

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-1.09422 Statewide, Standardized Assessment
 Program Requirements

PURPOSE AND EFFECT: This development addresses two issues: 1) assessment graduation requirements for students who have been enrolled in an English Speakers of Other Languages (ESOL) program for less than two years, and 2) the implementation timeline for concordant and comparative scores aligned to the Florida Standards.

1) In compliance with s. 1003.433(3)(b), F.S., as amended during the 2021 Legislative Session, this proposed rule amendment will specify alternative methods available for students who have been enrolled in an ESOL program for less than two years to meet the grade 10 English Language Arts (ELA) assessment graduation requirement.

2) Pursuant to s. 1008.22(9)-(10), F.S., concordant and comparative scores aligned to the Florida Standards were established by the State Board of Education in May 2018 after a public review period, and they are scheduled to become effective for students graduating in 2021-22 who entered grade 9 in 2018-19. Pursuant to Florida Department of Education Emergency Order No. 2020-EO-1, due to the COVID-19 pandemic, spring K-12 statewide assessment test administrations for the 2019-20 school year were canceled, and grade 10 students were unable to participate that school year in the grade 10 ELA assessment and the Algebra 1 End-of-Course (EOC) assessment, if enrolled in the Algebra 1 course required for graduation. Such students have had fewer opportunities than other graduating classes to pass the assessment prior to their scheduled graduation. This proposed rule language delays the implementation of the concordant and comparative scores aligned to the Florida Standards by one year, allowing the graduating class of 2021-22 to use as many options for meeting their assessment graduation requirements as possible.

SUBJECT AREA TO BE ADDRESSED: Assessment Graduation Requirements.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1003.433(3), 1008.22(13), 1008.25(10), F.S.

LAW IMPLEMENTED: 1001.02, 1001.11, 1003.4282, 1003.433, 1008.22, 1008.25, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vince Verges, Assistant Deputy Commissioner, Office of Assessment, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-761.200	Definitions
62-761.210	Reference Guidelines
62-761.300	Applicability
62-761.400	Facility Registration
62-761.420	Financial Responsibility
62-761.500	Storage Tank System Requirements
62-761.600	Release Detection Requirements
62-761.700	Repairs, Operation and Maintenance
62-761.710	Recordkeeping
62-761.800	Out-of-Service and Closure Requirements
62-761.900	Storage Tank Forms

PURPOSE AND EFFECT: The Division of Waste Management proposes to revise Chapter 62-761, F.A.C., Underground Storage Tank Systems, by revising language in several rules for clarification, updating reference guidelines to the newest editions, synchronizing release detection requirements with the federal requirements for emergency generator owners and operators, updating the financial responsibility and discharge form, and adding visual inspections to the out-of-service requirements to help maintain those storage tank systems while out-of-service.

SUBJECT AREA TO BE ADDRESSED: The initial proposed rule revisions include clarifying the definition of day tank, updating reference guidelines to their current editions, and clarifying the explanation of day tank exemption in Applicability. In the Registration rule, defining account owner and specifying requirements for new account owners. In the Financial Responsibility rule, updating the form dates and links. Additionally, updating reference guideline editions and clarifying overflow device and test result requirements under Storage Tank System Requirements. Under release detection, providing emergency generator owners with an additional option for release detection in line with the federal requirements

and a reminder for recordkeeping requirements for testing. In Repairs, Operation and Maintenance rule, updating reference guideline editions and specifying systems shall be maintained while out-of-service. In recordkeeping, updating recordkeeping requirements which correspond with other sections. In the out-of-service subsection, updating reference guideline editions and adding an annual requirement to perform visual inspections on out-of-service storage tank systems. In the Forms rule, updating the financial responsibility form and correcting the Discharge Report Form.

RULEMAKING AUTHORITY: 376.303, FS.

LAW IMPLEMENTED: 376.301, 376.303, 376.30716, 376.3077, 376.308, 376.309, 403.091, 403.141, 403.161, 403.091, 489.133, FS.

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

DATE AND TIME: Wednesday, January 26, 2022, starting at 9:00 a.m. to no later than 12:00 p.m.

PLACE: Florida DEP Douglas Building, 3900 Commonwealth Blvd., Conference Room 137, Tallahassee, Florida.

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: Kim Curran, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399. Kimberley.Curran@FloridaDEP.gov or (850)245-8849. 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: Amanda Dorsett, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399. Amanda.Dorsett@FloridaDEP.gov or (850)245-8931. The preliminary draft and forms are located on the DEP Division of Waste Management website at <https://floridadep.gov/Waste>.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-762.201	Definitions
62-762.211	Reference Guidelines
62-762.301	Applicability
62-762.401	Facility Registration
62-762.411	Notification
62-762.421	Financial Responsibility
62-762.501	System Requirements for Shop Fabricated Storage
	Storage
62-762.502	System Requirements for Field Erected Storage Tanks
62-762.601	Release Detection Requirements for Shop Fabricated Storage Tanks
62-762.602	Release Detection Requirements for Field Erected Storage Tanks
62-762.701	Repairs, Operation and Maintenance of Shop Fabricated Storage Tanks
62-762.702	Repairs, Operation and Maintenance of Field Erected Storage Tanks
62-762.711	Recordkeeping
62-762.801	Out-of-Service and Closure Requirements for Shop Fabricated Storage Tanks
62-762.802	Out-of-Service and Closure Requirements for Field Erected Storage Tanks
62-762.901	Storage Tank Forms

PURPOSE AND EFFECT: The Division of Waste Management proposes to revise Chapter 62-762, F.A.C., Aboveground Storage Tank Systems, by revising language in several rules for clarification, updating reference guidelines to the newest editions, synchronizing release detection requirements with Chapter 62-761, F.A.C., for emergency generator owners and operators, correcting the discharge form, and adding visual inspections to the out-of-service requirements to help maintain those storage tank systems while out-of-service.

SUBJECT AREA TO BE ADDRESSED: The initial proposed rule revisions include clarifying the definition of day tank, updating reference guidelines to their current editions, and clarifying the explanation of day tank exemption in Applicability. In the Registration rule, defining account owner and specifying requirements for new account owners. Under Notifications rule, updating reference guidelines to newest editions. In the Financial Responsibility rule, updating the form dates and links. For both shop fabricated and field erected storage tank systems, updating reference guideline editions and clarifying overfill device and test result requirements. Under release detection requirements, providing shop fabricated emergency generator owners with an additional option for release detection which is in line with Chapter 62-761, F.A.C., revisions, and adding a reminder for recordkeeping requirements for testing, plus updating reference guideline editions, and recordkeeping requirements for field erected

storage tank testing. In repairs, operation and maintenance, updating reference guideline editions and specifying that shop fabricated systems and field erected systems shall be maintained while out-of-service. In recordkeeping, updating recordkeeping requirements which correspond with other sections. Under the out-of-service subsection, updating reference guideline editions and adding an annual requirement to perform visual inspections on out-of-service shop fabricated and field erected storage tanks systems while out-of-service, and in the Forms rule, correcting the Discharge Report Form.

RULEMAKING AUTHORITY: 376.303, 376.322(3) FS.
LAW IMPLEMENTED: 376.031, 376.30, 376.301, 376.303, 376.30716, 376.3077, 376.308, 376.309, 376.320, 376.321, 376.322, 376.322(3), 376.323, 403.077, 403.091, 403.141, 403.161, 403.091, 487.021 FS.

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

DATE AND TIME: Wednesday, January 26, 2022, starting at 1:00 p.m. to no later than 4:30 p.m.

PLACE: Florida DEP Douglas Building, 3900 Commonwealth Blvd., Conference Room 137, Tallahassee, Florida.

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: Kim Curran, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399. Kimberley.Curran@FloridaDEP.gov, or (850)245-8849 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: Amanda Dorsett, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399. Amanda.Dorsett@FloridaDEP.gov or (850)245-8931. The preliminary draft and forms are located on the DEP Division of Waste Management website at <https://floridadep.gov/Waste>.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-13.005 **RULE TITLE:** Continuing Education for Biennial Renewal
PURPOSE AND EFFECT: The Board is required to periodically review the information it has gathered regarding the five most misdiagnosed conditions and revise its rule to

address continuing education for the prevention of medical errors.

SUBJECT AREA TO BE ADDRESSED: To update the rule language to reduce the fees and update the five most misdiagnosed medical conditions for the purpose of medical errors continuing medical education.

RULEMAKING AUTHORITY: 456.013(6), (7), 456.031(2), 456.033, 458.309, 458.319 FS.

LAW IMPLEMENTED: 456.013(6), (7), 456.031(1)(a), 456.033, 458.319 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, Paul.Vazquez@flhealth.gov

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 STATE

Division of Corporations

RULE NO.:	RULE TITLE:
1N-7.005	Online Notary Public and RON Service Provider Required Information

PURPOSE AND EFFECT: To gather the information necessary to implement the Legislature's directive to publish on the Department's website a list containing each online notary public (RON), the RON's service provider(s) from January 1, 2022, and thereafter, the effective dates during which the RON used each service provider and any secure repositories each RON may have delegated his or her duties to.

The rule will also gather the information necessary to implement the Legislature's directive to publish on the Department's website a list containing RON service providers that have filed a self-certification form, which will be incorporated by reference into the Rule, as well as information on any secure repositories the RON service provider may have delegated its authority to from January 1, 2022, and thereafter.

SUMMARY: The rule would require online notary publics and RON service providers to provide statutorily required information to the Department. The rule implements the Legislature's directives set forth in section 117.295, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department prepared a SERC that determined there will be a minimal impact on Online Notary Processors and RON Service Providers, which will be required to provide to the Department information required by section 117.295, F.S. There is no anticipated financial impact due to the proposed rule. The proposed rule has been drafted in a manner to require only the information specified in Section 117.295, FS, with as minimal of an impact on Online Notary Publics and RON Service Providers.

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: 117.295, F.S.

LAW IMPLEMENTED: 117.245, F.S., 117.295, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jon Morris, Senior Attorney, Florida Department of State. Email: jon.morris@dos.myflorida.com. Tel: (850)245-6515.

THE FULL TEXT OF THE PROPOSED RULE IS:

1N-7.005 Online Notary Public and RON Service Provider Required Information.

(1) Online notary public

(a) Within 30 day of the effective date of this rule, a currently registered online notary public shall provide the Florida Department of State the name of the online notary public's RON service providers, the effective dates during which the online notary public used each RON service provider, and, if applicable, the name of any secured repositories to which the online notary public may have delegated his or her duties pursuant to s. 117.245(4), from January 1, 2022, and thereafter.

(b) An individual registering as an online notary public, shall provide this information at the time of his or her registration.

(c) The online notary public shall submit this information on Form Number DS-DOC-50, titled "Online Notary Public: Required Information," Effective XX/XXXX, which form is hereby incorporated by reference and is available on the Department of State's website at <https://dos.myflorida.com/sunbiz/other-services/notaries/notary-forms/>.

(d) An online notary public that changes, adds, or removes a RON service provider or secured repository from the online notary public's use shall submit to the Department within 30 days of the change an amended Form DS-DOC-50 identifying the online notary public's updated RON service providers and, if applicable, secured repositories.

(2) RON service provider

(a) Within 30 day of the effective date of this rule, and annually thereafter, a RON service provider shall provide the Florida Department of State, a self-certification form confirming that its audio-video communication technology and related processes, services software, data storage, or other services provided to online notaries public for the performance of online notarization satisfy the requirements of Chapter 117, F. S., and any rules promulgated by the Florida Department of State pursuant to s. 117.295, F. S.

(b) The RON service provider's self-certification is effective for a period of 1 year after the date the RON service provider files it with the Department.

(c) If applicable, the RON service provider shall, at the same time it files its self-certification, identify any secure repositories to which the RON service provider may have delegated its duties pursuant to s. 117.245(4), from January 1, 2022, and thereafter.

(d) The RON service provider shall submit this information on Form Number DS-DOC-51, titled "RON Service Provider: Self-Certification and Required Information," Effective XX/XXXX, which form is hereby incorporated by reference and is available on the Department of State's website at <https://dos.myflorida.com/sunbiz/other-services/notaries/notary-forms/>.

(e) A RON service provider that, pursuant to s. 117.245(4), delegates its duties to a secured repository after it has already filed its annual certification shall submit to the Department an amended Form DS-DOC-51 within 30 days after making such delegation.

(f) An entity that seeks to begin providing RON service provider functions after the effective date of this rule shall submit the information required by this section prior to providing RON service provider functions.

Rulemaking Authority 117.295 FS. Law Implemented 117.245, 117.295 FS. History – New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sean Toner, Director Division of Corporations.
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Laurel M. Lee, Secretary of State.
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 13, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: October 13, 2021.

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.: 2-5.002
RULE TITLE: Operation, Admission and Tuition for the
Florida Crime Prevention Training Institute

PURPOSE AND EFFECT: The revised rule will provide instruction for obtaining a specialized practitioner designation, provide reasons for denial of a participant’s training, and provide reasons for the revocation of a designation of a designee.

SUMMARY: The rule is being updated to provide instruction for obtaining a specialized practitioner designation, provide reasons for denial of a participant’s training, and provide reasons for the revocation of a designation of a designee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1million within five years as established in Section 120.541(2)(a)1., 2., and 3., F.S.

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: 16.54(2) FS.

LAW IMPLEMENTED: 16.54 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: Rick Nuss, Chief Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, FL 32399-1050.

THE FULL TEXT OF THE PROPOSED RULE IS:

2-5.002 Operation, Admission and Tuition for the Florida Crime Prevention Training Institute.

(1) through (4) No change.

(5) To receive a specialized practitioner ~~the~~ designation in a subject area, ~~“Crime Prevention Practitioner,”~~ a participant must receive a certificate of completion for each course as required and courses in Residential Security, Commercial Security and Basic Crime Prevention offered through the Florida Crime Prevention Training Institute. The current training courses can be found on the Florida Crime Prevention Training Institute website.

(6) A participant’s training will be denied, and a designee’s designation will be revoked if the Florida Crime Prevention Training Institution is made aware a designee is convicted of a crime and receives verification from a government agency that the participant or designee is convicted, as defined in section 775.083(1), Florida Statutes, of a felony or misdemeanor crime involving violence, the use or threat of violence, child, elderly and disabled abuse, fraud, stalking, theft, or the intent to steal.

(7) The Florida Crime Prevention Training Institution reserves the right to revoke a designation if a designee misuses the designation. Misuse is when a designee uses their designation from the Attorney General’s office to promote their personal business or to obtain customers or states or infers in any manner that the Attorney General’s office endorses the designee. (Examples of misuse are associating the Attorney General’s office with the designee’s business in advertisements, letterheads, business cards, promotional material, etc.).

Rulemaking Authority 16.54(2) FS. Law Implemented 16.54 FS. History–New 5-1-86, Amended 8-26-86, 2-8-88, 6-25-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rick Nuss, Chief Bureau of Criminal Justice Programs
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Attorney General Ashley Moody
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 1, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: December 8, 2021

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-12.0085 Delinquency Fee

PURPOSE AND EFFECT: The Board proposes a rule amendment to reduce the delinquency fee for active and inactive licenses from \$400.00 to \$200.00 through 2028 and then to \$295.00 moving forward.

SUMMARY: The proposed rule amendment reduces the amount of a statutorily mandated fee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.036(7) FS.

LAW IMPLEMENTED: 456.036(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.0085 Delinquency Fee.

If an active or inactive license is not renewed on time, the licensee shall pay a delinquency fee of ~~\$400.00~~ \$295.00, with the exception that for the 2022, 2024, 2026, and 2028 renewal cycles the fee shall be \$200.00. If a limited license is not renewed on time, the licensee shall pay a delinquency fee of \$25.00.

Rulemaking Authority 456.036(7) FS. Law Implemented 456.036(7) FS. History—New 1-7-96, Formerly 59AA-12.0085, Amended 8-8-01, 6-8-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 7, 2021

**Section III
Notice of Changes, Corrections and
Withdrawals**

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-4.002 Requirements for Licensure
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. 47 No. 194, October 6, 2021 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the Board at the public meeting held December 3, 2021, in Tampa, Florida. The rule shall now read as follows:

64B9-4.002 Requirements for Licensure.

(1) In accordance with the provisions of Section 464.012, F.S., any person who wishes to be licensed as an Advanced Practice Registered Nurse shall submit a completed Advanced Practice Registered Nurse (APRN) Application, form number DH-MQA 1124, 4/2021, hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-13335>, and Financial Responsibility, form number DH-MQA 1186, ~~12/2021~~ ~~08/2021~~, hereby incorporated by reference and available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-07539>, or from the Board office or on the Board's website: www.FloridasNursing.gov.

(2) through (3) No change.

Rulemaking Authority 456.048, 464.006, 464.012 FS. Law Implemented 456.0391, 456.048, 456.049, 456.072(1)(f), 464.012, ~~464.0123~~, 464.018(1)(b), 456.0135, 456.0635 FS. History—New 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 21O-11.23, Amended 3-19-87, 4-6-92, Formerly 21O-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, 4-5-00, 3-23-06, 6-4-09, 12-6-10, 1-3-12, 10-22-12, 1-20-14, 11-15-16, 3-14-17, 10-1-18, 3-13-19, 1-7-21, 7-29-21, _____.

The following changes have been made to incorporated form DH-MQA 1186:

- Financial Responsibility Coverage #3: the language in parentheses has been changed to read (If you choose this option you must choose one option from the exemption category below).
- Exemption Categories of Financial Responsibility Coverage #1: the word “medicine” has been removed.
- Exemption Categories of Financial Responsibility Coverage #2: the language “I hold a limited license issued pursuant to s. 456.015, F.S., and practice only under the scope of the limited license” has been removed.
- Exemption Categories of Financial Responsibility Coverage #3 and #5 (revised to #2 and #4): the word “license” has been changed to “registration.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.006 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances
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. 47 No. 101, May 25, 2021 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and

discussion and subsequent vote by the Board at the public meeting held December 3, 2021, in Tampa, Florida. A Notice of Change published for the rule in Vol. 47, No. 174, of the September 8, 2021, issue of the Florida Administrative Register. A second Notice of Change published for the rule in Vol. 47, No. 225, of the November 19, 2021, issue of the Florida Administrative Register. The rule shall now read as follows:

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees or telehealth registrants for violation of the noted statutes and rules:

(a) Procuring, attempting to procure, or renewing a license to practice nursing by bribery, by knowing misrepresentations, or through an error of the department or board. (Section 456.072(1)(h) or 464.018(1)(a), F.S.)

1. Attempting to procure or procuring initial license by bribery or knowing misrepresentations.

	MINIMUM	MAXIMUM
FIRST OFFENSE	Denial- <u>and a \$10,000 fine</u>	\$10,000 fine and denial revocation
FOR TELEHEALTH REGISTRANTS	Denial of license	Revocation

2. Attempting to renew or renewing license by bribery or knowing misrepresentations.

	MINIMUM	MAXIMUM
FIRST OFFENSE	Revocation- <u>and a \$10,000 fine</u>	\$10,000 fine and revocation
FOR TELEHEALTH REGISTRANTS	Denial of license	Revocation

3. No change.

(b) through (k) No change.

(l) Making misleading, deceptive or fraudulent representations in or related to the practice of the licensee’s profession or making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. (Section 456.072(1)(a) or (m), F.S.)

1. Making misleading or ~~deceptive~~ representations.

	MINIMUM	MAXIMUM

FIRST OFFENSE	Reprimand and \$250 fine	\$500 fine, continuing education, and probation
SECOND OFFENSE	\$700 fine and suspension	Revocation
FOR TELEHEALTH REGISTRANTS	Reprimand	Suspension with corrective action plan
FOR TELEHEALTH REGISTRANTS SECOND OFFENSE	Suspension with corrective action plan	Revocation

2. Making fraudulent representations or employing a trick or scheme.

	MINIMUM	MAXIMUM
FIRST OFFENSE	Revocation and a \$10,000 fine	\$10,000 fine and revocation
FOR TELEHEALTH REGISTRANTS FIRST OFFENSE	Revocation Letter of Concern	Revocation Reprimand
FOR TELEHEALTH REGISTRANTS	Reprimand to suspension with corrective action plan	Revocation
SECOND OFFENSE		

(m) through (l) No change.

(4) through (6) No change.

Rulemaking Authority 456.072, 456.079 FS. Law Implemented 456.072, 456.079, 464.018 FS. History—New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 210-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, 3-23-00, 5-8-00, 5-2-02, 1-12-03, 2-22-04, 8-3-05, 7-5-06, 2-6-12, 11-19-12, 2-2-17, 2-11-19, 6-11-20.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.002
 RULE TITLE: General Provisions for Taking Possession and Sale of Reptiles
 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. 47 No. 222, November 16, 2021 issue of the Florida Administrative Register.

Proposed amendment to Rule 68A-25.002 (6)(a)6. has been changed to the following:

6. No person shall take, possess, transport, or sell any diamond-backed terrapins (also referred to as diamondback terrapins, *Malaclemys terrapin*), except by permit. Permits may be issued for personal possession, exhibition and education, and scientific use. Permit issuance is in accordance with the Diamond-backed Terrapin Permit Application Guidance, effective March 1, 2022 and hereby incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Persons in possession of diamond-backed terrapins shall have 90 days from the effective date of this rule to come into compliance with the provisions of this section.

No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: 68B-45.002, 68B-45.004
 RULE TITLES: Definitions, Regulation and Prohibition of Certain Harvesting Gear
 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. 47 No. 227, November 23, 2021 issue of the Florida Administrative Register.

68B-45.002 Definitions.

As used in this rule chapter:

(1) ~~“Banana River TBRZ” means all waters of Sykes Creek south of State Road 528, and all waters of the Banana River south of Merritt Island National Wildlife Refuge and north of Banana River Daybeacon 1 (28°08.512’ N Latitude), but excluding all waters of the Canaveral Barge Canal.~~

(2) ~~“Big Bend TBRZ” means all Florida Waters that lie between a line 2.5 nautical miles inside of and parallel to the three nautical mile line, as depicted or described on NOAA nautical charts for coastal Florida waters, and a line 10 nautical~~

~~miles inside of and parallel to the three nautical mile line extending from 29°56.046' N Latitude in Franklin County to the Hernando-Paseo county line.~~

~~(1)(3) “Blue crab” means any crustacean of the species *Callinectes sapidus*, or any part thereof.~~

~~(2)(4) “Bycatch reduction device” or “BRD” means a rigid rectangular device or implement that forms the perimeter of the opening of a throat or entrance to a trap used to harvest blue crabs or peeler crabs and is intended to minimize bycatch of diamondback terrapins by limiting the size of the opening.~~

~~(5) “Charlotte Harbor TBRZ” means all inside waters of Charlotte and Lee counties east of Boca Grande Causeway and west of County Road 865 (San Carlos Boulevard), and includes Gasparilla Sound, Charlotte Harbor, Peace River, Pine Island Sound, Caloosahatchee River, and all connecting inside waters.~~

~~(6) through (12) renumbered as (3) through (9). No change.~~

~~(13) “Northeast Florida TBRZ” means all inside waters of Duval County north of State Road 105 and east of Interstate 95 and all inside waters of Nassau County east of Interstate 95 and south of the Florida-Georgia state line.~~

~~(14) through (20) renumbered as (10) through (16). No change.~~

~~(21) “Tampa Bay TBRZ” means all connecting inside waters of Tampa Bay bounded by County Road 682 in Pinellas County and State Road 684 in Manatee County.~~

~~(22) “TBRZ” means Terrapin Bycatch Reduction Zone.~~

~~(23) through (24) renumbered as (17) through (18). No change.~~

~~Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 10-4-95, Formerly 46-45.002, Amended 7-1-03, 7-15-04, 5-26-05, 10-15-07, 3-1-22.~~

68B-45.004 Regulation and Prohibition of Certain Harvesting Gear.

(1) Except as provided in subsections (2), (3), (4), (5) and (6), below, the following types of gear shall be the only types of gear allowed for the harvest of blue crab in or from state waters:

(a) Traps meeting the following specifications:

1. through 5. No change.

6. Each throat (entrance) in any trap used to harvest blue crabs shall be horizontally oriented, i.e., the width of the opening where the throat meets the vertical wall of the trap and the opening of the throat at its farthest point from the vertical wall, inside the trap, is greater than the height of any such opening. No such throat shall extend farther than 6 inches into the inside of any trap, measured from the opening where the throat meets the vertical wall of the trap to the opening of the throat at its farthest point from the vertical wall, inside the trap. Beginning March 1, 2023 ~~January 1, 2024~~, each throat or entrance in a trap used to harvest blue crabs, other than those used to harvest for commercial purposes, shall comply with

terrapin bycatch reduction requirements as provided in subsection (8).

7. No change

(2)(a) through (d) No change.

(e) Beginning March 1, 2023 ~~January 1, 2024~~, each entrance or throat in a trap used to harvest peeler crabs, other than those used to harvest for commercial purposes, shall comply with terrapin bycatch reduction requirements as provided in subsection (8).

(3) through (7) No change.

(8) Terrapin bycatch reduction requirements.

(a) Recreational harvesters. Beginning March 1, 2023 ~~January 1, 2024~~, each trap used to harvest blue crabs, other than those used to harvest for commercial purposes, must contain a bycatch reduction device that meets the specifications of paragraph ~~(8)(b)~~ ~~(8)(e)~~ installed in each entrance or throat.

~~(b) Commercial harvesters. Beginning January 1, 2024, each trap used to harvest blue crabs for commercial purposes from March 1 through October 31 each year within the following Terrapin Bycatch Reduction Zones must contain a bycatch reduction device that meets the specifications of paragraph (8)(c) installed in each entrance or throat: Banana River TBRZ, Big Bend TBRZ, Charlotte Harbor TBRZ, Northeast Florida TBRZ, and Tampa Bay TBRZ.~~

~~(b)(e) A trap shall be considered to meet the requirements of paragraph paragraphs (8)(a) or ~~(8)(b)~~ if each entrance or throat:~~

1. Contains a bycatch reduction device measuring no larger than 2 inches in height by 6 inches in width; or,

2. Is constructed completely of rigid wire such that the narrowest opening does not exceed 2 inches in height by 6 inches in width.

(9) through (11) no change.

~~Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-14-93, Amended 6-1-94, 1-1-95, 10-4-95, 9-30-96, 1-1-98, 6-1-99, Formerly 46-45.004, Amended 2-28-02, 10-21-04, 3-1-05, 3-30-06, 9-21-06, 10-15-07, 1-26-11, 6-19-13, 1-1-20, 3-1-22.~~

**Section IV
Emergency Rules**

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 21, 2021, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for paragraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from ANGELLUNCH Y MAS INC located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

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

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on December 16, 2021, the Board of Accountancy, received a petition for variance or waiver filed by Ivan Rotger. Petitioner seeks a permanent variance or waiver of paragraph 61H1-28.0052(1)(b), F.A.C., regarding the timeframes with respect to the CPA Examination, which requires that candidates must pass all four sections of the CPA Examination within a rolling eighteen-month period. Petitioner is seeking a permanent waiver to extend the eighteen-month period. Comments on this petition should be filed with

the Board of Accountancy within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloridalicense.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Florida Coordinating Council on Mosquito Control announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2022, 9:00 a.m.

PLACE: Anastasia Mosquito Control District, 120 EOC Drive, St. Augustine, FL 32092

And <https://global.gotomeeting.com/join/208877909>

You can also dial in using your phone. United States: (571)317-3122, Access Code: 208-877-909

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the council.

A copy of the agenda may be obtained by contacting: Lisa L. Brown, Coordinator, Lisa.Brown8@FDACS.gov, (850)617-7945.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, January 11, 2021, 10:00 a.m.

PLACE: This is a meeting conducted by means of communications media technology via Microsoft Teams at <https://bit.ly/3B0mebm>. An additional telephone connection is available at (786)749-6127 conference code 290-945-035#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Environmental Advisory Committee Meeting. To discuss committee business. All or part of this meeting may be conducted by means of communications media technology to permit maximum participation of committee members. Additional instructions regarding viewing of and participation in the meeting are available at WaterMatters.org or by calling 1(800)423-1476 and requesting assistance.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 2379 Broad St., Brooksville, FL 34604-6899, telephone (352)796-7211 or 1(800)423-1476 (FL only), ext. 4747, or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Barbara.Matrone@WaterMatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x4605 EXE0816.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, January 25, 2022, 9:00 a.m.

PLACE: SWFWMD, 7601 US 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4747, TDD (FL only) 1(800)231-6103, or email to ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Lori.Manuel@WaterMatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x4606 (Ad Order)EXE0817.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Wednesday, January 26, 2022, 2:00 p.m.

PLACE: This is a meeting conducted by means of communications media technology (CMT). Register in advance for this Zoom webinar at https://us06web.zoom.us/webinar/register/WN_ArHt4S7FSC-7u-t_cO6Ng.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Steering Committee Meeting. To discuss committee business. Additional instructions regarding viewing of and participation in the meeting are available on the District’s website at WaterMatters.org or by calling 1(800)423-1476 and requesting assistance.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 2379 Broad St., Brooksville, FL 34604-6899, telephone (352)796-7211 or 1(800)423-1476 (FL only), ext. 4747, or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lauren.Vossler@WaterMatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x4400 EXE0818.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

The Board Of Professional Geologists announces a public meeting to which all persons are invited.

DATE AND TIME: January 19-20, 2022, 9:00 a.m.

PLACE: Pensacola, FL- TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting

A copy of the agenda may be obtained by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. 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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 4, 2022, 9:00 a.m. – 12:30 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission South B Regional Law Enforcement Office, 3200 NE 151st St., North Miami, FL 33181 and online at <https://register.gotowebinar.com/register/4238473708790738960>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Biscayne Bay Commission is tasked with convening federal, state and regional stakeholders to strengthen ongoing efforts to protect the bay. The commission’s first order of business will be to elect a chair and to review and consolidate existing programs and projects into a strategic plan for bay improvement. Members of the public are invited to participate and provide public comment. The public will have an opportunity to view and participate in the commission meeting in person or by utilizing the following link <https://register.gotowebinar.com/register/4238473708790738960>. This link can also be found on the department’s website at <https://protectingfloridatogether.gov/BiscayneBayCommission>. The electronic participation version of the meeting will become available at approximately 9:00 a.m. on January 4, 2022.

A copy of the agenda may be obtained by contacting: <https://protectingfloridatogether.gov/BiscayneBayCommission>

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: Jamie Monty, Florida Department of Environmental Protection, 1277 NE 79th St., Miami, Florida 33138, BBCommission@FloridaDEP.gov, (786)295-5357. 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: Jamie Monty at BBCommission@FloridaDEP.gov or (786)295-5357.

FISH AND WILDLIFE CONSERVATION COMMISSION

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

DATE AND TIME: January 5, 2022, 9:00 a.m.

PLACE: Teleconference only. Dial: (712)770-5108 and use participant access code 166264.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Discussion of FY 2021 State Wildlife Grants project proposals. A copy of the agenda may be obtained by contacting: Andrea Alden, Fish and Wildlife Conservation Commission, Grants and Budget Administrator at (850)617-9558.

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: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Alden, Fish and Wildlife Conservation Commission, Grants and Budget Administrator at (850)617-9558.

HIGHER EDUCATIONAL FACILITIES FINANCING AUTHORITY

The The Florida Higher Educational Facilities Financing Authority announces a public meeting and hearing to which all persons are invited. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 4, 2022, 11:00 a.m. – 12:00 Noon

PLACE: The Offices of: The Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, and by teleconference at (800) 719.7514, Conference Code 596984

GENERAL SUBJECT MATTER TO BE CONSIDERED: (A) Consideration of the application of Barry University (the “Applicant”) for the issuance of bonds by the Authority for the purpose of refinancing of Applicant’s outstanding debt incurred to finance the cost of improvements to the higher educational facilities of the Applicant and the financing of up to \$6 million of improvements to Applicant’s campuses located in Miami Shores (Miami-Dade County) and Orlando (Orange County), Florida. The financing is expected to be structured with up to three series of bonds:

(1) The proposed Series 2022A Bonds in an amount of approximately \$30,000,000, which will be used to: a) refinance the Applicant’s obligations with respect to the existing Series 2011 Bonds issued through the Pinellas County Educational Facilities Authority that financed the cost of improvements to the Applicants higher educational facilities and b) finance new capital expenditures up to \$6 million,

(2) the proposed Series 2022B Bonds in an amount of approximately \$5,000,000, which will be used to refinance applicant’s 2021 Taxable Loan, the proceeds of which were used to refund applicant’s obligations with respect to prior bonded indebtedness that financed the cost of improvements to the Applicant’s higher educational facilities, and

(3) the proposed Series 2022C Bonds in an amount of approximately \$22,000,000, which will be forward-delivery bonds, will be used to refinance Applicant’s obligations with respect to existing Series 2012 Bonds issued through the Pinellas County Educational Facilities Authority that financed the cost of improvements to the Applicant’s higher educational facilities.

(4) Proceeds of the financing will also be used to fund transaction costs and pay the costs of issuance of the Bonds.

(B) Conduct a public hearing to receive comments from the public on the proposed issuance by the Authority of its revenue bonds in the aggregate principal amount of not to exceed \$65,000,000 to finance and refinance the cost of higher education facilities for Barry University as further detailed in a separate public hearing notice.

(C) Consideration of a resolution of the Authority expressing its intent and preliminary approval to issue bonds of the Authority of the purposes described above in one or more series in a maximum aggregate principal amount of \$65,000,000.

(D) Any other matters that may come before the Authority.

A copy of the agenda may be obtained by contacting: Danie Griffin-Turner, Higher Educational Facilities Financing Authority, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188 x 201.

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: Danie Griffin-Turner, Higher Educational Facilities Financing Authority, 542 East Park Avenue, Tallahassee, Florida 32301, (850) 681-3188 x201. 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: Danie Griffin-Turner, Higher Educational Facilities Financing Authority, 542 East Park Avenue, Tallahassee, Florida 32301, (850) 681-3188 x201.

ENTERPRISE FLORIDA, INC.

The Florida Opportunity Fund announces a public meeting to which all persons are invited.

DATE AND TIME: December 28, 2021, 3:30 p.m.

PLACE: Virtual - https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTVmOWQ3MDEtODU3Ny00YTQ4LWI0NWQtOTBIMmUxZWRIYzg1%40thread.v2/0?context=%7b%22id%22%3a%228310dbd9-35bb-4e22-8978-e59703aec4bb%22%2c%22oid%22%3a%22b056fa17-d297-4757-beee-78fec688ff94%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General administrative matters

A copy of the agenda may be obtained by contacting: Lorna Dusti at (407)956-5651.

For more information, you may contact: Lorna Dusti at (407)956-5651.

QCAUSA

The Florida Department of Transportation, District 7 announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2022, 6:00 p.m. – 8:00 p.m.

PLACE: In-Person - C. Blythe Andrews Jr. Public Library, 2607 E. Dr. Martin Luther King Jr. Boulevard, Tampa, FL 33610

Virtually - <https://register.gotowebinar.com/register/7199472816151689996>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Seven invites you to attend and participate in a public information open house for the two projects listed above. The I-275 Capacity Improvement Project is currently in construction and extends along I-275 from north of I-4 to north of Hillsborough Avenue. The Downtown Tampa Interchange (I-275/I-4) Safety and Operational Improvement Project is anticipated to begin

construction in 2023. Both projects are in Hillsborough County, Florida.

The I-275 Capacity Improvements Project includes adding one lane in each direction on I-275 from north of I-4 to north of Hillsborough Avenue (US 92). Other improvements include constructing noise barrier walls along most of the corridor, installing Intelligent Transportation System (ITS) devices, and enhancing the underpasses at Floribraska Ave., Lake Ave., Dr. Martin Luther King Jr. Blvd., Chelsea St., Osborne Ave., and Hillsborough Ave. to provide wider sidewalks and upgraded underdeck lighting. All improvements are being completed within the existing right-of-way.

The Downtown Tampa Interchange Safety and Operational Improvements Project includes:

- Widening the southbound I-275 to eastbound I-4 flyover ramp to two lanes
- Modifying the exit ramp to Ybor City/East Tampa from 21st/22nd Streets to 14th/15th Streets
- Widening the westbound I-4 to northbound I-275 ramp from one to two lanes
- Widening the westbound I-4 to southbound I-275 exit from two to three lanes
- Providing trail connections to local networks and adjacent communities

The meeting will be held at an in-person location with an option to attend online. FDOT staff will be available to answer questions in-person and virtually via the online chat.

I-275 Capacity Improvements Project from north of I-4 to north of US 92 (Financial Project Numbers: 431821-2-52-01, 443770-1-52-01)

Downtown Tampa Interchange (I-275/I-4) Safety and Operational Improvements Project (Financial Project Numbers: 445057-1-52-01, 445056-1-52-01, 445056-2-52-01)

A copy of the agenda may be obtained by contacting: Mary Lou Godfrey, P.E., Tampa Bay Next Program Manager, FDOT by email MaryLou.Godfrey@dot.state.fl.us or by phone at 1(813)975-6621.

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 Seven(7) days before the workshop/meeting by contacting: Jensen Hackett, FDOT Title VI Coordinator, at 1(813)975-6283 or 1(800)226-7220, or Jensen.Hackett@dot.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: Mary Lou Godfrey, P.E., Tampa Bay Next Program Manager, FDOT by email MaryLou.Godfrey@dot.state.fl.us or by phone at 1(813)975-6621.

THE CORRADINO GROUP, INC.

The Florida Department of Transportation (FDOT) District Four announces a public meeting to which all persons are invited.

DATES AND TIMES: The In-Person Construction Open House, Wednesday, January 5, 2022, 6:00 p.m. – 7:00 p.m.; The Virtual Public Meeting, Thursday, January 6, 2022, 5:30 p.m. – 6:30 p.m.

PLACE: The in-person construction open house will be held at the Hollywood Beach Culture & Community Center located at 1301 S Ocean Drive, Hollywood, FL 33019

Please use the following link to register: tinyurl.com/SheridanStBridgeVPM or (914)614-3221, Access Code: 134-701-586 to join the meeting (your line will be muted).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 441462-1-52-01

Project Description: SR 822/Sheridan Street over the Intracoastal Waterway, Broward County.

Project improvements include the following:

- Installing bicycle-friendly / anti-slip walking plates along the moveable spans
- Removing existing curb and adding a 4-foot traffic railing between the sidewalk and roadway
- Removing and replacing the outer pedestrian railing
- Adding new pedestrian gates in each direction
- Renovating the existing tender house
- Upgrading electrical and mechanical components, and access platforms on the bridge

Construction will begin January 22, 2022 and is estimated to be completed in Late 2022. The estimated construction cost is \$12,200,214.

The in-person Construction Open House will have project representatives available to answer questions and provide assistance at any time during the meeting.

The Virtual Public Meeting will consist of a brief presentation followed by a question & answer segment and comments from 5:30 p.m. – 6:00 p.m., and again from 6:00 p.m. – 6:30 p.m. Project staff will be available to answer questions and provide assistance. Questions will be answered as time allows and, in the order received. If your question is not addressed during the event, a response will be provided in writing following the Virtual Public Meeting. If you are not able to join the Virtual Public Meeting, a recording will be posted at: <https://d4fdot.com/bcfdot/>.

A copy of the agenda may be obtained by contacting: Mr. Tyler Furrey, FDOT Project Manager, at (954)958-7681 or by email at tyler.furrey@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 14 days before the workshop/meeting by contacting: Mr. Tyler Furrey, FDOT Project Manager, at (954)958-7681 or by email at tyler.furrey@dot.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: Rebecca Guerrero, Community Outreach Specialist, at (954)940-7605 or by email at rguerrero@corradino.com.

THE CORRADINO GROUP, INC.

The Florida Department of Transportation (FDOT) District Four announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 4, 2022, 5:00 p.m. – 7:00 p.m.

PLACE: Coral Springs City Hall, Everglades Room, 9500 W. Sample Road, Coral Springs, FL 33065 or use the following link to register for the online session: <https://fdot.cc/SR817-University-Dr-Mobility>. Participants may also join the meeting by dialing: 1(866)952-8437, Access code: 493-332-959.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 432066-7-52-01 & 432066-7-52-02

Project Description: State Road (SR) 817/University Drive Mobility Improvement Project in Broward County, FL.

The project improvements consist of widening southbound SR 817/University Drive from NW 32nd Street to SR 834/Sample Road to construct a bus bay and dedicated right-turn lane at NE 32nd Street. Additional improvements include upgrading pavement markings to designate 4-foot and 7-foot bicycle lanes in each direction along the corridor.

Construction will begin in January 2022 and is estimated to be completed in Fall 2022. The estimated construction cost is \$3.5 million.

The Construction Open House will be held virtually and in person. The online session will be held from 5:00 p.m. – 6:00 p.m. with a brief presentation followed by questions and comments from the public. Please use the following link to register: <https://fdot.cc/SR817-University-Dr-Mobility>. Participants may also join the online meeting by dialing: 1(866)952-8437, Access code: 493-332-959. The in-person session will be held from 6:00 p.m. – 7:00 p.m. and will have an informal open house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Yaser Santos, P.E., FDOT Project Manager, at (954)495-5259 or by email at yaser.santos@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Yaser Santos, P.E., FDOT Project Manager, at (954) 495-5259 or by email at yaser.santos@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: Yaser Santos, P.E., FDOT Project Manager, at (954)495-5259 or by email at yaser.santos@dot.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: Rebecca Guerrero, Community Outreach Specialist, at (954)940-7605 or by email at RGuerrero@CORRADINO.com

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that Florida Real Estate Commission has received the petition for declaratory statement from Key West Association of Realtors. The petition seeks the agency's opinion as to the applicability of paragraphs 475.42(1)(a), 475.278, 475.01(1)(a), (i), and (I) Florida Statutes, as it applies to the petitioner.

Petitioner's petition, filed on December 16, 2021, asks, two questions 1) "When the vessel which is subject to a leasehold with Garrison Bight is sold, {and} the lease is tied to the sales transaction, but the listing agent for the vessel owner does not represent Garrison Bight (leasehold owner). Does this scenario fall under a real estate license, or is this considered only the sale of a vessel and therefore under a separate licensing category? 2) Is it legal to sell a leasehold versus selling the actual unit that sits atop the parcel of land which is leased?" Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by First-Citizens Bank

& Trust Company on September 23, 2021. The following is a summary of the agency's disposition of the petition: On 12/20/2021, a Final order on the Petition was issued. The Office determined that Petitioner's proposed activities for its Trust Company, as described in the Petition, do not constitute activities prohibited by section 660.41, Florida Statutes; and Petitioner's proposed activities for its Trust Company, as described in the Petition, do not constitute "trust business" as defined by subsection 658.12(20), Florida Statutes, which would require a Florida trust company charter pursuant to subsection 658.16(1), Florida Statutes.. *****The original petition was published September 27, 2021 in the Florida Administrative Register Volume 47, Number 187. Petitioner sought a declaratory statement from the Office on whether in the absence of a physical office in Florida, its contemplated activities (providing trust services relating to non-Florida trusts to Florida residents from outside of the State and marketing its services to unaffiliated third parties such as registered investment advisers and broker-dealer firms who would in turn refer their customers to the non-depository trust company) constitute prohibited fiduciary functions under Section 660.41, Florida Statutes, and whether the activities would require a Florida trust company charter pursuant to Chapter 658, Florida Statutes.

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

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

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Florida International University

FIU-BT-931 Remodeling/Renovation of CASE Building-CM
 The Florida International University Board of Trustees announces that Construction Management (CM) services are required for the project identified below:

Project Name and Number: Remodeling/Renovation of CASE Building, BT-931

Project Location: Modesto A. Maidique Campus (MMC), Miami, Florida

Project Description:

The 30-year-old 61,783 square foot Computing, Arts, Science and Education (CASE) building consists of 7 classrooms, 7 teaching labs, 61 research labs and 144 offices. Recent assessment reports indicate that repair and replacement of deteriorated building enclosure components, windows, doors, and louvers are critically needed. Replacement of the deteriorating central air conditioning system is crucial in order maintain a healthy indoor environment and control energy costs. Replacement of the building's emergency generator system is required so that telecommunications equipment housed in the CASE building and feeding the nearby University Police and Emergency Operation Center can be maintained during and after a hurricane.

On May 1, 2018, building envelope specialists conducted an on-site interior and exterior assessment of the building envelope. The assessment included a thorough visual inspection, as well as infrared thermography by a Level 1 certified Thermographer, to evaluate and determine pathways of both water and air across/through the various envelopes' barriers. Additional

evaluations were done to assess energy loss and moisture issues inside the building.

In addition to the on-site inspection, the specialists reviewed building construction and building performance issues with facility management to understand current conditions and priority needs. An analysis of historical energy costs was also completed to determine how the condition of the building envelope affected energy consumption. Potential financial saving projections associated with air sealing to assess the project's potential economic benefit were also undertaken.

The visual inspection of the exterior surfaces found many opportunities to improve the exterior building envelope's ability to reduce water infiltration. Panel joint caulking, window glazing and perimeter caulking, sealing of butt joints, exterior painting, sealing soffit vents caulking fluted panel perimeters, application of penetrating sealer to pre-cast and brick surfaces, as well as exterior metal painting are all required to keep moisture out.

On-site testing and analysis of the historical energy consumption also indicated additional opportunities to improve the interior air quality, occupant comfort and energy use through decrease permeability of the building air barrier systems. The inspection of the building revealed gaps, cracks and holes in the building envelope totaling 19.5 SF.

NOTE: Applicants are hereby notified that in the event the University is unable to secure full funding, the University intends to proceed only with design and construction of fully funded project components, if any.

INSTRUCTIONS:

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Construction Manager Qualifications Supplement (CMQS) form. Proposals must not exceed 80 pages, including the CMQS and letter of application. Pages must be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal material will be returned.

Submit Seven (7) bound copies of the required proposal data and one electronic copy of the complete proposal in Adobe Acrobat PDF format of the above requested data bound in the order listed. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent. The award of this contract is subject to availability of funds.

The Construction Manager Qualifications Supplement (CMQS) form and the Project Fact Sheet, which describes the selection process schedule for this Project and additional information regarding the Project scope, may be obtained from the website

<https://facilities.fiu.edu/projects/BT-931.htm>. Applications on any other form will not be considered. Requests for meetings by individual firms will not be granted. Once the firm acquires the required forms, questions may be directed to Facilities Planning at (305)348-4090 or via email to griffith@fiu.edu cc: angpaz@fiu.edu.

GENERAL REQUIREMENTS: All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application.

As required by Section 287.133, Florida Statutes, a person, or affiliate may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO in connection with this project for a period of 36 months following the date of their being placed on the convicted vendor list.

Pursuant to §448.095, Fla. Stat., the selected consultant will have to certify that it is registered with and uses the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the consultant during the term of its contract with FIU. If the consultant enters into a contract with a subcontractor to perform work or provide services pursuant to its contract with FIU, the consultant shall likewise require the subcontractor to comply with the requirements of §448.095, Fla. Stat., and the subcontractor shall provide to the consultant an affidavit stating that the subcontractor does not employ, contract with or subcontract with an unauthorized alien. The consultant shall maintain a copy of such affidavit for the duration of its Contract with FIU. This section serves as notice to the consultant regarding the requirements of §448.095, Fla. Stat., and FIU's obligation to terminate the contract if it has a good faith belief that the consultant has knowingly violated §448.095, Fla. Stat. If terminated for such reason, the consultant will not be eligible for award of a public contract for at least one year after the date of such termination. Further, FIU has an obligation to order the immediate termination of any contract between the consultant and a subcontractor performing work on its behalf should FIU develop a good faith belief that the subcontractor has knowingly violated §448.095, Fla. Stat. FIU reserves the right to request documentation from the consultant evidencing its compliance with §448.095, Fla. Stat. at any time during the term of the contract.

All applicants should review Section 448.095, Fla. Stat. carefully.

FIU HAS CREATED STANDARD CONTRACT FORMS, GENERAL TERMS AND CONDITIONS OF THE CONTRACT FOR CONSTRUCTION AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO CM SERVICES TO PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW, AND CAN BE FOUND AT <http://facilities.fiu.edu/formsandstandards.htm>

ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.

SUBMIT QUALIFICATIONS TO: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, 11555 S.W. 17th St., Room #142, Modesto A. Maidique Campus, Miami, Florida 33199. Submittals must be received between 8:30 a.m. – 12:30 p.m. or 1:30 p.m. – 4:00 p.m. local time, Friday, January 28, 2022. Submittals will not be accepted before or after the times and date stated above. Facsimile (FAX) submittals are not acceptable and will not be considered.

3rd party commercial couriers must abide by these instructions, no exceptions. In all cases, the firm will be held responsible for proof of on time delivery to the CSC building by retaining a time stamped delivery receipt provided by FIU Planning staff.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

BDC22-21/22 Invitation to Bid

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC22-21/22, Stephen Foster Folk Culture Center State Park - Canoe Launch Renovation. More info @ tinyurl.com/yeyk6dnb.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

BDC23-21/22 Invitation to Bid

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC23-21/22, Big Lagoon State Park – Building & Structure Repair. More info @ tinyurl.com/2p99dtfw.

VISIT FLORIDA

VISIT FLORIDA

VISIT FLORIDA is accepting proposals from a qualified vendor for public relations and travel trade representation in the markets of Argentina, Brazil, Chile, Colombia, Ecuador,

Mexico, and Peru. The RFP may be reviewed here: <https://www.visitflorida.org/work-together/submit-a-proposal/rfps-itns/>.

Questions are due: January 7, 2022, 5:00 p.m. ET
 Responses to questions will be posted on January 14, 2022, 5:00 p.m. ET here: <https://visitflorida.box.com/s/ir93gauabess5w8lf57dvvgp6p48x419>

Response Deadline: January 31, 2022, by 5:00 p.m. ET
 Responses/Proposals must be submitted online to be considered. Proposals may be submitted here: <https://visitflorida.app.box.com/f/9e7ad77d905a4d1284536cd012dcd84>.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, December 15, 2021 and 3:00 p.m., Tuesday, December 21, 2021.

Rule No.	File Date	Effective Date
1-1.013	12/16/2021	1/5/2022
2A-2.2003	12/20/221	1/9/2022
61-6.009	12/20/2021	1/9/2022
61H1-20.0093	12/15/2021	1/4/2022
61H1-28.0011	12/15/2021	1/4/2022
61G5-29.001	12/21/2021	1/10/2022
61J1-4.001	12/15/2021	1/4/2022
61J1-4.003	12/15/2021	1/4/2022
61J1-4.008	12/15/2021	1/4/2022
62-41.302	12/16/2021	1/5/2022
64D-3.049	12/15/2021	1/4/2022
64WER21-20	12/15/2021	12/15/2021
65A-1.603	12/20/2021	1/9/2022
65C-20.008	12/20/2021	1/9/2022
65C-20.012	12/20/2021	1/9/2022
65C-22.001	12/20/2021	1/9/2022

65C-22.008	12/20/2021	1/9/2022
65C-22.010	12/20/2021	1/9/2022
65C-29.003	12/20/2021	1/9/2022
69A-37.056	12/15/2021	1/4/2022
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
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	10/22/2021	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Performance Motors USA, Inc., dba Mazda of Port Charlotte, line-make MAZD

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Mazda Motor of America Inc., dba Mazda North American Operations intends to allow the establishment of Performance Motors USA, Inc., dba Mazda of Port Charlotte as a dealership for the sale of automobiles manufactured by Mazda (line-make MAZD) at 798 Tamiami Trail, Port Charlotte, (Charlotte County), Florida 33953, on or after January 21, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Performance Motors USA, Inc., are dealer operator(s): Andrew Bernard, 11541 Renaissance Boulevard, Venice, Florida 34293, principal investor(s): Andrew Bernard,

11541 Renaissance Boulevard, Venice, Florida 34293, Stan Bernard Auto, Ltd, 1469 Youville Drive, Orleans, Ontario.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Chris Crawford, Mazda Motor of America Inc., 200 Spectrum Center Drive Suite 100, Irvine, California 92618.

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

PUBLIC SERVICE COMMISSION

Docket 20210187-GU - Notice of Securities Application
FAR NOTICE OF SECURITIES APPLICATION

The Florida Public Service Commission will consider at its January 11, 2022 Agenda Conference, Docket No. 20210187-GU, Application for authorization to issue common stock, preferred stock and secured and/or unsecured debt, and to enter into agreements for interest rate swap products, equity products and other financial derivatives in 2022, by Chesapeake Utilities Corporation. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue securities.

DATE AND TIME: Tuesday, January 11, 2022. The Agenda Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301.

PURPOSE: To take final action in Docket No. 20210187-GU, Application for authorization to issue common stock, preferred stock and secured and/or unsecured debt, and to enter into agreements for interest rate swap products, equity products and other financial derivatives in 2022, by Chesapeake Utilities Corporation.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this

proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152. Any parties who have questions about the docket should contact Senior Attorney Ryan Sandy, Office of General Counsel at (850)413-6856.

EMERGENCY CANCELLATION OF CONFERENCE

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid
 State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment updates language regarding Non-Emergency Transportation as directed by the Consolidated Appropriations Act 2021. This amendment to the State Plan will have no federal fiscal impact for federal fiscal year (FFY) 2021-22 or FFY 22-23. The effective date for this amendment will be December 27, 2021.

Interested parties may contact the following staff for further information:

Cole Giering, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, by telephone at: (850)412-4691 or by e-mail at: Cole.Giering@ahca.myflorida.com.

**VISIT FLORIDA
 VISIT FLORIDA**

VISIT FLORIDA is accepting proposals from a qualified vendor for domestic travel trade representation services. The RFP may be reviewed here: <https://www.visitflorida.org/work-together/submit-a-proposal/rfps-itns/>.

Questions are due: January 7, 2022, 5:00 p.m. ET
 Responses to questions will be posted on: January 14, 2022, 5:00 p.m. ET here: <https://visitflorida.box.com/s/5ftxqbb41k53mqgn7228fiew5wmbvren>

Response Deadline: January 31, 2022, by 5:00 p.m. ET
 Responses/Proposals must be submitted online to be considered. Proposals may be submitted here: <https://visitflorida.app.box.com/f/6fbc61977e574d9ab1e868f58003e6a4>

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
