

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-769.800
RULE TITLE: Abandoned Tank Restoration Program
PURPOSE AND EFFECT: The purpose of the proposed rule is to reduce the deductible amount for the Abandoned Tank Restoration Program (ATRP) from \$500.00 to \$0.00 thereby reducing the participant's costs in participating in the ATRP (or their costs in applying for a waiver of the deductible) and the Department's costs in collecting the deductible. In addition, the Department proposes to adopt application and certification forms and remove ATRP language available in statute.

SUBJECT AREA TO BE ADDRESSED: Remove ATRP eligibility language contained in statutes, reduce the deductible, and adopt ATRP application and certification forms.

RULEMAKING AUTHORITY: 373.303, FS.

LAW IMPLEMENTED: 376.305, FS.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 7, 2020 at 10:00 AM

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, 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: Monica J. Brady, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399. Monica.J.Brady@FloridaDEP.gov or (850)245-8844. 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: <https://floridadep.gov/waste> or by contacting Monica J. Brady, Department of Environmental Protection, Petroleum Restoration Program, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8844.

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 CORRECTIONS

RULE NO.: 33-601.602
RULE TITLE: Community Release Programs
PURPOSE AND EFFECT: To clarify and update the Department's rule related to community release programs.

SUMMARY: Rulemaking is necessary to remove all references to the Transition Program and the Community-based Therapeutic Program, to reorganize definitions, to make the rule gender neutral, to clarify the rule, to add hyperlinks to incorporated materials, and to amend Forms DC6-118A and DC6-2075.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), F.S.

Any person who wishes to provide information regarding the 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.

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: 944.09, 944.105, 945.091, 946.002, 958.09 FS.

LAW IMPLEMENTED: 944.091, 946.002, 958.09 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: Paul A. Vazquez, Assistant General

Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.602 Community Release Programs.

(1) Definitions.

(a) No change.

(b) Center Work Assignment (CWA) – The portion of the community release program for inmates that allows ~~which allow~~ placement at a community release center to assist with the maintenance, food service duties, or assignment to ~~on~~ outside work squads while confined at the facility.

~~(c) Community Release Center – A correctional or contracted facility that houses community custody inmates participating in a community release program.~~

~~(d)(e) Community Release Program – Any program that allows inmates to work at paid employment or at a center work assignment, and or to participate in education, training, substance abuse treatment programs, or any other transitional program to facilitate re-entry into the community while in a community release center.~~

~~(e) Community Study Release – The portion of the community release program that allows inmates to attend an educational or vocational facility or participate in a training program in the community while continuing as inmates of the facility where they are confined.~~

~~(f)(d) Community Work Release (CWR) – The portion of the community release program that allows inmates to work at paid employment in the community while continuing as inmates of the facility where they are confined.~~

~~(e) Community Study Release – The portion of the community release program that allows inmates to attend an educational or vocational facility or participate in a training program in the community while continuing as inmates of the facility where they are confined.~~

~~(f) Community based Therapeutic Program (CTP) – The portion of the community release program for inmates that provides transitional services which includes substance abuse treatment, educational/vocational services, and self betterment programs, while in the community, in lieu of placement into community work release (CWR) or center work assignment (CWA).~~

(g) through (k) No change.

~~(l) Transition Program (PWR) – The portion of the community release program for inmates that provides transitional services which includes substance abuse treatment, educational/vocational services, and self betterment programs, while in the community prior to placement into CWR or CWA.~~

~~(1)(m) State Classification Office (SCO) – The office or office staff at the central office level that is responsible for the~~

review of inmate classification decisions. Duties include approving, disapproving, or modifying ICT recommendations.

~~(n) Community Release Center – A correctional or contracted facility that houses community custody inmates participating in a community release program.~~

~~(m)(o) Work Release Inmate Monitoring System (WRIMS) – A web site application used by contract community release facility staff to record information related to an inmate’s participation in a community release program.~~

(2) Eligibility and Ineligibility Criteria.

(a) Participation in a community release program is a privilege, not a guaranteed right of the inmate. Participation in CWR and CWA is voluntary and the inmate has a right to refuse participation once without adverse actions and may be considered for return participation in CWR or CWA. ~~Placement in PWR and CTP is not voluntary and refusal to participate subjects the inmate to removal and/or disciplinary action in accordance with Rule 33-601.314, F.A.C.~~

(b) An inmate is ineligible for any community release program if he or she has:

1. through 13. No change.

(c) In addition to the above, an inmate is ineligible to be considered for CWR or CWA ~~community work release (CWR) or, center work assignment (CWA), or transition (PWR)~~ participation if he or she has:

1. Been terminated from CWR or, a CWA, or a PWR for disciplinary reasons during the inmate’s current commitment, unless extenuating circumstances exist;

2. No change.

3. Been found guilty of a disciplinary report and received disciplinary confinement as a result of the infraction, in the 60 days prior to placement in CWR or, CWA, or PWR;

4. The inmate was designated as a Mandatory Program Participation inmate (MPP-Y) and refused to complete or has an unsatisfactory removal from a substance abuse program that the inmate was required to complete at any point during his or her current period of incarceration, ~~incarceration~~ unless the refusal was based upon objections to the religious based content of the program, in which case an alternate non-deity based program will be offered and must be successfully completed. The removal of an inmate from a program for violation of program or institutional rules or for behavioral management problems constitutes an unsatisfactory removal from a program. The inmate shall remain ineligible until a comparable program is satisfactorily completed, ~~completed~~;

(d) In order to be eligible for consideration for placement in a community release program, an inmate must:

1. through 3. No change.

4. For inmates with non-advanceable dates, the inmate must be within:

a. ~~28 months of his earliest release date~~ PWR, or

~~a.b.~~ 19 months of his or her earliest release date for CWA, or

~~b.e.~~ 14 months of his or her earliest release date for CWR; ~~CWR.~~

5. For inmates who do not have non-advanceable dates, the inmate must be within:

~~a.~~ 36 months of his earliest release date for PWR, or

~~a.b.~~ 28 months of his or her earliest release date for CWA, or

~~b.e.~~ 19 months of his or her earliest release date for CWR; ~~CWR.~~

6. An inmate whose current commitment includes DUI-BUI Manslaughter, 4th DUI-BUI, Felony DUI-BUI, or DUI-BUI with Serious Injury must have successfully completed substance abuse treatment during the current commitment prior to being considered for CWA or CWR placement; and placement.

7. Additional eligibility criteria for placement in CTP:

~~a.~~ The inmate has no less than 6 months or more than 12 months left to serve;

~~b.~~ Been terminated from CWR, CWA, or PWR for non-violent/non-aggressive disciplinary reasons during the inmate's current commitment;

~~c.~~ Been terminated from CWR, CWA, or PWR for possession, use, introduction of any controlled substance, alcohol, or aromatic substance;

~~d.~~ An inmate is eligible for placement in CTP regardless of the number of commitments;

~~e.~~ An inmate is eligible for CTP placement even if he has been found guilty of any non-violent/non-aggressive disciplinary report in the 60 days prior to placement;

~~f.~~ The inmate was designated as a Mandatory Program Participation inmate (MPP-Y) and refused to complete, has an unsatisfactory removal from a substance abuse program that the inmate was required to complete at any point during his current period of incarceration unless the refusal was based upon objections to the religious-based content of the program, in which case an alternate non-deity-based program will be offered and must be successfully completed, or has not had an opportunity to participate in a substance abuse program. The removal of an inmate from a program for violation of program or institutional rules or for behavioral management problems constitutes an unsatisfactory removal from a program;

~~g.~~ An inmate whose current commitment includes DUI-BUI manslaughter, 4th DUI BUI, Felony DUI BUI, or DUI-BUI with Serious Injury, has not completed substance abuse treatment during the current commitment and falls within the timeframe listed in sub-subparagraph (2)(d)7.a. of this rule.

8. The Secretary of the Department or his designee, who for the purpose of this subparagraph shall be the Assistant Secretary for Institutions, shall have the authority to place an

~~inmate who is in community custody at a community release center regardless of time constraints for the purpose of participating in a specialized work detail or program.~~

(e) No change.

(f) The Secretary of the Department or his or her designee, who for the purpose of this paragraph shall be the Assistant Secretary for Institutions, shall have the authority to place an inmate who is in community custody at a community release center regardless of time constraints for the purpose of participating in a specialized work detail or program.

~~(g)(f)~~ Community release placements will be made to ensure inmates are housed and managed to promote ~~correctly~~ ~~for~~ public safety or the safety of specific individuals.

(3) Placement of Work Release Inmates.

(a) If an inmate is approved for community release program participation, the SCO shall approve the appropriate transfer with consideration to the requested locations and shall facilitate the inmate's transfer to the approved location.

(b) If the location requested has no bed capacity to accept the inmate, the inmate will be placed on a waiting list for the next available bed.

(c) Any change to the facility assignment or diversion to another community release program facility must be approved by the SCO. This review will determine that the inmate's needs can be served adequately at a different community release center.

(d) Inmates who are diverted to a community release center which they did not request due to lack of bed space at the requested location must be successfully complying with community release program rules and requirements in order to be considered for transfer from one facility to another.

(4) Inmate Conduct While on Community Release.

(a) through (d) No change.

(e) The classification officer or designated contract facility staff shall complete Form DC6-118A, Personalized Program Plan for Community Release Centers, on all inmates assigned to the community release center within 14 days of receipt of the inmate at the center. Form DC6-118A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida

32399-2500,

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

The effective date of the form is XX/XX/14. The completed personalized program plan shall be signed by the inmate, the inmate's classification officer, and the correctional officer major or the designated contract facility staff and facility director at contract facilities. Once the personalized program plan is signed, it shall be given to the staff member assigned to work with the inmate. Any changes in the personalized program plan shall be discussed with the inmate and shall be documented on Form DC6-118B, Personalized Program Plan – Modification

Plan. Form DC6-118B is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is 1-18-11. The inmate's progress towards achieving the goals of the personalized program plan shall be reviewed monthly with the inmate. The outcome of each review shall be documented on Form DC6-118C, Personalized Program Plan – Monthly Progress Review, or shall be entered into WRIMS at those facilities at which the system is operational. Form DC6-118C is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is 1-18-11. A copy of the Personalized Program Plan shall be printed and given to the inmate. Staff are authorized to schedule subsequent progress reviews upon request of the inmate.

(f) When the inmate is ready for release, a release ~~plan plan~~, shall be completed in order to assist the inmate in his or her release plans or the plan information shall be entered into WRIMS at those facilities at which the system is operational.

(5) Community Study Release.

(a) In order to be considered for community study release, an inmate shall submit a request on Form DC6-126, Inmate Request, to his or her classification officer, who shall forward the request to the SCO. After submitting the request, an inmate shall be considered for participation in the community study release program if providing:

1. through 3. No change.

(b) Any inmate being considered for community study release shall be currently in a community release center and assigned to CWA or, CWR, ~~or PWR~~.

(c) through (d) No change.

(e) Community study release programs shall not interfere with the inmate's employment schedule or, CWA duties, ~~or participation in a transition program~~. The inmate's attendance at classes and transportation time must be scheduled to occur during non-working hours only, unless class attendance is required as part of the inmate's employment.

(f) through (g) No change.

(6) Upon identification by the Department, an inmate shall be considered for placement in a CWA, ~~PWR, CTP~~, or CWR, if providing that the inmate meets all criteria outlined in subsection (2) of this rule.

(a) through (c) No change.

(d) The SCO staff member reviewing the ICT recommendation will utilize the criteria in subsection (2) of this rule to determine the appropriateness for the inmate's

placement into CWA or, CWR, ~~PWR, or CTP~~. The SCO staff member shall approve, disapprove, or modify the ICT recommendation.

(e) No change.

(7) Status Changes of Inmates in Community Release Programs. The SCO shall have the authority to approve all status changes for inmates in a community release program ~~Community Release Program~~, as long as the changes are consistent with the criteria set forth in this rule and with the safety and security of the public.

(8) Employment.

(a) No change.

(b) The Department will not authorize an inmate to work at paid employment if:

1. No change.

2. The employer does not provide the inmate with workers' compensation, or, if workers' compensation insurance is not required by law, other medical and disability insurance to cover the inmate if he or she is injured while on the job;

3. through 5. No change.

(c) through (d) No change.

(e) If the Department authorizes paid employment for an inmate with a given employer and subsequently receives and verifies information that the inmate is not being treated by the employer in a manner comparable to other employees, or it has been determined that it is not in the best interest of the Department ~~department~~, inmate, or public to remain employed with the employer, the correctional officer major or facility director will remove the inmate from such employment with that employer.

(f) No change.

(g) Presidential Executive Order 11755 provides that an inmate is authorized to work in paid employment in the community by a contract or on a federally funded contract if providing the following conditions are met prior to placement or participation in federally funded projects:

1. through 4. No change.

(h) No change.

(i) Facility personnel shall visit the inmate's place of employment for new employers within the first five days to verify employment. Documentation of on-site employment verification shall be placed in the inmate's file by utilizing Form DC6-125, Employment Contacts, or shall be entered into WRIMS at those facilities at which the system is operational. Form DC6-125 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is 9-2-01.

(j) There shall be a minimum of three employment contacts per inmate per month by facility personnel to substantiate

attendance and discuss any problems that may have arisen. If the inmate has multiple part time jobs, the required contacts must be made at each place of employment. Two of the contacts shall be accomplished either through telephone calls or site visits to the inmate's place(s) of employment, and documentation of the contacts shall be made on Form DC6-125; ~~Employment Contacts~~, or shall be entered into WRIMS at those facilities at which the system is operational. One of the three monthly contacts shall be a personal on-site job check while the inmate is present on the job site. The documentation of the contacts shall be made on Form DC6-125 and placed in the inmate's file or shall be entered into WRIMS at those facilities at which the system is operational for future reference.

(k) Facility personnel shall establish a primary and secondary job contact person at all employment sites. The primary and secondary contact person shall be named on Form DC6-125; ~~Employment Contacts~~, or shall be entered into WRIMS at those facilities at which the system is operational.

(l) through (m) No change.

(9) Clothing and Equipment.

(a) No change.

(b) Inmates working at paid employment are authorized to obtain tools, clothing, and equipment normally required for their employment. An inmate working at paid employment shall be permitted to receive one drop-off of necessary clothing, tools, or equipment, including one bicycle, from an individual approved by the correctional officer major or contract facility director. In order to receive a drop-off, the inmate must submit Form DC6-236, Inmate Request, to the classification officer or designated contract facility staff listing the requested items, the name of the individual who will bring the items, and the date the inmate would like the items to be brought. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C. The request shall be forwarded to the correctional officer major or contract facility director, who may approve some or all of the requested items based on the inmate's need as dictated by his or her work assignment and the security or safety risk posed by the items. The correctional officer major or contract facility director ~~major/facility director~~ may approve the proposed individual or require the inmate to submit the name of another individual for consideration. An inmate may not receive a drop-off without the approval of the correctional officer major or contract facility director.

(c) No change.

(d) Dropped-off items are subject to search prior to delivery to the inmate to ensure the items:

1. No change.

2. Are needed by the inmate to perform his or her work assignment;

3. through 4. No change.

(e) An inmate may receive one additional drop-off of necessary tools, clothing, and equipment if he or she changes work assignments and the items are necessary due to the new assignment. The inmate must obtain approval for the drop-off as set forth in paragraph (b) above.

(f) through (g) No change.

(h) Advancement of Funds. The facility director at a contract community release center, if authorized by contract, shall advance up to \$75.00 to an inmate who needs money for clothing, equipment, tools, transportation or incidental expenses in order to begin working at paid employment. The financial plan for the disbursement of the inmate's earnings, as provided in subsection (11), shall provide for the repayment of any such advancement of monies from the inmate's earnings. If the inmate's employment is terminated or if for any other reason the advancement of monies is not repaid from the inmate's earnings, the advancement of monies remains a personal obligation of the inmate. Disciplinary action pursuant to Rule 33-601.314, F.A.C., shall be initiated to ensure due process for the collection of any unpaid portion of the advancement. All or part of the discharge gratuity as provided in Rule 33-601.502, F.A.C., shall be taken, but only if the Department of ~~Corrections~~ finds that such action will not jeopardize the inmate's ability to transition himself or herself into the community.

(i) Inmates assigned to a community release program ~~Community Release Program~~ are authorized to possess one cell phone each to assist these inmates in setting up job interviews, cementing family relationships, and establishing contacts necessary to increase their chances for successful reentry into the community.

~~1.a.~~ Possession of a cell phone by an inmate is a privilege that may be forfeited by any inmate who fails to abide by the rules of the Department ~~department~~, or otherwise engages in misuse of this privilege. The only inmates that are allowed to possess or use a cell phone are those in one of the following statuses:

~~a.b.~~ All inmates assigned to CWR;

~~e.~~ Inmates in the last 90 days of PWR;

~~b.d.~~ Inmates assigned to CWA who are within 90 days of the CWR timeframes; ~~and~~

~~e.~~ Inmates assigned to CTP who are within 90 days of release.

2. Inmates may only have non-contract (i.e., pre-paid or "pay-as-you-go") cell phones. However, nothing in this rule precludes inmates from being added to the calling plans of family members.

3. No change.

4. The inmate, correctional officer major or facility director of a contract facility, and the designated staff member will acknowledge and sign Form DC6-2075, Cell Phone Rules and

Regulations. Form DC6-2075 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500,

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

The effective date of the form is ~~XX/XX/14~~. Refusal by the inmate to agree to the terms and conditions set forth in Form DC6-2075 and sign same will result in the cell phone being deemed contraband and being disposed of per Rule 33-602.203, F.A.C., and may result in disciplinary action and/or termination from the community work release program.

5. Upon acknowledgement of the DC6-2075 by the inmate, staff will:

a. Add the cell phone to the inmate's Inmate Personal Property List, Form DC6-224, denoting the make, model, serial number, and associated phone number. Form DC6-224 is incorporated in Rule 33-602.221, F.A.C. This information will also be entered into WRIMS at those facilities at which the system is operational; and

b. Inventory on the inmate's DC6-224 the pre-purchased, pre-addressed, pre-postage paid bubble wrapped envelope that is to be purchased at the time of the cell phone purchase. The envelope will be used by staff to mail the cell phone to a predetermined family member or individual in the event it becomes necessary upon termination from the community release program, etc.

~~6.1.~~ Inmates are personally and solely responsible for the care and security of their cell phones. The Department and/or contract provider assumes no responsibility for theft, loss, damage, or vandalism to inmate cell phones, or the unauthorized use of such devices. In the event that a cell phone is damaged or destroyed by Department ~~department~~ and/or contract facility staff during a routine search, emergency search, or while impounded, the warden or his or her ~~her/his~~ designee shall cause an investigation to be made and action taken in accordance with Rule 33-602.203, F.A.C.

~~7.2.~~ All cell phones on the property of the community release center or in an inmate's possession are subject to search at any time or for any reason in accordance with Rules 33-602.203 and 33-602.204, F.A.C.

~~8.3.~~ Use of the cell phone in any manner contrary to local, state, or federal laws, telephone company regulations, or Department ~~department~~ or institution rules or regulations constitutes misuse and will be dealt with by the Department according to Rule 33-601.314, F.A.C., and applicable law.

~~9.4.~~ An inmate shall not contact by telephone any Central Office or other departmental staff, except those staff assigned to the community release center in which the inmate is assigned, or any person who has advised the warden's office, the correctional officer major or facility director of a contract facility that he or she does not wish to receive telephone calls

from the inmate. Once the inmate is notified of this restriction, any further attempt to communicate by telephone will be considered a violation of this rule and will subject the inmate to disciplinary action and termination from the community release program.

~~10.5.~~ Upon termination or removal from the community release program, the cell phone will be mailed to a predetermined family member or individual in the pre-addressed, pre-postage paid bubble wrapped envelope purchased in advance for this purpose. Cell phones will not be packed as inmate property. Staff will check the cell phone to ensure the SIM card is present and seal the envelope in the presence of the inmate prior to transport. However, if the cell phone has been deemed contraband or evidence ~~contraband/evidence~~ and will be used in court or disciplinary proceedings, it will be retained and disposed of as provided in Rule subsection 33-602.203(8), F.A.C.

(10) Transportation.

(a) Transportation for inmates engaged in community release programs shall be by the following means and be approved by the correctional officer major or contract facility director:

1. Employer furnished transportation, the driver of which must be approved by the correctional officer major or contract facility director;

2. Public transportation, ~~including taxi service~~;

3. through 6. No change.

(b) Contract Community Release Centers:

1. No change.

2. Inmates will utilize transportation authorized in paragraph (10)(a) of this rule, unless the warden over the contract community release center determines for public safety reasons another means of transportation is necessary.

3. Such facilities shall provide, at no cost to the Department or the inmate, transportation for medical or mental health services, religious services (if not provided at the community release center), attendance at substance abuse group meetings, and ~~or~~ for shopping.

(c) In order to ensure that inmates are not working long distances from the center, the warden over the community release center shall establish maximum boundaries for employment sites based on the geographic location of the center ~~by center geographic location~~. The maximum boundaries shall not exceed two hours travel time to the employment site from the center ~~facility~~ unless an exception has been granted. Any exceptions must be reviewed and approved on a case by case basis by the warden over the community release center, who shall assess whether the rehabilitative benefit to the inmate outweighs risks to public safety.

(11) Disbursement of Earnings.

(a) An inmate working at paid employment shall agree to deposit his or her total earnings less legally required payroll deductions, or other payroll deductions authorized by the Department, into his or her account in the Inmate Trust Fund. The Department shall have the authority to hold, disburse, or supervise the disbursement of these funds according to a prearranged plan of disbursement.

(b) No change.

(c) The inmate's plan for the disbursement of earnings shall include a provision that no less than 10% of his or her net income will be placed in savings for disbursement upon his or her release. While an inmate is assigned to a community release program, such savings may not be used for any inmate expenditure including ~~but not limited to~~ subsistence payments, transportation fees, or weekly draws. The plan shall also include a provision that no less than 10% of net income will go toward the support of any dependents the inmate may have.

(d) through (e) No change.

(f) Subsistence deductions against individual inmate's earnings will commence with the first labor compensation payment received by the inmate during his or her incarceration and will terminate with the last day of incarceration, regardless of the frequency of the employer's payroll cycle. Inmates released from Department custody in the middle of an employer's pay cycle will be responsible for subsistence for each day in the pay cycle that the inmate was in Department custody. Center staff will manually deduct final subsistence payments for this period from the inmate's trust fund account. However, if an inmate fails to deposit his or her final earnings into his or her Inmate Trust Fund account, a 55% subsistence deduction will be made from the Inmate Trust Fund Account for the days owed by the inmate, based on the inmate's release date, for which the State or the contract facility has not already been compensated. The assessment will be made based on the inmate's last earnings deposited.

(g) An inmate who has been gainfully employed and becomes unemployed through no fault of the inmate's action shall continue to be assessed for subsistence at the rate of \$6.00 per day to the limit of funds available. If an inmate becomes unemployed through his or her actions, he or she shall continue to be assessed for subsistence to the limit of the funds available. Absent earnings to compute the subsistence deduction, the assessment will be made at the same per diem level as was deducted from the inmate's last regular wages.

(h) A work releasee who is receiving Workers' Compensation or sick pay shall pay subsistence fees commensurate with the rate set forth in paragraph (11)(d) above based on the amount of compensation received, less any legally required payroll deductions.

(i) through (j) No change.

(k) Subsequently, the inmate may request within seven (7) days of the expiration of his or her sentence to establish an outside bank or credit union account. The correctional officer major or contract facility director shall evaluate and approve or disapprove such requests based on the following criteria:

1. Whether the inmate has followed applicable Department rules regarding deposit and handling of his or her income (e.g., whether the inmate deposited all paychecks in a timely fashion); and

2. Whether the account offers, or the opening of the account is contingent upon, initiating an additional contract beyond the establishment of a bank or credit union account (e.g., a credit card offer or requirement).

(l) An inmate is permitted to draw up to \$100.00 from his or her account each week, provided the inmate has sufficient funds, it is in accordance with the inmate's financial/budget section of his or her personalized program plan, and the draw is not taken from the savings required by paragraph (11)(c) above. The largest denomination of monies allowed is a five-dollar ~~five dollar~~ bill.

(m) Any requests for special withdrawal shall be made in accordance with paragraph (3)(a) of Rule 33-203.201, F.A.C. The amount of such requests will be limited to no more than 60% of funds available in the inmate's trust fund account. Special withdrawal requests are limited to one per month unless an emergency arises, such as a sudden change of employment requiring the purchase of appropriate tools, clothing, or equipment. Emergency special withdrawal requests will be evaluated and approved or disapproved by the correctional officer major or contract facility director to ensure that the withdrawal is emergent in nature.

(12) Restitution.

(a) Unless there exist reasons not to order restitution, the Department shall require inmates working at paid employment, under the provision of Section 945.091, F.S., to provide restitution to an aggrieved party for the damage or loss caused as a result of ~~the a prior or~~ current offense of the inmate. For purposes of this rule, fines, court costs, liens, and court ordered payments shall be treated in the same manner as restitution.

(b) through (d) No change.

(e) Restitution requirements shall be recorded on Form DC6-123, Monetary Reimbursement Agreement, and current commitment(s) obligations are to be entered in OBIS by the classification officer. Form DC6-123 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04116>. The effective date of the form is 7-14.

(13) Reasons for Removal from a Community Release Program. An inmate may be removed from a CWA ~~or, PWR, CTP, or from~~ CWR for any of the following reasons:

(a) through (b) No change.

(c) There is reason to believe that the inmate will not honor the trust bestowed upon him or her; or

(d) No change.

(14) Process for Removal from a Community Release Program.

(a) When an inmate is removed from a community release program for negative behavior or unsuccessful participation in the program and placed in a secure facility, the inmate shall be recommended for termination from the program by his or her classification officer.

(b) through (c) No change.

(d) If the SCO disapproves the termination, the SCO shall ensure that the inmate is returned to his or her previous community release status.

~~(e) Upon removal from CWA, PWR, or CWR, the inmate can be considered for placement in CTP following the process as outlined in subsection (7) of this rule.~~

~~(e)(f)~~ Inmates in CWR are required to pay for their medical and dental expenses. If unable to afford these expenses, the inmate may be removed from the center and re-evaluated for appropriateness to remain at the center.

(15) Escape from a Community Release Program.

(a) Any time an inmate cannot be located at his or her authorized location, a BOLO (Be On the Lookout ~~For~~)/Warrant shall be requested and the inmate shall be recommended for termination from the community release program in the interest of public safety.

(b) No change.

(c) If, following investigation, it is determined that the inmate did not escape, as defined in Section 945.091(4), F.S., the procedures outlined in subsection (14) of this rule shall be followed in order to review the inmate for reinstatement to a community release program.

(16) No change.

(17) Program Facilities.

(a) through (b) No change.

(c) When funding is available, the Department is authorized to enter into written agreements with any city, county, federal agency, or authorized private organization for the housing of inmates on community release status in a place of confinement under the jurisdiction of such entity, and for the participation of these inmates in community release.

(18) No change.

Rulemaking Authority 944.09, 944.026, 944.105, 945.091, 946.002, 958.09 FS. Law Implemented 945.091, 946.002, 958.09 FS. History—New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, 10-28-04, 2-7-05, 2-22-

07, 7-17-07, 4-10-08, 9-30-08, 1-18-11, 3-6-14, 7-14-14, 5-29-16,

NAME OF PERSON ORIGINATING PROPOSED RULE:

Richard Comerford, Assistant Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Mark S. Inch, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: January 28, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: September 26, 2019

DEPARTMENT OF HEALTH

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

RULE NO.: RULE TITLE:

64B4-5.008 Terms of Probation

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the language for terms of probation.

SUMMARY: To update rule language.

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, based upon the expertise and experience of its members, 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: 456.072(2)(f), 491.004(5) FS. LAW IMPLEMENTED: 456.072(2)(f), 491.009 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: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy

and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.008 Terms of Probation.

Any licensee determined to have violated the provisions of chapter 491, F.S., may be ordered to serve probationary terms including any or all of the following when they are reasonably tailored to the violation found:

- (1) through (2) No change.
- (3) The licensee’s probation shall be subject to the following terms and conditions:
 - (a) through (d) No change.
 - (e) Probationer shall submit quarterly reports to the Board.

The reports shall include:

- 1. through 6. no change.
- 7. ~~Copies~~ Notarized copies of a number of patient records of patients examined or treated by the Probationer within the previous sixty (60) days with all identification of patient suitably obliterated.

- (f) through (l) No change.
- (m) During a specified number of months, the Probationer shall perform a number of hours of community service at a specified location or organization. Community service shall consist of psychotherapy without fee or cost to the patient for the good of the people of the State of Florida. Documentation Affidavits detailing the community service performed shall be filed with the Board.

- (4) No change.
- Rulemaking Authority 456.072(2)(f), 491.004(5) FS. Law Implemented 456.072(2)(f), 491.009 FS. History—New 6-1-92, Formerly 21CC-5.008, 61F4-5.008, 59P-5.008, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 20, 2020

**DEPARTMENT OF HEALTH
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-5.008 RULE TITLE: Terms of Probation

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the language for terms of probation.

SUMMARY: To update rule language.

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, based upon the expertise and experience of its members, 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: 456.072(2)(f), 491.004(5) FS. LAW IMPLEMENTED: 456.072(2)(f), 491.009 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: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.008 Terms of Probation.

Any licensee determined to have violated the provisions of chapter 491, F.S., may be ordered to serve probationary terms including any or all of the following when they are reasonably tailored to the violation found:

- (1) through (2) No change.
- (3) The licensee’s probation shall be subject to the following terms and conditions:
 - (a) through (d) No change.
 - (e) Probationer shall submit quarterly reports to the Board.

The reports shall include:

- 1. through 6. no change.
- 7. ~~Copies~~ Notarized copies of a number of patient records of patients examined or treated by the Probationer within the previous sixty (60) days with all identification of patient suitably obliterated.

(f) through (l) No change.

(m) During a specified number of months, the Probationer shall perform a number of hours of community service at a specified location or organization. Community service shall consist of psychotherapy without fee or cost to the patient for the good of the people of the State of Florida. Documentation Affidavits detailing the community service performed shall be filed with the Board.

(4) No change.

Rulemaking Authority 456.072(2)(f), 491.004(5) FS. Law Implemented 456.072(2)(f), 491.009 FS. History—New 6-1-92, Formerly 21CC-5.008, 61F4-5.008, 59P-5.008, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 20, 2020

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-16.003
RULE TITLE: Apprenticeship Requirements and Training Program

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for apprenticeship requirements and training programs.

SUMMARY: The Board proposes to incorporate a revised application regarding apprenticeship requirements and training programs.

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: 484.005, 484.007(1)(d)4. FS. LAW IMPLEMENTED: 456.0635, 484.002, 484.007(1)(d)4. 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: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.003 Apprenticeship Requirements and Training Program.

(1) Any persons seeking to be registered as an apprentice optician shall submit to the Board an Apprentice Optician Application (Form DH-MQA 1180, revised 11/19 ~~4/18~~), hereby adopted and incorporated by reference, which can be obtained from the Board's website at <http://www.floridaopticianry.gov>, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10681>. All apprenticeship training must be conducted by the sponsor(s) with whom the apprentice is currently registered with the Agency. Credits shall be granted to apprentices if the training is properly documented according to this rule. An apprentice shall not receive credit for any training received from a person other than the properly registered sponsor(s). However, an apprentice can receive credit for attending continuing education courses by a board-approved provider pursuant to this rule.

(2) through (6) No change.

Rulemaking Authority 484.005, 484.007(1)(d)4. FS. Law Implemented 456.0635, 484.002, 484.007(1)(d)4. FS. History—New 10-12-80, Amended 8-31-83, 8-30-84, Formerly 21P-16.03, Amended 3-5-87, 7-15-87, 1-26-88, 3-30-89, 10-17-90, 5-27-92, 9-30-92, 1-27-93, Formerly 21P-16.003, Amended 9-14-93, 5-2-94, Formerly 61G13-16.003, Amended 2-21-96, 4-23-97, Formerly 59U-16.003, Amended 10-1-97, 2-16-99, 6-25-02, 4-11-06, 9-27-06, 4-19-07, 11-20-07, 5-25-09, 11-29-09, 5-19-10, 4-9-12, 5-22-14, 7-17-14, 12-6-16, 9-11-18, 2-28-19, 7-4-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 15, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: February 20, 2020

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-15.003 RULE TITLE: Reactivation of Inactive Licenses
PURPOSE AND EFFECT: The Board proposes the rule amendment to simplify the procedure for licensees to reactivate inactive licenses.
SUMMARY: To update the rule text to simply the procedure.
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, 490.004(4) FS.
LAW IMPLEMENTED: 456.013, 456.036, 456.0635 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 32399-3255.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-15.003 Reactivation of Inactive Licenses.

(1) A licensee may reactivate his or her own inactive license and thereby place the license on active status by:

(a) Making written request to Board staff at: Florida Board of Psychology, 4052 Bald Cypress Way, Bin C-05, Tallahassee, FL 32399-3255 or e-mail to mqa.psychology@flhealth.gov.

~~application on form DH MQA 1239, Application for Reactivation of Inactive Psychologist Licensure (revised 10/14), which is hereby adopted and incorporated by reference, and can be obtained from the Board of Psychology's website at <http://floridaspsychology.gov/applications/reactivation-application.pdf>, or <http://www.flrules.org/Gateway/Reference.asp?No=Ref-04970>.~~

(b) through (c) no change

(2) No change.

Rulemaking Authority 456.036, 490.004(4) FS. Law Implemented 456.013, 456.036, 456.0635 FS. History—New 1-19-84, Formerly 21U-13.015, 21U-13.0015, 21U-19.003, 61F13-19.003, Amended 1-7-96, Formerly 59AA-15.003, Amended 8-5-01, 3-25-02, 12-27-05, 11-8-10, 10-23-14, 2-9-15,

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: January 25, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: February 24, 2020

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional
Regulation, Division of Hotels and Restaurants hereby gives
notice:

On February 26, 2020 the Division of Hotels and Restaurants
received a Petition for an Emergency Variance for paragraph
61C-1.004(1)(a), Florida Administrative Code and Paragraph
5-202.11(A), 2017 FDA Food Code from GUACAMOLITO
BAR LLC located in Hialeah. The above referenced F.A.C.
addresses the requirement that each establishment have an
approved plumbing system installed to transport potable water
and wastewater. They are requesting to utilize holding tanks to
provide potable water and to collect wastewater at the
handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 46/40 on
February 27, 2020. The Order for this Petition was signed and
approved on March 9, 2020. After a complete review of the
variance request, the Division finds that the application of this
Rule will create a financial hardship to the food service
establishment. Furthermore, the Division finds that the
Petitioner meets the burden of demonstrating that the
underlying statute has been achieved by the Petitioner ensuring
the wastewater holding tank for the handwash sinks and 3-
compartment sink are emptied at a frequency as to not create a
sanitary nuisance; and potable water provided must come from
an approved source and be protected from contamination during
handling. The Petitioner shall also ensure that the handwash
sinks are provided with hot and cold running water under
pressure, soap, an approved hand drying device and a
handwashing sign.

A copy of the Order or additional information 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:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional
Regulation, Division of Hotels and Restaurants hereby gives

notice: On February 26, 2020 the Division of Hotels and
Restaurants received a Petition for an Emergency Variance for
paragraph 61C-1.004(2)(a), Florida Administrative Code,
subsection 61C-4.010(7), Florida Administrative Code,
subsection 61C-4.010(6), Florida Administrative Code, and
Section 6-402.11, 2017 FDA Food Code, paragraph 61C-
1.004(1)(a), Florida Administrative Code and Section 5-203.13,
2017 FDA Food Code from MY HAPPY PLACE ON MAIN,
LLC located in Alachua. The above referenced F.A.C.
addresses the requirement that at least one accessible bathroom
be provided for use by customers and employees and the
requirement that at least one service sink is provided for the
cleaning of mops or similar cleaning tools and the disposal of
mop water. They are requesting to share the bathrooms located
within a nearby establishment under a different ownership for
use by customers and employees and to utilize a mopsink
located within a nearby business under a different ownership.

The Petition for this variance was published in Vol. 46/40 on
February 27, 2020. The Order for this Petition was signed and
approved on March 9, 2020. After a complete review of the
variance request, the Division finds that the application of this
Rule will create a financial hardship to the food service
establishment. Furthermore, the Division finds that the
Petitioner meets the burden of demonstrating that the
underlying statute has been achieved by the Petitioner ensuring
the bathrooms located within MAIN STREET PIE INC. (SEA
1103103). are maintained in a clean and sanitary manner and
are provided with hot and cold running water under pressure,
soap, approved hand drying devices, handwash sign and are
available during all hours of operation and that the mop sink is
maintained in a clean and sanitary manner and is provided with
hot and cold running water under pressure. The Petitioner shall
also ensure directional signage is installed within or outside the
establishment clearly stating the location of the bathrooms. If
the ownership of My Happy Place (MY HAPPY PLACE ON
MAIN, LLC) or MAIN STREET PIE INC. changes, an updated
signed agreement for use of the bathroom facilities and the mop
sink will be required immediately.

A copy of the Order or additional information 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:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 9, 2020, the
Florida Department of Business and Professional Regulation,

Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2017 FDA Food Code, Paragraph 4-301.12(A), 2017 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Section 5-203.13, 2017 FDA Food Code from ADELHEIDIS ICE CREAM LLC located in Estero. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, that each establishment has at least one service sink provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the mop sink facilities with another establishment on the same premise.

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 ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: RULE TITLE:

62B-33.005 General Criteria for Areawide and Individual Permits

NOTICE IS HEREBY GIVEN that on February 27, 2020, the Department of Environmental Protection, received a petition for variance pursuant to Section 120.542, F.S. from Collier County Parks and Recreation. The petition requested a variance from subsection 62B-33.005(9) to provide improved ADA access to the boardwalk at the Vanderbilt Beach Access Point. subsection 62B-33.005(9), F.A.C., requires that all structures, except those required for public safety, beach access, and those associated with dune restoration and special events, shall be located a sufficient distance landward of the beach and frontal dune to permit natural shoreline fluctuations, to preserve and protect beach and dune system stability, and to allow natural recovery to occur following storm-induced erosion. The facility is located at 15000 Livingston Drive, Naples, FL, 34104. The petition has been assigned OGC #20-0196 and Permit No. CO-1106 V.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Isaac Morales, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3522, Tallahassee, Florida 32399-2400; telephone (850)245-8570; e-mail cccl@dep.state.fl.us, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except

legal holidays. If you have any questions, please call the Coastal Construction Line Program Office at (850)245-8336.

Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: RULE TITLE:

62B-56.090 Financial Assurances

The Department of Environmental Protection hereby gives notice: That it has issued an order on March 6, 2020 granting Matt and Pat Millen’s Petition for a Variance. The Petition was received on January 21, 2020. Notice of receipt of this Petition was published in the Florida Administrative Register on January 27, 2020. The petition requested a variance from subsection 62B-56.090(2), F.A.C., to allow an escrow agreement as a permissible method of financial assurance to demonstrate compliance with the provisions of Chapter 62B-56, F.A.C. The cited rule provision specifies certain financial instruments as proof of financial assurance to comply with the financial assurance requirements of the rule chapter. No public comment was received. The Order, file number 20-0043, granted the Petition to subsection 62B-56.090(2), F.A.C., based on a showing that Petitioner demonstrated that a strict application of the rule would result in substantial hardship to Petitioner or would affect Petitioner differently than other similarly situated applicants and because Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Isaac Morales, Department of Environmental Protection, MS 3522, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8570; email cccl@dep.state.fl.us during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on March 10, 2020, the Board of Optometry, received a petition for waiver or variance filed by Jacqueline Zapata. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-

Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on March 10, 2020, the Board of Optometry, received a petition for waiver or variance filed by Karen Ottenheimer. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on March 9, 2020, the Board of Optometry, received a petition for waiver or variance filed by Cristy Witt. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-

Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Psychology

NOTICE IS HEREBY GIVEN that on March 06, 2020, the Board of Psychology, received a petition for Variance or Waiver filed by Marzia Giua. Petitioner seeks a variance or waiver of Rule 64B19-11.005(c), F.A.C., with regard to the requirement that a supervisor is either licensed Florida psychologist in good standing with the Board, or a doctoral-level psychologist licensed in good standing in another state or United States territory or Canada providing supervision for licensure in that state or territory. However, where the psychology resident or post-doctoral fellow is on active duty with the armed services of the United States, or employed full time by the United States as a civilian psychology resident or post-doctoral fellow to provide services to the armed services or to a veterans' administration facility, the supervisor may be a doctoral-level psychologist licensed in good standing in any state or territory, regardless of where the supervision is conducted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov. Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

The Florida Food Safety and Food Defense Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 15, 2020, 10:00 a.m. – 12:00 Noon

PLACE: Eyster Auditorium, 3125 Conner Blvd., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Council is to serve as a forum for presenting,

investigating, and evaluating issues of current importance to the assurance of a safe and secure food supply. The Council shall consider the development of appropriate advice or recommendations on food safety or food defense issues.

A copy of the agenda may be obtained by contacting: Nichole Enfinger at Nichole.Enfinger@fdacs.gov.

For more information, you may contact: Nichole Enfinger at Nichole.Enfinger@fdacs.gov.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, March 17, 2020, 5:30 p.m. – 7:30 p.m.

PLACE: Advent Health New Smyrna Beach Medical Plaza, 125 Florida Memorial Parkway, New Smyrna Beach, FL 32168

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Road (S.R.) 44 at Interstate 95 (I-95) Interchange Improvements, Volusia County

Financial Project Identification (FPID) No.: 442932-1

Project Description:

The Florida Department of Transportation (FDOT) invites all persons to an open house regarding the proposed design for improvements at the State Road (S.R.) 44 interchange at Interstate 95 (I-95) from the southbound off ramp to Florida Memorial Parkway. The purpose of the project is to improve safety and operations within the interchange by adding or extending auxiliary lanes to provide additional space for vehicles to merge when entering or exiting the interstate.

Project recommendations include adding an eastbound auxiliary lane on S.R. 44 through the interchange, a westbound deceleration lane for the I-95 northbound on ramp, and the addition of a second left turn lane from the northbound I-95 exit ramp to westbound S.R. 44. Auxiliary lanes are added next to the through lanes to maintain traffic flow.

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, FDOT District Five Title VI Coordinator at jennifer.smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: N/A

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: Consultant Project Manager Michael Heron, P.E., by phone at (321)418-6607, or by email at michael.heron@stvinc.com. Persons who require translation services (free of charge) should also contact Consultant Project

Manager Michael Heron, P.E., by phone at (321)418-6607, or by email at michael.heron@stvinc.com at least seven (7) days prior to the meeting. 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: FDOT Project Manager Taleb Shams, P.E., by phone at (386)943-5231, or by email at taleb.shams@dot.state.fl.us. Information about the project is also available online at www.cflroads.com. Simply type 442932-1 in the search box and click on the project name in the search results.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Johns River Water Management District, Agricultural Cost Share Project Selection Panel announces a public meeting to which all persons are invited.

DATE AND TIME: March 23, 2020, 9:30 a.m.

PLACE: 601 South Lake Destiny, Suite 200, Maitland, Florida 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of agricultural cost share projects and project ranking.

A copy of the agenda may be obtained by contacting: Suzanne Archer, (407)215-1450 or sarcher@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Suzanne Archer, (407)215-1450. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI) Regional Water Supply Plan Team announces a workshop to which all persons are invited.

DATE AND TIME: Friday, April 3, 2020, 10:00 a.m.

PLACE: Orlando Utilities Commission (OUC), Large Conference Room, 3800 Gardenia Avenue, Orlando, FL 32839

DATE AND TIME: Tuesday, April 7, 2020, 10:00 a.m.

PLACE: Osceola Heritage Park, UF/IFAS Extension – Osceola County, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744

DATE AND TIME: Thursday, April 23, 2020, 10:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services (FDACS), 170 Century Blvd., Bartow, FL 33830

DATE AND TIME: Thursday, April 30, 2020, 5:00 p.m.

PLACE: St. Johns River Water Management District (SJRWMD), Governing Board Room, 4049 Reid Street, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Water Initiative. Pursuant to subsection 373.709(1), Florida Statutes, the public workshops are meetings to communicate the status, overall conceptual intent, and impacts of the Regional Water Supply Plan on existing and future reasonable-beneficial uses and related natural systems. Additional information about this effort may be found at <http://cfwiwater.com>. NOTE: One or more Governing Board members from each of the three districts named below may attend the Public Workshops.

A copy of the agenda may be obtained by contacting: <http://cfwiwater.com> or by contacting Tammy Bader-Gibbs, SJRWMD (P.O. Box 1429, Palatka, FL 32178, (386)329-4500, tbader@sjrwmd.com), within seven days of the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: OUC: Christine Russell, (407)434-2565; Osceola Heritage Park: Cruz Gonzalez, (321)697-3000; Bartow FDACS: Kim Middaugh 1(863)578-1931; and/or SJRWMD: Tammy Bader-Gibbs, (386)329-4209. 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: Mike Register, Director, Division of Water Supply Planning and Assessment, SJRWMD (P.O. Box 1429, Palatka, FL 32178-1429, (386)329-4212, mregister@sjrwmd.com); Mark Elsner, Chief of Water Supply Bureau, South Florida Water Management District (3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6156, melsner@sfwmd.gov), or Joseph Quinn, Water Supply Project Manager, Southwest Florida Water Management District (2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, joe.quinn@swfwmd.state.fl.us).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Regulatory Public Meeting, Wednesday, March 18, 2020, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting to discuss regulatory matters. The public and

stakeholders are invited to participate at District Headquarters, or any of the locations below, to provide input on certain regulatory matters. The meeting will also be livestreamed on the District’s website at www.SFWMD.gov/meetings

All or part of these meetings will be conducted via videoconference in order to permit maximum participation from the South Florida Water Management District Service Centers located below.

Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901

Okeechobee Service Center, 316 N.W. 5th Street, Okeechobee, FL 34972

Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809

A copy of the agenda may be obtained by contacting: Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by contacting Lisandra Jones at (561)682-6948, ljones@sfwmd.gov or by going to our website at www.sfwmd.gov/rules

- Scroll Down to Quarterly Regulatory Meetings
- or by subscribing to ePermitting Electronic Noticing: www.sfwmd.gov/epermitting

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: District Clerk, (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).

For more information, you may contact: Lisandra Jones, (561)682-6948 or ljones@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

DATE AND TIME: April 1, 2020, 9:30 a.m.

PLACE: 1(888)585-9008, participant passcode: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancements.

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

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

participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Rules Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 7, 2020, 8:30 a.m. or soon thereafter
 PLACE: Embassy Suites-USF/Busch Gardens, 3705 Spectrum Blvd, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500 ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 7, 2020, 1:00 p.m. or soon thereafter
 PLACE: Embassy Suites-USF/Busch Gardens, 3705 Spectrum Blvd, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: planning session for the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2020, 10:00 a.m. or soon thereafter
 PLACE: Embassy Suites-USF/Busch Gardens, 3705 Spectrum Blvd, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATEs AND TIMES: April 8, 2020, 1:00 p.m. or soon thereafter; April 9, 2020, 8:30 a.m. or soon thereafter

PLACE: Embassy Suites-USF/Busch Gardens, 3705 Spectrum Blvd, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee and/or Educational Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: at the conclusion of the board meeting on April 8, 2020

PLACE: Embassy Suites-USF/Busch Gardens, 3705 Spectrum Blvd, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-330.010 Purpose and Implementation

62-330.050 Procedures for Review and Agency Action on Exemption Requests

62-330.060 Content of Applications for Individual and Conceptual Approval Permits

62-330.090 Processing of Individual and Conceptual Approval Permit Applications

62-330.201 Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters

62-330.340 Transfer of Permit Upon Change in Ownership or Control

62-330.402 Submittal and Processing of General Permits

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

DATE AND TIME: April 2, 2020, 9:00 a.m.

PLACE: This hearing will be held in person and broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via

<https://attendee.gotowebinar.com/register/1772606663095311884>.

Alternatively, persons may attend in person at the following location where staff will be present to accept comments: Florida Department of Environmental Protection, Bob Martinez Building, Room 609, 2600 Blair Stone Road, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection (Department) has proposed to amend Chapter 62-330, F.A.C., Environmental Resource Permitting. These amendments streamline and clarify language for regulated entities that would require a State 404 Program Permit after assumption of the State 404 Program.

Amendments include incorporating updated version of water management district handbooks, revising incorporated forms to include a State 404 Program Permit section, incorporating a new form, and clarifying that applicants may waive Environmental Resource Permit timelines so that Agency actions can be issued concurrently. Amendments to Applicant’s Handbook Volume I include updating form titles, clarifying the process for the landward delineation of wetlands, adding unincorporated appendices for use when delineating the landward extent of wetlands, and providing for the use of state or local authorizations for construction activities in right of ways as evidence of real property interest.

A copy of the agenda may be obtained by contacting: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 3500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.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: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 3500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 3500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

- 62-331.010 Intent, Purpose, and Implementation
- 62-331.020 Regulated Activities
- 62-331.030 Definitions
- 62-331.040 Procedures for Review and Agency Action on Exemption Requests
- 62-331.050 Individual Permits
- 62-331.051 Application for an Individual Permit
- 62-331.052 Processing of Individual Permit Applications
- 62-331.053 Additional Conditions for Issuance of Individual Permits
- 62-331.054 General Conditions for Individual Permits
- 62-331.060 Public Notice
- 62-331.070 Water Quality and Coastal Zone Consistency Review
- 62-331.080 Modification, Suspension, or Revocation of Permits
- 62-331.090 Duration of Permits
- 62-331.100 Transfer of Permit Upon Change in Ownership or Control
- 62-331.110 Emergency Field Authorizations

- 62-331.120 Fees
- 62-331.130 Compensatory Mitigation
- 62-331.140 Mitigation Banks and In-Lieu Fee Programs
- 62-331.160 Use of Formal Determinations
- 62-331.200 Policy and Purpose of General Permits
- 62-331.201 Conditions for General Permits
- 62-331.210 General Permit for Maintenance or Removal
- 62-331.211 General Permit for Fish and Wildlife Harvesting, Enhancement, and Attraction Devices
- 62-331.212 General Permit for Scientific Measurement Devices
- 62-331.213 General Permit for Survey Activities
- 62-331.214 General Permit for Outfall and Intake Structures
- 62-331.215 General Permit for Utility Line Activities
- 62-331.216 General Permit for Bank Stabilization
- 62-331.217 General Permit for Linear Transportation Projects
- 62-331.218 General Permit for Return Water from Upland Contained Disposal Areas
- 62-331.219 General Permit for Hydropower Projects
- 62-331.220 General Permit for Minor Activities
- 62-331.221 General Permit for Response Operations for Oil or Hazardous Substances
- 62-331.222 General Permit for Removal of Vessels
- 62-331.223 General Permit for Approved Categorical Exclusions
- 62-331.224 General Permit for Structural Activities
- 62-331.225 General Permit for Aquatic Habitat Restoration, Enhancement, and Creation Activities
- 62-331.226 General Permit for Specific Reversion Activities
- 62-331.227 General Permit for Residential Developments
- 62-331.228 General Permit for Moist Soil Management for Wildlife
- 62-331.229 General Permit for Maintenance of Existing Flood Control Facilities
- 62-331.230 General Permit for Completed Federal Enforcement Actions
- 62-331.231 General Permit for Temporary Construction, Access, and Dewatering
- 62-331.233 General Permit for Boat Ramps
- 62-331.234 General Permit for Emergency Watershed Protection and Rehabilitation
- 62-331.235 General Permit for Cleanup of Hazardous and Toxic Waste
- 62-331.236 General Permit for Commercial and Institutional Developments
- 62-331.237 General Permit for Agricultural Activities
- 62-331.238 General Permit for Reshaping Existing Drainage Ditches
- 62-331.239 General Permit for Recreational Facilities
- 62-331.240 General Permit for Stormwater Management Facilities

62-331.241 General Permit for Mining Activities
 62-331.242 General Permit for Repair of Uplands Damaged by Discreet Events
 62-331.243 General Permit for Activities in Ditches
 62-331.244 General Permit for Commercial Shellfish Aquaculture Activities
 62-331.245 General Permit for Land-Based Renewable Energy Generation Facilities
 62-331.246 General Permit for Water-Based Renewable Energy Generation Pilot Projects
 62-331.247 General Permit for Removal of Low-Head Dams
 62-331.248 General Permit for Florida Department of Transportation and Florida’s Turnpike Enterprise

The Florida Department of Environmental Protection announces a hearing to which all persons are invited.
 DATE AND TIME: April 2, 2020, 9:00 a.m.
 PLACE: This hearing will be held in person and broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://attendee.gotowebinar.com/register/1772606663095311884>. Alternatively, persons may attend in person at the following location where staff will be present to accept comments: Florida Department of Environmental Protection, Bob Martinez Building, Room 609, 2600 Blair Stone Road, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department proposes to create Chapter 62-331, F.A.C., to implement the State 404 Program by including requirements of federal law that are not already addressed in existing state regulations for dredge and fill permitting. The creation of this rule includes a State 404 Program Handbook as well as new forms to be incorporated by reference. The proposed rule creation also includes definitions, procedures for review and agency action on exemption requests, processes for Individual Permits, public notice requirements, procedures regarding mitigation banking, and procedures and descriptions for General Permits created to correspond to the federal Nationwide Permits as granted by the United States Army Corps of Engineers. This rule will have a delayed effective date. The effective date of the rule will be the effective date of assumption, which is the date identified by EPA as published in the Federal Register.

A copy of the agenda may be obtained by contacting: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 3500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.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: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 3500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 3500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov.

DEPARTMENT OF HEALTH
 Board of Chiropractic Medicine
 The Department of Health announces a telephone conference call to which all persons are invited.
 DATE AND TIME: March 18, 2020, 9:00 a.m.
 PLACE: 1(888)585-9008, 136-103-141
GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuing Education Courses affected by COVID-19.
 A copy of the agenda may be obtained by contacting: <https://floridaschiropracticmedicine.gov/>.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 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 Nursing Home Administrators
 The Department of Health announces a telephone conference call to which all persons are invited.
 DATE AND TIME: April 10, 2020, 9:00 a.m.
 PLACE: 1(888)585-9008, 136-103-141
GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure.
 A copy of the agenda may be obtained by contacting: <https://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: 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 Podiatric Medicine

The Board of Podiatric Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: March 18, 2020, 8:00 a.m. ET

PLACE: Teleconference Call: Dial-in # 1(888)585-9008, Conference Code 744-469-610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Emergency Rule and general board business involving discussion and actions, including, but not limited to: general board business, application reviews, declaratory statements, and petitions of variance or waiver. A copy of the agenda may be obtained by contacting: the board office at (850)245-4292.

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: the board office at (850)245-4292.

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

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

For more information, you may contact: the board office at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine announces a CANCELLATION of the telephone conference call which was published in the Florida Administrative Register on March 4, 2020, in volume 46/44.

DATE AND TIME: March 30, 2020, 8:00 a.m.

PLACE: Teleconference Meeting – Dial-in number: 1(888)585-9008, Participant Code: 744-469-610

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business involving discussion and actions,

including, but not limited to: general board business, licensure applications, rules and disciplinary matters.

A copy of the agenda may be obtained by contacting: The board office at (850)245-4292.

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: The board office at (850)245-4292.

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

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

For more information, you may contact: The board office at (850)245-4292.

DEPARTMENT OF HEALTH

Division of Family Health Services

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

DATE AND TIME: Wednesday, March 18, 2020, 10:00 a.m. – 11:00 a.m. ET

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Suite 135Q, Tallahassee, FL 32399 or by telephone at 1(877)309-2073 Access Code: 145-319-325 and online at <https://global.gotomeeting.com/join/145319325>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Information Clearinghouse on Developmental Disabilities Advisory Council will provide technical assistance to the Department of Health in the establishment of a website of resource information related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services.

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4465 or Anna.Simmons@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 2 days before the workshop/meeting by contacting: Anna Simmons, (850)245-4465 or Anna.Simmons@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).

For more information, you may contact: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-12.002 Electronic Visit Verification

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

DATE AND TIME: March 25, 2020, 2:00 p.m. ET

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject area to be addressed is Proposed Rule 65G-12.002, Florida Administrative Code, relating to electronic visit verification for providers of personal care services, home health services, or both rendered to clients requiring an in-home visit furnished under the Medicaid Home and Community Based Services Waiver. This is required by the 21st Century Cures Act as described in 42 U.S.C. 1396b(l).

A copy of the agenda may be obtained by contacting: Danielle Thompson, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, FL 32399, (850)922-4556, Danielle.Thompson@apdcares.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 48 hours before the workshop/meeting by contacting: Danielle Thompson, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, FL 32399, (850)922-4556, Danielle.Thompson@apdcares.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida College System Risk Management Consortium

The Florida College System Risk Management Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2020, 10:00 a.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business matters.

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

For more information, you may contact: FCSRMC, 4200 NW 27th Ave., B-2, Gainesville, FL 32602

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Farnam Street Financial, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 520, Florida Statutes, as it applies to the petitioner.

On 3/10/2020 the Petition was WITHDRAWN. The petition sought a declaratory statement from the Office whether (an equipment leasing company requires licensure as a Sales Finance Company) under Chapter 520, Florida Statutes.*****The original petition was published January 30, 2020 in the Florida Administrative Register Volume 46, Number 20.

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

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

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday March 4, 2020 and 3:00 p.m., Tuesday, March 10, 2020.

Rule No.	File Date	Effective Date
6A-1.09401	3/6/2020	3/26/2020
12-11.002	3/5/2020	3/25/2020
12-11.003	3/5/2020	3/25/2020
12-11.011	3/5/2020	3/25/2020
12-13.005	3/5/2020	3/25/2020
12A-1.0071	3/5/2020	3/25/2020
12A-1.025	3/5/2020	3/25/2020
12A-1.060	3/5/2020	3/25/2020
12A-1.097	3/5/2020	3/25/2020
12A-12.003	3/5/2020	3/25/2020
12A-16.004	3/5/2020	3/25/2020
12A-19.010	3/5/2020	3/25/2020
12A-19.020	3/5/2020	3/25/2020
12A-19.070	3/5/2020	3/25/2020

12A-19.100	3/5/2020	3/25/2020
12B-4.001	3/5/2020	3/25/2020
12B-5.050	3/5/2020	3/25/2020
12B-5.070	3/5/2020	3/25/2020
12B-5.120	3/5/2020	3/25/2020
12B-5.1210	3/5/2020	3/25/2020
12B-12.005	3/5/2020	3/25/2020
12E-1.023	3/5/2020	3/25/2020
12E-1.029	3/5/2020	3/25/2020
53ER20-20	3/5/2020	3/5/2020
61-40.003	3/6/2020	3/26/2020
64B-4.003	3/4/2020	3/24/2020
64B5-15.006	3/5/2020	3/25/2020
64B5-16.001	3/5/2020	3/25/2020
64B5-16.006	3/5/2020	3/25/2020
64B15-14.007	3/4/2020	3/24/2020
64B15-14.0076	3/4/2020	3/24/2020
64B17-7.005	3/4/2020	3/24/2020
65A-1.205	3/5/2020	3/25/2020
65A-1.701	3/5/2020	3/25/2020
65A-1.702	3/5/2020	3/25/2020
65A-1.703	3/5/2020	3/25/2020
65A-1.707	3/5/2020	3/25/2020
65A-1.708	3/5/2020	3/25/2020
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****

64B8-10.003	12/9/2015	**/**/****
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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Street Side Scooters & Powersports LLC to Establish line-make WOLF. Lorgo

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Hammer Brand, LLC, d/b/a Wolf Brand Scooters, intends to allow the establishment of Street Side Scooters & Powersports LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Kington Industry Group Co., Ltd (line-make WOLF) at 1650 Missouri Avenue North, Largo, (Pinellas County), Florida 33770, on or after April 10, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Street Side Scooters & Powersports LLC are dealer operator(s): Joseph Romano, 1650 Missouri Avenue North, Largo, Florida 33770; principal investor(s): Joseph Romano, 1650 Missouri Avenue North, Largo, Florida 33770.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, 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: Justin Marmolejo, Hammer Brand, LLC, 13000 Automobile Boulevard Suite 501, Clearwater, Florida 33762-5121

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Cycle Exchange LLC, d/b/a Cycle Exchange, to Establish line-make DAIX. Tampa

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that B-Claw, Inc., intends to allow the establishment of Cycle Exchange LLC, d/b/a Cycle Exchange, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd (line-make DAIX) at 14540 North Florida Avenue, Tampa, (Hillsborough County), Florida 33613, on or after April 10, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Exchange LLC, d/b/a Cycle Exchange are dealer operator(s): Chris Jones, 14540 North Florida Avenue, Tampa, Florida 33613; principal investor(s): Chris Jones, 14540 North Florida Avenue, Tampa, Florida 33613.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, 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: Wen Yu, B-Claw, Inc., 0580 Mulberry Avenue, Fontana, California 92337.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Ray Glass Batteries d/b/a, battery Source to Establish line-make HDKP. Gainesville

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 HDK Plastic Factory Ltd Inc., USA, intends to allow the establishment of Ray Glass Batteries d/b/a Battery Source, as a dealership for the sale of low-speed vehicles manufactured by HDK Plastic Factory Ltd Inc., USA (line-make HDKP) at 4811 Southwest 34 Terrace, Gainesville, (Alachua County), Florida 32608, on or after April 9, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Ray Glass Batteries Db a Battery Source are dealer operator(s): Melinda Barwick, 3801 Capital Circle Northeast, Tallahassee, Florida 32309, principal investor(s): Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309, Curtis Robert Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Kevin Allen Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409.

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 MS-65, 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: Ling Han Cao, HDK Plastic Factory Ltd Inc., USA, 15830 El Prado Road, Unit D, Chino, California 91708.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Ray Glass Batteries, d/b/a Battery Source to Establish line-make HDKP. Ocala

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that HDK Plastic Factory Ltd Inc., USA, intends to allow the establishment of Ray Glass Batteries Inc., d/b/a Battery Source, as a dealership for the sale of low-speed vehicles manufactured by HDK Plastic Factory Ltd Inc., USA (line-make HDKP) at 7201 Southwest Highway 200, Ocala, (Marion County), Florida 34476, on or after April 9, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Ray Glass Batteries Inc., d/b/a Battery Source, are dealer operator(s): Melinda Barwick, 3801 Capital Circle Northeast, Tallahassee, Florida 32309; principal investor(s): Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309, Curtis Robert Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Kevin Allen Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, 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: Ling Han Cao, HDK Plastic Factory Ltd Inc., USA, 15830 El Prado Road, Unit D, Chino, California 91708-9127.

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.

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

Bureau of Mitigation

Subject: Hazard Mitigation Grant Program Application Extension

The application deadline has been extended for the Hazard Mitigation Grant Program (HMGP) for the Florida Hurricane Michael (FEMA 4399-DR-FL). The application period will now close May 1, 2020. Applications mailed to the Division must be postmarked on or before May 1, 2020. Hand-delivered

applications must be stamped in at the Division no later than 5:00 p.m. ET on May 1, 2020. The Division encourages potential applicants to submit complete applications before the close of the original application period, but they will be accepted through May 1, 2020. All other application submission criteria in the Notice of Funding Availability for this funding period remains the same. Please refer to the website <https://floridadisaster.org/dem/mitigation/hazard-mitigation-grant-program/> for more details on the HMGP program.

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF BATCHED APPLICATION RECEIPT AND
NOTICE OF TENTATIVE PUBLIC HEARINGS
The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Facilities and Hospice review cycle with an application due date of March 4, 2020.

County: Duval District: 4
CON #10630 Application Receipt Date: 03/04/2020
Facility/Project: Brooks Rehabilitation Hospital
Applicant: Genesis Rehabilitation Hospital, Inc.
Project Description: Establish a new 60-bed comprehensive medical rehabilitation hospital

County: Orange District: 7B
CON #10631 Application Receipt Date: 03/04/2020
Facility/Project: Cornerstone Hospice & Palliative Care, Inc.
Applicant: Cornerstone Hospice & Palliative Care, Inc.
Project Description: Establish a new freestanding inpatient hospice facility of up to 24 beds

County: St. Lucie District: 9B
CON #10632 Application Receipt Date: 03/04/2020
Facility/Project: VITAS Healthcare Corporation of Florida
Applicant: VITAS Healthcare Corporation of Florida
Project Description: Establish a new 16-bed freestanding inpatient hospice facility

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: CON # 10630 District: 4
DATE/TIME: Thursday, April 16, 2020, 1:00 p.m. – 2:00 p.m.
PLACE: Health Planning Council of Northeast Florida, Inc., 4201 Baymeadows Road, Suite 2, Jacksonville, Florida 32217

PROPOSALS: CON # 10631 District: 7B
DATE/TIME: Monday, April 20, 2020, 1:00 p.m. – 3:00 p.m.

PLACE: Health Council of East Central Florida, Inc., 5931 Brick Court, #164, Winter Park, Florida 32792

PROPOSALS: CON # 10632 District: 9B
DATE/TIME: Tuesday, April 21, 2020, 2:00 p.m. – 4:00 p.m.
PLACE: Children’s Services Council of St. Lucie County Training Room, 546 N.W. University Blvd., #20, Port St. Lucie, Florida 34986

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention James B. McLemore, by 5:00 p.m., March 25, 2020 In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 8, 2020.

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.
