3-27-05, 1-16-06, 4-6-10, 5-22-12, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-14.001
RULE TITLE: Examination Designated, General Requirements

NOTICE IS HEREBY GIVEN that on September 25, 2017, the Board of Architecture and Interior Design, received a petition for variance or waiver filed by Susana Weisleder. The petitioner is seeking a permanent variance or waiver of Rule 61G1-14.001, Florida Administrative Code, (implementing Section 481.209, F.S.) which requires that applicants for licensure by examination take and pass the examination prepared and administered by the National Council of Architectural Registration Boards (NCARB).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Krista Woodard, Executive Director, Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771. Comments on this petition should be filed with the Board of Architecture and Interior Design within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

NOTICE IS HEREBY GIVEN that on September 27, 2017, the Board of Chiropractic Medicine received a petition for variance or waiver filed by Evan Welfare, D.C. Petitioner is seeking a variance or waiver of subsection 64B2-13.007(1), F.A.C., which requires licensees attend one (1) full day at a board meeting at which disciplinary hearings are conducted within twelve (12) months of initial licensure. Petitioner is requesting an extension of that time to allow him to attend the next regularly scheduled board meeting. Comments on this petition should be filed with the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, FL 32399-3255, (850)488-0595 or by email: Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Chiropractic Medicine, at the above address.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on September 21, 2017, the Board of Massage Therapy, received a petition for Kimberly Velez, seeking a variance or waiver regarding a formal letter of school approval. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3258, (850)245-4162 or by electronic mail: Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on August 24, 2017, the Board of Massage Therapy, received a petition for Sarah Garay, seeking a variance or waiver of Rule 64B7-28.009, Florida Administrative Code, regarding live attendance at continuing education courses. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3258, (850)245-4162 or by electronic mail: Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on August 24, 2017, the Board of Massage Therapy, received a petition for John Edward Mooney, seeking a variance or waiver regarding live attendance at continuing education courses. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on August 24, 2017, the Board of Massage Therapy, received a petition for Ariel T. Jackson, seeking a variance or waiver regarding live attendance at continuing education courses. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: Kama.Monroe@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 12, 2017, 1:00 p.m.

PLACE: Florida Agricultural Museum, 7900 Old Kings Road North, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Board of Trustees to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630.

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: Kara Hoblick at (386)446-7630. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 19, 2017, 8:00 a.m. – 9:30 a.m.

PLACE: The Shores Resort, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida LP Gas Advisory Board and the Florida Propane Gas Education, Safety and Research Council to discuss industry related issues.

A copy of the agenda may be obtained by contacting: Lori Joanos, Bureau of Standards at (850)921-1545.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Lori Joanos at (850)921-1545. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Lori Joanos, Bureau of Standards at (850)921-1545.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Department of Agriculture and Consumer Services announces a hearing to which all persons are invited.

DATE AND TIME: October 19, 2017, 9:30 a.m. – 10:30 a.m.

PLACE: The Shores Resort, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a hearing concerning the amendment of the Florida Propane Gas Safety, Education and Research Marketing Order. All Testimony shall be received under oath and a full and complete record of the proceedings shall be made and filed by the Department in its office. All interested persons shall have a period of not less than 7 days following the public hearing for filing written briefs with the department concerning this action. A copy of the agenda may be obtained by contacting: Richard Kimsey (850)921-1556.

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: Richard Kimsey (850)921-1556. 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 EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville (FSCJ) District Board of Trustees (DBOT) with members of the FSCJ Foundation Board of Directors announce their attendance at a Ribbon Cutting Ceremony and the FSCJ DBOT announce a regular meeting of the Board for Tuesday, October 10, 2017, which are open to the public The event/meeting will be held at the College’s North Campus, 4501 Capper Road, Jacksonville, FL 32218.

MEDICAL SIMULATION CENTER RIBBON CUTTING CEREMONY/TOUR OF CENTER

DATE AND TIME: October 10, 2017, 11:00 a.m. – 1:00 p.m.

PLACE: College’s North Campus, 4501 Capper Road, Building E, Rooms 114 & 121/Building B, Room 301, Jacksonville, FL 322218

GENERAL SUBJECT: Ribbon Cutting Ceremony of the Medical Simulation Center, to include a tour of the facilities.

REGULAR BOARD MEETING:

DATE AND TIME: October 10, 2017, 1:00 p.m. – 2:30 p.m.

PLACE: College’s North Campus, 4501 Capper Road, Building A, Room 236, Jacksonville FL 32218

GENERAL SUBJECT MATTER TO BE CONSIDERED: /Regular Meeting

Copies of the agenda for the regular board Meeting will be available for inspection beginning Tuesday, October 3, 2017, and copies will be provided upon written request and the payment of approved duplicating charges. Any person requesting to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting Any person requesting to appeal a decision made by the board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

If special accommodations are required please advise the office of the College President 24 hours in advance of the event/meeting by contacting: District Board if /Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or kim.sodek@fscj.edu. Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national

origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the college is involved.

Florida State College at Jacksonville, Dr. Cythia A. Bioteau, College President

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District Five announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, October 10, 2017, 4:30 p.m. – 6:30 p.m.

PLACE: Florida Department of Transportation, 719 South Woodland Boulevard, Deland, Florida 32720 in the Cypress A & B Conference Rooms

WEBSITE: www.d5wpph.com/2017

GENERAL SUBJECT MATTER TO BE CONSIDERED: We want to hear from you!

The Florida Department of Transportation (FDOT), District Five, invites you to provide your comments by participating in the Five-Year Tentative Work Program Public Hearing. The Tentative Work Program for Fiscal Years July 1, 2018 through June 30, 2023 covers project development and environmental, preliminary engineering, right of way acquisition, construction, and public transportation projects for Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter and Volusia Counties and includes Florida Turnpike Enterprise projects in these counties.

There are three ways you can participate:

1. Go to www.d5wpph.com/2017 between Monday, October 9, 2017 and Friday, October 13, 2017, to see all of the presentations and maps, submit comments, ask questions, and directly contact a department representative if needed.
2. If you do not have access to a computer or the internet, you can use a computer at the local public libraries in the nine counties during the libraries' regular operating hours.
3. FDOT representatives are also available during this week at the Florida Department of Transportation District Five office located at 719 South Woodland Blvd., Deland, FL 32720. You can schedule a meeting at the district office by contacting Jamie Kersey at (386)943-5338 or Vickie Wyche at (386)943-5185. Comments will be received thru the website, at the location listed above, or you can mail written comments to: Steve Martin, District Five Secretary, Florida Department of Transportation, 719 South Woodland Blvd., MS 4-503, Deland, FL 32720 or email them to steve.martin@dot.state.fl.us. Comments must be submitted or postmarked by October 23, 2017 to be a part of the official record.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting: Jennifer Smith, Florida Department of Transportation, Title VI Coordinator, 719 South Woodland Boulevard, Deland, Florida 32720, (386)943-5367, Jennifer.smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Jamie Kersey, Florida Department of Transportation Liaison, jamie.kersey@dot.state.fl.us, (386)943-5338 or (386)943-5000.

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: Jamie Kersey, Florida Department of Transportation Liaison, jamie.kersey@dot.state.fl.us, (386)943-5338 or (386)943-5000. 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: Jamie Kersey, Florida Department of Transportation Liaison, jamie.kersey@dot.state.fl.us, (386)943-5338 or (386)943-5000.

STATE BOARD OF ADMINISTRATION

The State Board of Administration of Florida (SBA) announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2017, 9:00 a.m. (ET) to conclusion of meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the SBA to obtain approval to file Rule 19-8.010, F.A.C., Reimbursement Contract, for Notice of Proposed Rule and to file this rule for adoption if no member of the public timely requests a hearing or, if a hearing is requested, no Notice of Change is needed. The meeting will also include consideration of the appointment of a Chair of the Florida Commission on Hurricane Loss Projection Methodology. In addition, other general business may be addressed.

A copy of the agenda may be obtained by contacting: Not available.

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

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Donna Sirmons at (850)413-1349 or donna.sirmons@sbafla.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).

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: October 20, 2017, 9:30 a.m.
PLACE: City of West Palm Beach, Flagler Gallery Room, 401 Clematis Street, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED:
There will be a joint meeting of the Treasure Coast and South Florida Regional Planning Councils.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District
The Northwest Florida Water Management District announces public meetings to which all persons are invited.

- DATE AND TIMES: October 12, 2017
- 1:00 p.m. – Governing Board Meeting
- 1:05 p.m. – Public Hearing on Consideration of Update to the Pensacola Bay System Surface Water Improvement and Management Plan
- 1:06 p.m. – Public Hearing on Consideration of Surface Water Improvement and Management Plan for the Perdido River and Bay Watershed
- 1:07 p.m. – Public Hearing on Consideration of Update to the Choctawhatchee River and Bay Watershed Surface Water Improvement and Management Plan

PLACE: Emerald Coast Utilities Authority, 9255 Sturdevant St., Pensacola, FL 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED:
District business.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999 or online at <http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>.

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 72 hours before the workshop/meeting by contacting: Wendy Dugan, (850)539-2600. 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

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-8.624 Guidance and Minimum Levels for Lakes

The Southwest Florida Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, October 24, 2017, 5:30 p.m. – 7:00 p.m.

PLACE: Brooker Creek Preserve Environmental Education Center, 3940 Keystone Road, Tarpon Springs, FL 34688

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Proposed guidance and minimum levels for Lake Alice in Hillsborough County pursuant to Sections 373.042, and 373.0421, F.S.

A copy of the agenda may be obtained by contacting: Mark Hurst, Senior Environmental Scientist, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4271

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4703; 1(800)423-1476 (FL only), ext. 4703 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Hurst, Senior Environmental Scientist, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4271. A2017050-1.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, October 11, 2017, 2:00 p.m., Project & Lands Committee Meeting; Thursday, October 12, 2017, 9:00 a.m., Governing Board Meeting; Thursday, October 12, 2017, 10:00 a.m. or immediately following the conclusion of the Governing Board Meeting, Audit & Finance Committee Meeting

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meetings on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Rosie Byrd, (561)682-6805, rbyrd@sfwmd.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 5 days before the workshop/meeting by contacting: Rosie Byrd, (561)682-6805. 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: Rosie Byrd, (561)682-6805, rbyrd@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: October 4, 2017, 9:00 a.m.

PLACE: Hope HealthCare Hospice House, 2430 Diplomat Parkway E., Cape Coral, FL 33909

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Ft. Myers. The goal of the DCCI Task force is to engage communities across the state to be more dementia friendly, promote better care for Floridians affected by dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Christine Sherrill, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Christine Sherrill, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Sherrill, Department of Elder Affairs, (850)414-2028, sherrillc@elderaffairs.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Probable Cause Panel of the Construction Industry Licensing Board announces public meetings to which all persons are invited.

DATES AND TIMES: October 24, 2017, 10:00 a.m., ET; October 24, 2017, 11:00 a.m., ET

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Ian Brown, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202.

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: Ian Brown, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. 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: Ian Brown, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

Board of Medicine

The Boards of Medicine and Osteopathic Medicine’s Joint Committee on Medical Marijuana (corrected title) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 12, 2017, immediately following the Expert Witness Credentials Committee Meeting or soon thereafter.

PLACE: Sheraton Tampa East, 10221 Princess Palm Avenue, Tampa, Florida 33610

The hotel phone # (813)623-6363.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

The Board of Nursing Home Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 20, 2017, 9:00 a.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: <http://floridasnursinghomeadmin.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: Anthony.Spivey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

The Board of Orthotists and Prosthetists announces the cancellation of a telephone conference call to which all persons are invited.

DATE AND TIME: October 6, 2017, 9:00 a.m.: meeting cancelled

PLACE: Conference call number: 1(888)670-3525, participant code: 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business; **MEETING CANCELLED.**

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

The Board of Physical Therapy Practice announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, November 8, 2017, 4:00 p.m. – 6:00 p.m.

PLACE: Sheraton Suites, 555 NW 62nd Street, Ft. Lauderdale, Florida 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: the workshop to discuss Rule 64B17-6 regarding dry needling, has been CANCELLED.

For more information, you may contact: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

The Board of Physical Therapy Practice announces a workshop to which all persons are invited.

DATE AND TIME: November 8, 2017, 4:00 p.m. – 6:00 p.m.

PLACE: Sheraton Lake Buena Vista, 12205 S. Apopka Vineland, Orlando, Florida 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 64B17-6 regarding dry needling.

A copy of the agenda may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation announces a hearing to which all persons are invited.

DATE AND TIME: October 18, 2017, 1:00 p.m. to conclusion.

PLACE: Knott Building Room 412, 404 South Monroe Street, Florida Capital Complex, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider a Workers’ Compensation filing made by the National Council on Compensation Insurance, Inc. (NCCI), by which

NCCI requests an overall average decrease in rate levels of 9.3% for the voluntary market for all new and renewal workers’ compensation insurance policies written in the State of Florida, effective January 1, 2018. The filing also requests a decrease to the expense constant from \$200 to \$160 which when combined with the rate level decrease results in an overall average premium decrease of 9.6%.

A copy of the agenda may be obtained by contacting in writing: to the Office of Insurance Regulation, attention Cyndi Cooper, Actuary, Room 212-F, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

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: Gloria Merritt at (850)413-5356 or e-mail her at Gloria.Merritt@flor.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: Gloria Merritt at (850)413-5356 or e-mail her at Gloria.Merritt@flor.com

CARPE DIEM COMMUNITY SOLUTIONS, INC.

The Florida Department of Transportation (FDOT) announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, October 10, 2017, 5:30 p.m. – 6:30 p.m., CT, hearing; 6:00 p.m., CT, formal presentation and public comment period

PLACE: Lyndell Center, 423 Lyndell Lane, Panama City Beach

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of the project is to evaluate the need for increasing the capacity for the east-west travel demands on U.S. 98 (Panama City Beach Parkway) in Panama City Beach. The intent of this hearing is to present the results from the engineering and environmental analysis conducted on the recommended build alternative. Public input received will be incorporated into the final documents and will be used in selecting a preferred alternative to be carried forward to the design phase which is funded. Right-of-way acquisition and construction are not funded in the current FDOT Five-Year Work Program.

Draft study documents and other information depicting the proposed improvement will be available for public review at the hearing. Draft project documents are available for public review from September 19, 2017, until October 20, 2017, at the following locations and times:

Panama City Beach Public Library, 12500 Hutchison Boulevard, Panama City Beach

Monday – Wednesday, 9:00 a.m. – 6:00 p.m.

Thursday – Friday, 9:00 a.m. – 5:00 p.m.

Saturday, 9:00 a.m. – 4:00 p.m.

City of Panama City Beach, 104 South Arnold Road, Panama City Beach

Monday – Friday, 8:00 a.m. – 4:00 p.m.

During the informal portion of the hearing, Florida Department of Transportation (FDOT) representatives will be available to discuss the project, answer questions, and receive your comments. Maps, drawings, and other information will be on display. A court reporter will also be available to receive your comments. During the formal portion of the hearing, FDOT will make a formal presentation which will be followed by public comments. Additional project information will also be available at www.nwflroads.com.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Sherry Alaghemand, P.E., FDOT Project Manager, toll-free: 1(888)638-0250, extension 1510, sherry.alaghemand@dot.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 7 days before the workshop/meeting by contacting: Sherry Alaghemand, P.E., FDOT Project Manager, at the above phone number or email address. 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: Ian Satter, District Three Public Information Director, toll-free: 1(888)638-0250, extension 1205, ian.satter@dot.state.fl.us.

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

NONE

**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:

Keith St. Germain Nursery Farms, A Sole Proprietorship vs. Florida Department Of Health, An Executive Branch Agency Of The State Of Florida; Case No.: 17-5447RE; Rule No.: 64ER17-3

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 EDUCATION
2018-GN-08 - Printing of College Forum Newsletter & Envelopes (5 monthly issues)
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
11011 S.W. 104th STREET
MIAMI, FL 33176-3393

Responses to the Request for Proposals (RFP) listed below will be accepted in the PURCHASING DEPARTMENT, Room 9254, by 3:00 p.m. on Tuesday, October 17, 2017.

Prospective proposers may obtain the RFP solicitation at the College’s Purchasing Department website, www.mdc.edu/purchasing, or by calling (305)237-2402.

BID NUMBER BID TITLE
2018-GN-08 Printing of the College Forum Newsletter & Envelopes (5 Monthly Issues)

Miami Dade College is releasing this Request for Proposals with the intent to solicit responses to select a firm or firms that are routinely engaged in providing inspection, testing, maintenance, and repair services on fire extinguishers,

backflow preventers, stationary fire suppression systems, sprinkler systems, and fire alarm systems, as needed, excluding monthly inspections of portable fire extinguishers.

If a person decides to appeal any decision with respect to any matter considered at the above cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

DEPARTMENT OF EDUCATION

New College of Florida

Invitation To Negotiate 92017ACHS New College of Florida ITN# 92017ACHS

LEGAL NOTICE OF AN INVITATION TO NEGOTIATE TO PROVIDE ACCESS CONTROL HARDWARE AND SOFTWARE

A PUBLIC ANNOUNCEMENT FOLLOWING PROCEDURES PER F.S. 287.057 4 (C) NCF INVITES VENDORS TO SUBMIT A PROPOSAL AS THE BASIS OF NEGOTIATION TO PROVIDE A SUITABLE ACCESS CONTROL SYSTEM AT SELECT LOCATIONS ON THE NEW COLLEGE OF FLORIDA CAMPUS.

The Board of Trustees of New College of Florida (NCF) announces that proposals will be required from qualified vendors licensed in the State of Florida to provide a fully functional and integrated access control system to select buildings on campus

The scope of the project is to provide a new scalable access control system that integrates with current and future campus IT software programs. The system head-end can be hosted virtually from the campus or within the main server room in the ACE building. If local hosting is offered, the vendor must provide a suitable server with details of how resilience will be provided. If virtual hosting is offered, the vendor shall confirm details of resilience within the hosting environment and how the system will be configured to overcome potential network issues. Details of any latency issues with remote hosting shall also be provided.

Interested vendors must submit the information required by the Invitation to Negotiate. Submissions shall also include details of the firm’s abilities and previous experience with respect to State funded projects, projects in education institutions and for facilities similar to those found on the campus of New College in Florida. Also required is a synopsis of the firm’s qualifications and résumés of key personnel.

Invitation to Negotiate documentation ITN# 92017ACHS may be viewed and downloaded from the College’s Procurement web page: <https://www.ncf.edu/about/departments-and-offices/procurement-services/>

A pre-proposal and site visit is scheduled on October 11, 2017 at 10.00am The meeting, scheduled for two hours, will commence at the NCF Keating Center Conference Room located on College Drive.

Written questions regarding this ITN must be submitted no later than 5.00pm on October 13, 2017 by email only to jharris@NCF.edu. All questions and responses thereto will be posted on the College’s Procurement web page no later than 5.00pm on October 18, 2017

Deliver five (5) copies of all required documentation to New College of Florida, Procurement Services Department, Palmer D Building 5800 Bay Shore Road, Sarasota, FL 34243-2109. Deliver for the Attention: Jean Harris, Director, no later than Friday October 27, 2017 at 2.00 pm. No electronic submittals will be accepted. The College will not be responsible for any delays in delivery nor for any costs associated with the preparation.

Responses to this Invitation to Negotiate will be opened on Friday October 27, 2017 at 2.30 pm at the NCF Jane Bancroft Cook Library room 228.

Any addenda to the ITN will be available, on the Procurement web page noted above, two (2) days before the noted submission date.

It is solely the Vendor’s responsibility to check the NCF Procurement Services Web site at <https://www.ncf.edu/about/departments-and-offices/procurement-services/>, forty-eight (48) hours before the closing time of this proposal to verify that the proposer has received any addenda that may have been issued.

New College of Florida is an Equal Access/Equal Opportunity Employer

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Tuesday, September 26, 2017 and 3:00 p.m., Monday, October 2, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
6A-1.094224	9/27/2017	10/17/2017
6A-1.099827	9/27/2017	10/17/2017
6A-6.0573	9/27/2017	10/17/2017
6A-6.0788	9/27/2017	10/17/2017
6A-6.0982	9/27/2017	10/17/2017
6A-14.092	9/27/2017	10/17/2017
6N-1.001	9/27/2017	10/17/2017
6N-1.002	9/27/2017	10/17/2017
6N-1.003	9/27/2017	10/17/2017
6N-1.004	9/27/2017	10/17/2017
6N-1.005	9/27/2017	10/17/2017
6N-1.006	9/27/2017	10/17/2017
6N-1.007	9/27/2017	10/17/2017
12Der17-04	9/29/2017	9/29/2017
59A-4.200	9/26/2017	10/16/2017
60Y-2.005	9/28/2017	10/18/2017
61G15-35.004	9/28/2017	10/18/2017
62-304.505	9/28/2017	10/18/2017
62-304.805	9/28/2017	10/18/2017
64ER17-3	9/28/2017	9/28/2017
64B3-5.002	9/27/2017	10/17/2017
64B3-5.003	9/27/2017	10/17/2017
64B3-5.004	9/27/2017	10/17/2017
64B3-5.007	9/27/2017	10/17/2017
64B8-55.005	9/28/2017	10/18/2017
64B17-3.001	10/2/2017	10/22/2017
64B17-5.001	9/26/2017	10/16/2017
64B32-6.007	9/27/2017	10/17/2017
73B-10.025	9/26/2017	10/16/2017
73B-10.026	9/26/2017	10/16/2017

73B-10.027	9/26/2017	10/16/2017
73B-10.028	9/26/2017	10/16/2017
73B-10.031	9/26/2017	10/16/2017
73B-10.032	9/26/2017	10/16/2017
73B-10.035	9/26/2017	10/16/2017
73B-10.037	9/26/2017	10/16/2017
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-2.101	8/2/2017	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
69L-7.100	12/19/2016	**/**/*****
69L-7.501	12/19/2016	**/**/*****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication of 2017-2018 Annual Regulatory Plan
 NOTICE IS HEREBY GIVEN that on September 29, 2017, the Department of Highway Safety and Motor Vehicles published its 2017-2018 Annual Regulatory Plan in accordance with Section 120.74(2), Florida Statutes. The Annual Regulatory Plan is available on the Department of Highway Safety and Motor Vehicles' website at https://www.flhsmv.gov/pdf/ogc/annualregulatoryplan_2017_2018.pdf.

DEPARTMENT OF MANAGEMENT SERVICES

Notice of Publication of 2017-2018 Regulatory Plan
 NOTICE IS HEREBY GIVEN that on September 29, 2017, The Public Employee's Relations Commission (PERC) published its 2017-2018 Regulatory Plan in accordance with Section 120.74(2), Florida Statutes. The Regulatory Plan is available on PERC's website at http://perc.myflorida.com/annual_regulatory_plan_2017-2018.pdf.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Clean Water State Revolving Fund Program
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE
 Arcadia, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Arcadia's project involving rehabilitation, replacement, and construction of wastewater collection, transmission, and treatment facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost, including engineering services during construction, is approximately \$17,278,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. The DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered to the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing, calling, or emailing: John Sowerby, P.E., CWSRF Program, DEP, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000; (850)245-2961; john.r.sowerby@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Clean Water State Revolving Fund Program
NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
Orange City, Florida

The Florida Department of Environmental Protection (DEP) has determined that Orange City's project involving the construction of stormwater management and wastewater collection facilities is not expected to generate controversy over potential environmental effects. The total estimated construction cost, including engineering services during construction, is approximately \$8,186,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. The DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered to the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing, calling, or emailing: John Sowerby, P.E., CWSRF Program, DEP, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000; (850)245-2961; john.r.sowerby@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of the Secretary
NOTICE OF GRANT APPLICATION SUBMISSION
PERIOD FOR RECREATIONAL TRAILS PROGRAM
The Department of Environmental Protection (the "Department") has established an application submission cycle and will accept grant applications for the Recreational Trails Program ("RTP") for Fiscal Year 2018-2019 under the following terms:

APPLICATION SUBMISSION PERIOD: The Department is accepting applications from December 1, 2017 through

December 15, 2017. Completed applications must be postmarked on or before December 15, 2017.

ELIGIBLE APPLICANTS: Eligible applicants include all local governmental entities and state or federal agencies, federally or state recognized Indian tribal governments which have the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public, and active Florida nonprofit corporations which have an agreement with a governmental agency to develop public lands.

INELIGIBLE APPLICANTS: A grantee with two incomplete RTP projects by the closing date of the application submission period shall not be eligible to apply.

APPLICATION LIMIT PER SUBMISSION CYCLE: The maximum number of applications an applicant may submit shall be as follows: local governments may submit one; consolidated city-county government may submit two; nonprofit corporations may submit one; state and federal agencies may submit one per district.

ELIGIBLE PROJECT SITES: The site of a proposed RTP project shall be on public lands. The site shall be owned by the applicant or government on or before the closing date of the application submission period. A site not owned by the applicant or government shall be under the applicant's or government's control by a 99-year lease or similar control, such that the applicant has the legal ability to dedicate and manage the site for public recreational trail use pursuant to subsections 62S-2.076(1) and (2), F.A.C. School board property used primarily for educational or school related purposes is not eligible. In addition, nonprofit corporations must provide a letter from the land owner or managing agency stating that it supports the project and will abide by the compliance requirements of this rule, and the Guidance.

ELIGIBLE PROJECT TYPES: The primary purpose of the project must be for providing recreational trails for the public and may include Motorized Trail, Nonmotorized Trail, and Mixed-Use Trail projects which facilitate recreational trail use. Recreational Trail means a thoroughfare or track across land or water, used for recreational purposes such as bicycling, day hiking, equestrian activities, jogging or similar fitness activities, trail biking, overnight and long distance backpacking, roller skating, in-line skating, running, aquatic or water activity and vehicular travel by motorcycle, four-wheel drive, all terrain off-road vehicles or dune buggies per 62S-2.070 (39), F.A.C. Projects may include facilities such as boat launches, docks, and related facilities to create or enhance recreational trail opportunities.

PERMISSIBLE USES OF RTP GRANT FUNDS: Maintenance or renovation of existing trails; Development or renovation of trailside or trailhead facilities or trail linkages; Purchase of trail construction or maintenance equipment; Construction of new trails on local and state lands; Construction

of new trails crossing federal lands; Operation of educational programs to promote safety and environmental protection which specifically relate to the uses of recreational trails, to the extent the Department has not chosen to use the educational funds in whole or in part, to further a statewide goal of the Greenways and Trails Plan.

MAXIMUM GRANT REQUEST: The maximum grant amount per project type is as follows: Nonmotorized Trail: \$200,000; Mixed Use Trail: \$500,000; Motorized Trail: \$500,000. Grant awards are distributed on a reimbursement basis and are contingent upon an apportionment from the Federal Highway Administration and expenditure authorization by the Florida Legislature. Agreements will not be executed until on or after July 1, 2018.

MATCH REQUIREMENTS: The RTP grant is provided on a 50:50, 60:40, or 80:20 matching ratio (program: grantee).

APPLICATION PACKETS AND ADDITIONAL DETAILS: RTP grant application packets and additional grant details may be obtained by visiting the website: <http://www.dep.state.fl.us/gwt/grants/>. Applications are also available from the Department's Office of Operations, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399-3000. See also, Fla. Stat. § 260.016, and F.A.C. Rule 62S-2 for specific application requirements, processing and evaluation criteria.

FOR FURTHER INFORMATION: Telephone: (850)245-2501 or email: Pamela.Lister@dep.state.fl.us or Linda.Reeves@dep.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

Rulemaking Regulatory Plans

NOTICE IS HEREBY GIVEN that on September 29, 2017, the Department of Financial Services published its 2017-2018 Regulatory Plan on the agency's primary website homepage at <http://www.myfloridacfo.com/division/RuleReview/document/s/DFS2017-2018RegulatoryPlan.pdf> as required by Section 120.74(2), F.S.

CITY OF TAMPA

City of Tampa

City of Tampa

The City of Tampa, Florida, gives notice of proposed ordinance governing registration of communication facilities in its rights-of-way.

FIRST READING TO BE HELD:

DATE AND TIME: October 12, 2017, 6:00 p.m.

PLACE: Old City Hall, Council Chambers, 3rd Floor, 315 East Kennedy Boulevard, Tampa, Florida

SUBJECT: An Ordinance of the City of Tampa, Florida, making revisions to City of Tampa Code of Ordinances, Chapter 22 (Streets and Sidewalks); Amending Article I., Administrative provisions; Amending Division 1. General

provisions; administrative authority; definitions; Amending Section 22-5, Definitions; Amending Section 22-6, Administrative authority; Amending Section 22-7, Alternate materials and methods of construction; Amending Section 22-8, Obstructing streets, sidewalks, alleys, etc.; exceptions; Amending Section 22-10, Defacing, etc., poles; Amending Division 2. Certificates; documents; requirements; etc.; Amending Section 22-31, Applications, documentation; Amending Division 3. Fee authority and types; permits; inspections; Subdivision I. Generally; Amending Section 22-60, Installations in right-of-way; Amending Section 22-64, Display of permits; penalty; Amending Section 22-65, Refilling; cleaning up; repaving; Amending Section 22-66, Replacement of paving; removing of improper repaving; Amending Section 22-67, Permit revocation; Amending Section 22-69, Inspections, other approvals; Amending Article III., Technical provisions; Amending Division 3. Specific technical requirements; Amending Section 22-310, Sight obstruction; Amending Article IV., Communications rights-of-way usage; Amending Division 1. General provisions; Deleting Section 22-320, in its entirety and renumbering Section 22-321 to 22-320, Purpose; Amending Division 2. Registration; Amending and renumbering Section 22-322 to 22-321, Authorization to place or use communications facilities in public rights-of-way; Amending and renumbering Section 22-323 to 22-322, Registration; Amending and renumbering Section 22-324 to 22-322.1, Approval of registration; Amending and renumbering Section 22-325 to 22-322.2, Denial of registration; Amending and renumbering Section 22-326 to 22-322.3, Cancellation of registration; Amending and renumbering Section 22-327 to 22-322.4, Transfer of registration; Amending and renumbering Section 22-328 to 22-322.5, Registration amendments; renewal; Amending and renumbering Section 22-329 to 22-322.6, Effect of registration; Amending and renumbering Section 22-330 to 22-322.7, Existing communications facilities in public rights-of-way; Creating Section 22-322.8, Involuntary termination of registration; Amending Division 3. Requirements for the occupation of public rights-of-way; Creating Subdivision 1. General permit standards; Amending and renumbering Section 22-331 to 22-323, Permits; Creating Sections 22-323.1 and 22-323.2; Amending and renumbering Section 22-334 to 22-323.3, Relocation of communications facilities; Creating Section 22-323.4, Coordination within public rights-of-way; Amending and renumbering Section 22-333 to 22-323.5, Restoration standards; Creating Section 22-323.6, Trees within or proximate to public rights-of-way; Amending and renumbering Section 22-335 to 22-323.7, Repair of communications facilities by city; Amending and renumbering Section 22-336 to 22-323.8, Access to communications facilities by city; Deleting Section 22-337 in its entirety; Amending and

renumbering Section 22-338 to 22-323.9, Abandonment of communications facilities; Creating Sections 22-323.10, through 22-323.12; Creating Subdivision 2. Specific permit application requirements and review procedures; Creating Sections 22-324 through 22-338; Amending Division 4. Insurance and indemnification; Amending Section 22-339, Insurance; Amending Section 22-340, Indemnification; Creating Sections 22-341 and 22-342 repealing all ordinances or parts of ordinances in conflict therewith; providing for severability; providing an effective date.

A copy of the proposed ordinance to the City of Tampa Code of Ordinances may be inspected by the public in the offices of the City Clerk, 315 East Kennedy Boulevard, 3rd Floor, Tampa, Florida 33602, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the date of the meeting.

Section XIII

Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN SEPTEMBER 25, 2017 AND SEPTEMBER 29, 2017

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

State Board of Education

6A-1.0942249	9/27/2017	10/17/2017	43/159	
6A-1.0998279	9/27/2017	10/17/2017	43/159	
6A-6.0573	9/27/2017	10/17/2017	43/159	
6A-6.0788	9/27/2017	10/17/2017	43/159	
6A-6.0982	9/27/2017	10/17/2017	43/160	
6A-14.092	9/27/2017	10/17/2017	43/118	43/148 43/167

Florida's Office of Early Learning

6M-8.610	9/25/2017	10/15/2017	43/133	
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Postsecondary Reciprocal Distance Education Coordinating Council

6N-1.001	9/27/2017	10/17/2017	43/159	
6N-1.002	9/27/2017	10/17/2017	43/159	
6N-1.003	9/27/2017	10/17/2017	43/159	
6N-1.004	9/27/2017	10/17/2017	43/159	

6N-1.005	9/27/2017	10/17/2017	43/159	
6N-1.006	9/27/2017	10/17/2017	43/159	
6N-1.007	9/27/2017	10/17/2017	43/159	

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

59A-4.200	9/26/2017	10/16/2017	43/127	
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DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

60Y-2.005	9/28/2017	10/18/2017	43/134	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-35.004	9/28/2017	10/18/2017	43/106	43/142
				43/165

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.505	9/28/2017	10/18/2017	43/132	
62-304.805	9/28/2017	10/18/2017	43/132	

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-5.002	9/27/2017	10/17/2017	43/79	43/137
64B3-5.003	9/27/2017	10/17/2017	43/79	43/137 43/161
64B3-5.004	9/27/2017	10/17/2017	43/79	43/137 43/161
64B3-5.007	9/27/2017	10/17/2017	43/79	43/137 43/161

Board of Medicine

64B8-55.005	9/28/2017	10/18/2017	43/162	
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Board of Physical Therapy Practice

64B17-5.001	9/26/2017	10/16/2017	43/110	43/158 43/170
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Board of Respiratory Care

64B32-6.007	9/27/2017	10/17/2017	43/162	
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DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

73B-10.025	9/26/2017	10/16/2017	43/127	
73B-10.026	9/26/2017	10/16/2017	43/127	
73B-10.027	9/26/2017	10/16/2017	43/127	
73B-10.028	9/26/2017	10/16/2017	43/127	
73B-10.031	9/26/2017	10/16/2017	43/127	
73B-10.032	9/26/2017	10/16/2017	43/127	
73B-10.035	9/26/2017	10/16/2017	43/127	

73B-10.037 9/26/2017 10/16/2017 43/127

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

40C-2.101 8/2/2017 **/**/**** 43/71

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 **/**/**** 42/105

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.100 12/19/2016 **/**/**** 42/191 42/218

69L-7.501 12/19/2016 **/**/**** 42/191 42/218

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.
