

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NOS.: **RULE TITLES:**
 1T-1.001 Division of Cultural Affairs
 1T-1.036 Arts and Cultural Grants
 1T-1.037 State Touring Program
 1T-1.039 Cultural Facilities Program
 1T-1.040 Fast Track Grants
 1T-1.042 Division Initiatives Partnership Program

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines, forms, and Grant Award Agreements for the Cultural Endowment Program, General Program Support, Specific Cultural Project, Fast Track Grants, Cultural Facilities, State Touring Programs, and Division Initiative Partnership Programs.

SUBJECT AREA TO BE ADDRESSED: Guidelines, application forms, and Grant Award Agreements for the aforementioned programs.

RULEMAKING AUTHORITY: 265.605, 265.701(5), 265.284(3)(j), 265.286(1), 265.286(11) FS.

LAW IMPLEMENTED: 265.284, 265.286, 286.011, 286.012, 265.601-603, 265.605-606, 265.701 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carlos A. Rey, Florida Department of State, 500 S. Bronough St., Tallahassee, FL 32399, (850)245-6536

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.: **RULE TITLES:**
 11B-27.0011 Moral Character
 11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

 11B-27.00212 Maintenance of Officer Certification
 11B-27.0022 Background Investigations
 11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

 11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004

PURPOSE AND EFFECT: Sub-paragraph 11B-27.0011(4)(b)1., F.A.C.: Amends current rule language to add the following charges to the list of misdemeanor moral character violations and associated penalty guidelines: “second refusal to submit to a physical test of breath, blood, or urine”, “possession of certain drugs without prescriptions”, and “installation of tracking devices or applications”.

Paragraph 11B-27.002(1)(f), F.A.C.: Incorporates the revised Affidavit of Application, form CJSTC-68, to update the employment requirements and clarify that an applicant must be at least 18 years of age for correctional officer or 19 years of age for all others.

Paragraph 11B-27.002(2)(a), F.A.C.: Incorporates the revised Officer Certification Application, form CJSTC-59, and the Officer Certification Deficiency Notification, form CJSTC-259, pursuant to HB 7057 which lowers the age of corrections officers to 18.

Subsection 11B-27.002(5), F.A.C.: Clarifies post-separation action regarding certification by adding language to confirm the status of an officer’s certification upon separation from employment.

Subsection 11B-27.00212(14), F.A.C.: Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, which combines the repealed Mandatory Firearms Training Report, form CJSTC-86, into the form to document compliance with the firearms standard.

Paragraph 11B-27.00212(14)(b), F.A.C.: Combines the repealed Mandatory Firearms Training Report, form CJSTC-86, into the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, to document compliance with the firearms standard.

Subsection 11B-27.00212(16), F.A.C.: Adds a new rule section to require all law enforcement officers to complete a Commission-approved course in Identifying and Investigating Human Trafficking, pursuant to the implementation of House Bill 851.

Subsection 11B-27.0022(4), F.A.C.: Provides direction and consistency for employing agencies due to the variances that

can occur during the arbitration process and adds language to establish what actions an employing agency must take when reemploying an officer following arbitration.

Sub-paragraphs 11B-27.005(5)(a)3.-20., F.A.C.: Modifies and renumbers the list of violations and penalties that constitute felony offenses by changing the felony charge of “grand theft”; and adding the felony charges of “sexual misconduct” and “possession of certain drugs without prescriptions”.

Sub-paragraph 11B-27.005(5)(a)3., F.A.C.: Changes the penalty guideline for the felony charge of “grand theft” which currently limits the possibilities for settlements for this charge when the circumstance of the case may not rise to the level of revocation.

Sub-paragraph 11B-27.005(5)(a)19., F.A.C.: Adds an enumerated penalty guideline for the felony charge of “sexual misconduct” which prohibits any employee of the Department of Corrections or a private correctional facility from engaging in sexual misconduct with an inmate or an offender supervised by the department in the community, without committing the crime of sexual battery.

Sub-paragraph 11B-27.005(5)(a)20., F.A.C.: Adds the enumerated penalty guideline for the felony charge of “possession of certain drugs without prescriptions” with the intent to sell, dispense, or deliver, pursuant to Section 499.03, F.S.

Sub-paragraph 11B-27.005(5)(b)10., F.A.C.: Revises the enumerated penalty guidelines for the misdemeanor moral character violation of “driving or boating under the influence” as outlined in Florida Statutes.

Sub-paragraphs 11B-27.005(5)(b)18.-20., F.A.C.: Adds the enumerated penalty guideline for the misdemeanor moral character violations of “second refusal to submit to a physical test of breath, blood, or urine”; “installation of tracking devices or applications”; and “possession of certain drugs without prescriptions”, pursuant to Section 499.03, F.S.

Subsection 11B-27.005(10), F.A.C.: Clarifies how the Commission may discipline individuals employed on a TEA and are found to have committed a moral character violation.

Subsection 11B-27.005(11), F.A.C.: Expands the rule allowing the Commission to discipline individuals who are employed on a TEA and are found to have committed an act or acts establishing a “lack of good moral character” and are terminated from employment prior to certification.

Paragraph 11B-27.014(1)(d), F.A.C.: Adds rule language to allow correctional officers to qualify under the USCA 926B(c) or 926C(c), pursuant to the implementation of House Bill 7125.

Paragraph 11B-27.014(2)(b), F.A.C.: Revises the Firearms Proficiency Verification Card, form CJSTC-600, to remove language referencing law enforcement officers, pursuant to the implementation of House Bill 7125; and changes the reference to the federal act which was amended.

SUBJECT AREA TO BE ADDRESSED: Added clarification for the Commission to recognize and uphold a court’s decision to adjudicate a respondent guilty of a misdemeanor offense; added violations of “second refusal to submit to a physical test of breath, blood, or urine”, “possession of certain drugs without prescriptions”, and “installation of tracking devices or applications” to the list of enumerated misdemeanor moral character violations; officer’s certification upon separation from employment; reemploying an officer following arbitration; Commission-approved course on identifying and investigating human trafficking; modified list of felony violations of “grand theft”, “sexual misconduct” and “possession of certain drugs without prescriptions”; misdemeanor moral character violation of “driving or boating under the influence”; Commission’s handling of individuals employed on a TEA and those terminated from employment prior to certification; correctional officer qualifications; repealed Mandatory Firearms Training Report, form CJSTC-86; and revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A; Affidavit of Application, form CJSTC-68; Officer Certification Application, form CJSTC-59; Officer Certification Deficiency Notification, form CJSTC-259; and Firearms Proficiency Verification Card, form CJSTC-600.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), 943.133(3) FS.

LAW IMPLEMENTED: 943.12, 943.12(3), 943.13, 943.132, 943.133, 943.13(7), (11), 943.135, 943.139, 943.1395(3), (7), (8), 943.12, 943.132, 943.133, 943.139, 943.1395, 943.1701, 943.1715, 943.1716, 943.253 FS.

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

DATE AND TIME: Wednesday, November 13, 2019, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.: RULE TITLES:
 11B-35.001 General Training Programs; Requirements and Specifications
 11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and Correctional Basic Recruit Training Program
 11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation
 11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses and Instructor Training Courses Requiring Proficiency Demonstration
 11B-35.003 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training
 11B-35.009 Exemption from Basic Recruit Training
 PURPOSE AND EFFECT: Paragraph 11B-35.001(4)(a), F.A.C.: Adds a requirement for persons entered in a BRTP to be a U.S. citizen, which limits admission to those persons who can qualify to be certified as an officer.
 Sub-paragraphs 11B-35.001(11)(c)6.-7., F.A.C.: Adds the Single Officer Response to Active Threat and Shooter Incidents Course; and the Crisis Intervention Training for School Resource Officers Course, developed for SROs, to the list of Specialized Training Program courses that will be reported to the Commission and entered into ATMS. Adding the two new courses to the list will allow the staff and agencies to monitor their usage.
 Sub-paragraph 11B-35.001(11)(d)14., F.A.C.: Adds a requirement for documentation showing persons entered in a BRTP to be a U.S. citizen, which ensures the training centers are verifying compliance with Rule 11B-35.001(4)(a), F.A.C.
 Subsection 11B-35.001(17), F.A.C.: Removes unnecessary language in Rule 11B-35.001(17), F.A.C., which authorized the CMS Criminal Justice Defensive Tactics Course Field Test which will end no later than June 30, 2020.
 Paragraph 11B-35.0011(1)(a), F.A.C.: Removes language relating to multiple providers of the BAT because there will be only one (1) provider of the BAT, effective August 2019.

Subsection 11B-35.0011(2), F.A.C.: Removes language relating to multiple providers of the BAT because there will be only one (1) provider of the BAT, effective August 2019.
 Sub-paragraphs 11B-35.002(6)(c)3.-10., F.A.C.: Renumbers subsections of Rule 11B-35.002(6)(c)1.-10, F.A.C., and removes cross-over programs that have been retired for more than four years from the list of retired programs eligible for completion within four years.
 Sub-paragraph 11B-35.002(6)(c)3., F.A.C.: Removes the Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP number 1191 from the list of retired programs eligible for completion because the program has been retired for more than four years.
 Sub-paragraph 11B-35.002(6)(c)5., F.A.C.: Removes the Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement Basic Recruit Training Program number 1179 from the list of retired programs eligible for completion because the program has been retired for more than four years.
 Sub-paragraph 11B-35.002(6)(c)7., F.A.C.: Removes the Law Enforcement Officer Cross-Over Training to Florida CMS Correctional BRTP number 1192 from the list of retired programs eligible for completion because the program has been retired for more than four years.
 Sub-paragraph 11B-35.002(6)(c)9., F.A.C.: Removes the Law Enforcement Officer Cross-Over Training to Florida Correctional Probation Basic Recruit Training Program number 1184 from the list of retired programs eligible for completion because the program has been retired for more than four years.
 Sub-paragraph 11B-35.0024(3)(a)2., F.A.C.: Incorporates the revised CMS Defensive Tactics Performance Evaluation, form CJSTC-6 CMS, to accompany the updated CMS Criminal Justice Defensive Tactics Course, effective July 1, 2020.
 Subsection 11B-35.003(2), F.A.C.: Updates the current language to include the State Officer Certification Examination requirement and clarifies applicants for certification as auxiliary officers must comply with all requirements of s. 943.13, F.S.
 Paragraph 11B-35.003(2)(d), F.A.C.: Expands the training options available for training schools to meet the needs of their customer agencies by defining a “virtual classroom”, the delivery requirements, and allows the use of a virtual classroom to present Auxiliary Basic Recruit Training.
 Subsection 11B-35.009(10), F.A.C.: Maintains consistency with persons who complete a Basic Recruit Training Program by adding the requirement that a person who completes the exemption from training program must gain certification within four years.
 SUBJECT AREA TO BE ADDRESSED: Added requirement for persons entered in a BRTP to be a U.S. citizen; Specialized Training Program courses developed for SROs; removal of

CMS Criminal Justice Defensive Tactics Course Field Test language; single BAT provider; updated list of basic recruit training programs and retired training programs; revised CMS Defensive Tactics Performance Evaluation, form CJSTC-6 CMS; exemption from training program requirements; certification requirements for auxiliary officers; and definition of “virtual classroom” and delivery requirements to include Auxiliary Basic Recruit Training.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), (2), 943.17 FS.

LAW IMPLEMENTED: 943.12, 943.12(5), 943.131(2), 943.17, 943.17(1)(a),FS.

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DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NO.: RULE TITLE:

11C-6.009 Sale and Delivery of Firearms

PURPOSE AND EFFECT: The rule is amended to reflect the current version of the Firearm Purchase Program Non-Approval Appeal Form.

SUBJECT AREA TO BE ADDRESSED: 11C-6.009: Sale and Delivery of Firearms

RULEMAKING AUTHORITY: 790.065, 943.03(4) FS

LAW IMPLEMENTED: 790.065 FS

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DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NOS.: RULE TITLES:

11C-7.006 Procedures on Court-Ordered Expunctions

11C-7.007 Procedures on Court-Ordered Sealings

11C-7.009 Procedures on Juvenile Diversion Expunctions

11C-7.010 Procedures on Early Juvenile Expunction

11C-7.012 Procedures for Lawful Self Defense Expunction

11C-7.013 Procedures for Automatic Sealing of Criminal History Records

PURPOSE AND EFFECT: 11C-7.006: Revising rule due to statutory changes, update form and clarifying language for the certification of the application.

11C-7.007: Revising rule due to statutory changes, update form and clarifying language for the certification of the application.

11C-7.009: Revising rule due to statutory changes, update form and clarifying language for the certification of the application.

11C-7.010: Revising rule due to statutory changes, update form and clarifying language for the certification of the application.

11C-7.012: Implement mandates pursuant to newly created s. 943.0578, F.S.

11C-7.013: Implement mandates pursuant to newly created s. 943.0595, F.S.

SUBJECT AREA TO BE ADDRESSED: 11C-7.006 Procedures on Court-Ordered Expunctions

11C-7.007 Procedures on Court-Ordered Sealings

11C-7.009 Procedures on Juvenile Diversion Expunction

11C-7.010 Procedures on Early Juvenile Expunction

11C-7.012 Procedures on Lawful Self-Defense Expunction

11C-7.013 Procedures for Automatic Sealing of Criminal History Records

RULEMAKING AUTHORITY: 943.03(4), 943.058(2), 943.059(2), 943.0582, 943.0515(1), 943.0578, 943.0595, FS.

LAW IMPLEMENTED: 943.0595, 943.059, 943.0582, 943.0515, 943.0578, FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rachel Truxell at (850)410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

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DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NO.: RULE TITLE:

11C-11.001 Procedures on Criminal Justice Data Transparency

PURPOSE AND EFFECT: Implement mandates pursuant to newly created s. 943.6871, F.S.

SUBJECT AREA TO BE ADDRESSED: Criminal Justice Data Transparency

RULEMAKING AUTHORITY: 943.03(4), 943.6871 FS.

LAW IMPLEMENTED: 943.6871 FS.

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DEPARTMENT OF LAW ENFORCEMENT

Division of Local Law Enforcement Assistance

RULE NOS.: RULE TITLES:

11D-11.001 Definitions

11D-11.002 Procedures

PURPOSE AND EFFECT: Implement mandates pursuant to newly created s. 943.0433, F.S.

SUBJECT AREA TO BE ADDRESSED: Soliciting for prostitution public database.

RULEMAKING AUTHORITY: 943.0433(4), 943.03(4), F.S.

LAW IMPLEMENTED: 943.0433, F.S.

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DATE AND TIME: Wednesday, November 13, 2019, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

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: Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.020
 RULE TITLE: Community Association Management Departmental Forms

PURPOSE AND EFFECT: The purpose and effect is to amend the rule to adopt updated forms relating to continuing education and pre-licensure education requirements, as well as licensure for Community Association Managers and Firms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the adoption of the new forms.

RULEMAKING AUTHORITY: 455.2035, 455.213(1), 468.433(2)(d) FS.

LAW IMPLEMENTED: 455.2122, 455.213(1), 455.217, 455.2178, 455.2179, 455.219, 455.271, 455.275, 468.336, 468.337, 468.432, 468.433, 559.79 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF JUVENILE JUSTICE

Division of Administration

RULE NO.: 63F-13.002
 RULE TITLE: Submitting Diversion Data

PURPOSE AND EFFECT: The amendment implements chapter 2019-167, § 74, Laws of Fla., requiring that diversion data be directly entered into the Juvenile Justice Information System, thus making periodic submission to the department unnecessary.

SUBJECT AREA TO BE ADDRESSED: Submission of diversion data concerning youths who are diverted, and otherwise-eligible youths who are not offered diversion.

RULEMAKING AUTHORITY: 985.126, F.S.

LAW IMPLEMENTED: 985.126, F.S.

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

DATE AND TIME: Wednesday, November 20, 2019, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NOS.: 65D-30.002, 65D-30.0031, 65D-30.004, 65D-30.0046, 65D-30.0081
 RULE TITLES: Definitions, Certifications and Recognitions Required by Statute, Common Licensing Standards, Staff Training, Qualifications, and Scope of Practice, Standards for Day or Night Treatment with Community Housing

PURPOSE AND EFFECT: The Department intends to amend Rules 65D-30.002, 65D-30.0031, 65D-30.004, 65D-30.0046, and 65D-30.0081, F.A.C., to modify regulatory language in accordance with Chapter 2019-159, Laws of Florida. The amendments will add definitions; add requirements for authorizing organizations that may certify peer specialists; add an exception to the rule regarding who may make or accept referrals from specified residences; revise qualifications, training, certification requirements, and scope of service for peer specialists; and address the new statutory provision

regarding the housing activity for this service component as a recovery residence.

SUBJECT AREA TO BE ADDRESSED: Substance Abuse Licensing and Regulatory Standards

RULEMAKING AUTHORITY: 397.321(5), FS.

LAW IMPLEMENTED: 394.4572, 397.311, 397.321, 397.4014, 397.403, 397.4073, 397.4075, 397.410, 397.4103, 397.411, 397.417, 397.4871, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jodi Abramowitz. Jodi can be reached at Jodi.Abramowitz@myflfamilies.com or (850)717-4470.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: RULE TITLE:

65E-5.280 Involuntary Examination

PURPOSE AND EFFECT: The Department intends to amend rule 65E-5.280, F.A.C., to comport with statutory changes to Section 394.463, F.S. The amendments will increase the number of days that a designated Baker Act receiving facility has to submit forms to the Department and address overall data gathering requirements for providers who conduct involuntary examination.

SUBJECT AREA TO BE ADDRESSED: Standards for Mental Health Involuntary Examinations

RULEMAKING AUTHORITY: 394.457(5), FS.

LAW IMPLEMENTED: 394.463, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jodi Abramowitz. Jodi can be reached at Jodi.Abramowitz@myflfamilies.com or (850)717-4470.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
Proposed Rules**

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

65C-30.006 Case Planning

65C-30.008 Child Welfare Professional Responsibilities to Parents

PURPOSE AND EFFECT: The Department intends to amend rules 65C-30.006 and .008, F.A.C., to add provisions regarding the responsibilities of case managers and parents.

SUMMARY: The amendments accomplish the following: (1) Require the Department to refer parents for services within specified timeframe, and ensure parents have contact information for all entities needed to complete case plan task and for the case manager; and (2) Require the parents to notify parties of barriers to completing case plan tasks within specified timeframe, maintain contact with the case manager, and provide parties with possible relative placements for the child.

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 a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121(12), (13), F.S.

LAW IMPLEMENTED: 39.0136, 39.6011, 39.6012, 39.6013, 39.602, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-30.006 Case Planning.

(1) No change.

(2) Case Plan Development.

(a) Case management shall develop a case plan in consultation with the family and child, if age and developmentally appropriate.

(b) Prior to signing the case plan, the Department shall explain the provisions of the plan to all persons involved in its implementation, including, when appropriate, the child.

(c) The case plan shall include the parent’s responsibility for the following:

1. Comply with the case plan so permanency with the child may occur within the shortest period of time possible, but no later than one (1) year after removal or adjudication of the child;

2. Notify all parties and the court of barriers to completing case plan tasks within seven (7) business days of being made aware of the barrier;

3. Maintain contact with their attorney and their case manager and provide updated contact information if their phone number, address, or e-mail address changes; and

4. Provide the court and all parties with identification and location information for individuals who may be available as a placement for the child in out of home care.

(2) through (3) renumbered (3) through (4) No change.

~~(5)~~(4) The case manager shall:

(a) For judicial cases, refer parents for services no later than seven (7) calendar days after the date of the case plan approval by the court, unless the case plan specifies that a task may not be undertaken until another specified task has been completed or otherwise approved by the court.

(b) For non-judicial cases, refer parents for services no later than seven (7) calendar days after the date the case plan was signed by the parent.

(c) Ensure the parents have contact information for all entities necessary to complete the tasks in the case plan.

~~(d)~~(a) No change.

~~(e)~~(b) Ensure that tasks and services necessary to meet the child’s well-being needs as identified in the Family Functioning Assessment and the Comprehensive Behavioral Health Assessment (CBHA) are documented in the case plan and that services are obtained to meet these needs, including a referral within seven (7) days of removal for a CBHA for any child who is in out-of-home care and has been determined to be Medicaid enrolled, as per Rule 65C-28.014, F.A.C.

(6)(5) No change.

Rulemaking Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.6011, 39.6012, 39.6013, 39.602 FS. History–New 5-4-06, Amended 2-25-16. Amended

65C-30.008 Child Welfare Professional Responsibilities to Parents.

(1) through (3) No change.

(4) For all children in the dependency system, regardless of placement, the case manager shall ensure that parents have the information necessary to contact their case manager. If a new case manager is assigned to a case, the new case manager shall notify the parent within two business days of case assignment and provide updated contact information.

(4) through (5) are renumbered (5) through (6) No change.

Rulemaking Authority 39.012, 39.0121(13) FS. Law Implemented 39.0136, 39.6012(1) FS. History–New 5-4-06, Amended 2-25-16. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Monique McCaskill

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2019

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on October 29, 2019, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an

Emergency Variance for Paragraph 4-301.11(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, from KPMG LLP. located in LAKE NONA. The above referenced F.A.C. addresses the requirement that adequate cold food storage is provided. They are requesting to share the Walk in cooler and Walk in freezer with another food service establishment under the same ownership and 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 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 October 4, 2019, the Division of Hotels and Restaurants received a Petition for a Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Harbor Accents LLC located in Dunedin. 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 sink and the three compartment sink.

The Petition for this variance was published in Vol. 45/166 on August 26, 2019. The Order for this Petition was signed and approved on September 05, 2019. 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 sink and the three compartment sink is 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 sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink

is provided with 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 CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-5.004 Selection of Housing.

NOTICE IS HEREBY GIVEN that on October 23, 2019, the Agency for Persons with Disabilities, received a petition for Medicaid variance and/or waiver of Rule 65G-5.004, F.A.C., from Ms. Tessa Lyn Solomon, Petitioner.

The rule states in part that “Neither the supported living provider nor the immediate family of the supported living provider shall serve as landlord or have any interest in the ownership of the housing unit.” Petitioner seeks a waiver or variance from this portion of Rule 65G-5.004(2)(b).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Danielle Thompson, Senior Attorney/Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, FL 32399-0950, (850) 922-4556, Danielle.Thompson@apdcare.org.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Criminal Punishment Code Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 12, 2019, 12:00 Noon until conclusion

PLACE: Teleconference Number: 1(888)585-9008; Passcode: 757-756-300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enhancements Subcommittee

A copy of the agenda may be obtained by contacting: Justine Hicks at Justine.Hicks@myfloridalegal.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 7 days before the workshop/meeting by contacting: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Justine Hicks at Justine.Hicks@myfloridalegal.com or by telephone at (850)245-0146.

DEPARTMENT OF LEGAL AFFAIRS

The Criminal Punishment Code Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 15, 2019, 12:00 Noon until conclusion

PLACE: Teleconference Number: 1(888)585-9008; Passcode: 757-756-300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scoresheets Subcommittee

A copy of the agenda may be obtained by contacting: Justine Hicks at Justine.Hicks@myfloridalegal.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 7 days before the workshop/meeting by contacting: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Justine Hicks at Justine.Hicks@myfloridalegal.com or by telephone at (850)245-0146.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 6, 2019, 10:00 a.m.

PLACE: Call-in: 1(877)309-2073, Code: 968-619-453

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Industry Development Subcommittee, under the Hemp Advisory Committee, to conduct general business.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 6, 2019, 12:00 Noon

PLACE: Call-in: 1(866)899-4679, Access Code: 766-302-573

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Agricultural and Cultivation Operations Subcommittee, under the Hemp Advisory Committee, to conduct general business.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 6, 2019, 2:00 p.m.

PLACE: Call-in: 1(866)899-4679, Access Code: 310-806-509

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Rule Oversight Subcommittee, under the Hemp Advisory Committee, to conduct general business.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 7, 2019, 12:00 Noon

PLACE: Call-in: 1(877)568-4106, Access code: 255-382-309

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Consumer Education Subcommittee, under the Hemp Advisory Committee, to conduct general business.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 7, 2019, 2:00 p.m.

PLACE: Call-in: 1(877)309-2073, Access code: 586-129-709

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Patient Advocacy Subcommittee, under the Medical Cannabis Advisory Committee, to conduct general business.

A copy of the agenda may be obtained by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kylie Werk at kylie.werk@fdacs.gov or (850)617-

7700. 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: Kylie Werk at kylie.werk@fdacs.gov or (850)617-7700.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

The division announces a public meeting to which all persons are invited.

DATE AND TIMES: November 7, 2019, 10:00 a.m. and 1:00 p.m.

PLACE: Bronson Animal Disease Diagnostic Laboratory, 2700 John Young Parkway, Kissimmee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Animal Industry Technical Council to discuss animal and agricultural issues of concern. The AITC Animal Disease Diagnostic Laboratory Advisory Subcommittee will meet, following the general meeting, to provide guidance to Florida's animal disease diagnostic laboratories.

A copy of the agenda may be obtained by contacting: Stephen Monroe by telephone at (850)410-0944 or e-mail at Stephen.Monroe@FDACS.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: as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 12, 2019, 4:45 p.m. – 6:30 p.m. ET (or until complete) *Please note this new time scheduled for this conference call.

PLACE: Conference Call Number 1(888)585-9008 and Code (873574258)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council - General Business

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.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 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind and The Division of Blind Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 6, 2019, 10:00 a.m. – 11:00 a.m.

PLACE: Phone: 1(888)585-9008, Conference Room#: 319-035-377

GENERAL SUBJECT MATTER TO BE CONSIDERED: FRCB input in the 2020 State Plan

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, Phone: (850)245-0329, Email: Selena.Sickler@dbs.fldoe.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 3 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, Phone: 850-245-0329, Email: Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Turlington Bldg., Room 1114, Tallahassee, FL 32399, Phone: 850-245-0329, Email: Selena.Sickler@dbs.fldoe.org.

PUBLIC SERVICE COMMISSION

FAR NOTICE OF CUSTOMER MEETING

The Florida Public Service Commission announces a public customer meeting in the following docket to which all persons are invited.

DAY, DATE AND TIME: Wednesday, November 13, 2019, 5:00 p.m.

PLACE: Headquarters Branch Library, 401 East University Avenue, Gainesville, FL 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 20190114-WU - Application for staff-assisted rate case in Alachua County, and request for interim rate increase by Gator Waterworks, Inc.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding

the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff Margo DuVal at (850)413-6076.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the meeting at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF MEETING

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

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Faith-Based and Community-Based Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 7, 2019, 9:00 a.m. – 12:30 p.m., ET

PLACE: AdventHealth Celebration, 1st Floor Palms Conference Room, 400 Celebration Place, Celebration FL 34747

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Council.

A copy of the agenda may be obtained by contacting: Jessica Collins-Jones, Governor’s Office of Adoption and Child Protection, (850)717-9261 or jessica.collins@eog.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jessica Collins-Jones, Governor’s Office of Adoption and Child Protection, (850)717-9261 or jessica.collins@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Jessica Collins-Jones, Governor’s Office of Adoption and Child Protection, (850)717-9261 or jessica.collins@eog.myflorida.com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 18, 2019, 2:00 p.m. (ET)

PLACE: 1(888)585-9008 and the code is 721-648-837#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General Business

A copy of the agenda may be obtained by contacting: Deanna Green (850)414-7400, deanna@volunteerflorida.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 days before the workshop/meeting by contacting: Deanna Green (850)414-7400, deanna@volunteerflorida.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: Deanna Green (850)414-7400, deanna@volunteerflorida.org.

EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission
- Office of Insurance Regulation
- Office of Financial Regulation
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: November 5, 2019, 9:00 a.m., Canceled
 The November 5th meeting of the Governor and Cabinet and the October 30th Cabinet Aides meeting have been canceled.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director’s reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The **Division of Bond Finance** of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The **Financial Services Commission** will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Department of Veterans’ Affairs** will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department’s mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The **Department of Law Enforcement** will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into

contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The **Department of Revenue** will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The **Administration Commission** will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The **Florida Land and Water Adjudicatory Commission** will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The **Board of Trustees of the Internal Improvement Trust Fund** will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The **Department of Environmental Protection** will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours'

notification before the meeting by contacting: the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Children and Youth Cabinet announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2019, 1:00 p.m.

PLACE: The Capitol, Cabinet Meeting Room, Lower Level, 400 S. Monroe Street, Tallahassee FL 32399; telephone conference: 1(888)585-9008, room # 472-450-272

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members will meet to conduct regular business

A copy of the agenda may be obtained by contacting: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@myflfamilies.com.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The Local Emergency Preparedness Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 22, 2019, 10:00 a.m.

PLACE: Seminole County Fire Rescue Training Facility, 201 Valentine Way, Classroom 230, Longwood, FL 32750

GENERAL SUBJECT MATTER TO BE CONSIDERED: EPCRA Community right-to-know.

A copy of the agenda may be obtained by contacting: Michelle Cechowski, (407)245-0300, ext. 317 or michelle@ecfrpc.org.

For more information, you may contact: Michelle Cechowski, (407)245-0300, ext. 317 or michelle@ecfrpc.org.

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

The Apalachee Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 13, 2019, 9:30 a.m., ET

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

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

A copy of the agenda may be obtained by contacting: Anthony Carpanini, ARPC 2507 Callaway Road, Suite 200, Tallahassee, FL 32303, ACarpanini@thearpc.com, (850)488-6211, ext. 112. 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.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, A Regional Water Supply Authority, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2019, 10:00 a.m.

PLACE: Tampa Bay Water Infrastructure and Emergency Management Building – Magnolia Room, 8865 Pump Station Road, Land O'Lakes, FL 34639

GENERAL SUBJECT MATTER TO BE CONSIDERED: The IHM-INTB Steering Committee will conduct a public meeting to finalize their recommendations for the IHM-INTB Five Year Roadmap. The roadmap includes recommended activities over a five-year time span that support the Integrated Hydrologic Model (IHM), the Integrated Northern Tampa Bay (INTB) model, and user support for both models.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 6, 2019, 1:00 p.m., ET

PLACE: Call 1(888)585-9008, and when prompted enter conference room number (413)187-475, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)907-6785 or casey.snipes@fchr.myflorida.com. ACCESS POINT: The Florida Commission on Human Relations office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point.

For more information, you may contact: Casey Snipes at (850)907-6785 or casey.snipes@fchr.myflorida.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Electrolysis Council, under the Board of Medicine announces a public meeting to which all persons are invited.

DATES AND TIMES: January 13, 2020, 10:00 a.m. ET; April 20, 2020, 10:00 a.m. ET

PLACE: Conference Calls: 1(888)585-9008; then enter Conference Room Number 564-341-766 followed by the # sign.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Electrolysis Council, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the council office at (850)245-4373 or by visiting the website: <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/index.html>.

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: The Department of Health at (850)901-6528. 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

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

DATE AND TIME: November 14, 2019, 5:30 p.m. – 7:30 p.m., ET

PLACE: Gulf County Public Library, 110 Library Dr., Port St. Joe, Florida 32456

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission is holding a public workshop to gather input about management of the bay scallop fishery in Gulf County for the 2020 season and future seasons. Staff will provide a brief presentation on the current status of the fishery and gather feedback on the public's management desires for long-term bay scallop season dates that would apply to Gulf County. All stakeholders interested in bay scallop management are encouraged to attend.

A copy of the agenda may be obtained by contacting: Jessica McCawley, at 620 South Meridian Street, Tallahassee, Florida 32399, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica McCawley, at 620 South Meridian Street, Tallahassee, Florida 32399, (850)487-0554.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

The Department of Economic Opportunity announces a public meeting to which all persons are invited.

DATE AND TIME: November 7, 2019, 1:30 p.m. – 3:00 p.m., Equity and Access Working Group Call

PLACE: Conference call: 1(888)585-9008; Participant Code: 881-305-135#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Talent Development Council Strategic Plan.

A copy of the agenda may be obtained by contacting: Lorena Clark, (850)245-7401.

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: Lorena Clark, (850)245-7401. 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: Lorena Clark, (850)245-7401.

FLORIDA INSURANCE GUARANTY ASSOC., INC.

The Florida Insurance Guaranty Association announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2019, 9:30 a.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FIGA Board will meet to discuss the general business of the Association. The agenda will include but not limited to: Minutes, Receiver's report, Legal, Financial, and Operations Reports.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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 INSURANCE GUARANTY ASSOC., INC.

The Florida Insurance Guaranty Association Finance and Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2019, 8:30 a.m.

PLACE: Tampa Airport Marriott Hotel, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FIGA Finance & Audit Committee will meet to discuss general business of the Association. The agenda will include but not limited to: Minutes, Investment report and Charter/Checklist.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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 SPORTS FOUNDATION

The Florida Sports Foundation Grant Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2019, 2:30 p.m.

PLACE: by phone: 1(888)585-9008 participant code: 740-438-529#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly grant committee meeting.

A copy of the agenda may be obtained by contacting: Michelle Roque, mroque@playinflorida.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 7 days before the workshop/meeting by contacting: Michelle Roque, mroque@playinflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michelle Roque, mroque@playinflorida.com.

CARPE DIEM COMMUNITY SOLUTIONS, INC.

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

DATE AND TIME: Thursday, November 14, 2019, 5:30 p.m. – 6:30 p.m., CT. A formal presentation and public comment period will begin at 6:00 p.m., CT.

PLACE: Warrior’s Hall, 201 Stillwell Avenue, Crestview.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The intent of these projects is to resurface and make safety improvements along 11 miles of S.R. 85 (South Ferdon Boulevard) from north of S.R. 123 (Roger J. Clary Highway) to Hospital Drive. Additional improvements include; sidewalk construction, lighting enhancements, turn lane extension and construction, signalization improvements, access management modifications at selected locations, drainage improvements, and ramp access improvements at Interstate 10. No additional right-of-way is needed. Bids for construction are currently scheduled to be received winter 2021.

Maps, drawings and other information will be on display at the hearing. FDOT representatives will be available to discuss proposed improvements, answer questions, and receive comments. Additional information is available on the project website nwflroads.com.

A copy of the agenda may be obtained by contacting: Jordan Burnett, P.E., FDOT Project Manager, at (850)526-2040, or via email at jordan@aldayhowell.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 7 days before the workshop/meeting by contacting: Jordan Burnett, P.E., FDOT Project Manager, at (850)526-2040, or via email at jordan@aldayhowell.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jordan Burnett, P.E., FDOT Project Manager, at (850)526-2040, or via email at jordan@aldayhowell.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF CHILDREN AND FAMILIES
SELECTIVE DEMOLITION BUILDINGS 1147, 1248 AND
1312

INVITATION TO BID

Proposals are requested from QUALIFIED GENERAL CONTRACTORS by the State of Florida, Department of Children and Families, hereinafter referred to as OWNER, for the construction of:

PROJECT NO: DCF - 8802100

TITLE: BID PACKAGE No. 6, SELECIVE DEMOLITION BUILDINGS 1147, 1248 and 1312, Corrective Measures due to Hurricane Michael.

SITE: FLORIDA STATE HOSPITAL, CHATTAHOOCHEE, FLORIDA 32324

PREQUALIFICATION: Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a Roofing Contractor and/or General Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the ARCHITECT/ENGINEER:

A/E: Gilchrist Ross Crowe Architects, 413 All Saints Street, Tallahassee, FL 32301

TEL#: (850)222-8100

BID DOCUMENTS: Drawings, Project Manual and Technical Specifications will be available for download at no cost. Refer to: <ftp://fshospital.architects-gca.com> Sign-in User name: guestgrc, Password: puppy96#

MANDATORY PRE-BID MEETING: A mandatory pre-bid meeting and projects walkthrough will be held on Thursday, November 14, 2019 at 10:00 AM local time. The meeting will be held at Maintenance& Facilities Conference Room, 1123 Engineering Road on Florida State Hospital Campus, Chattahoochee, Florida.

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for Public Construction bond requirements.

BID OPENING: Sealed bids will be received, publicly opened and read aloud at:

DATE: Wednesday, December 4, 2019

TIME: 2:00 p.m. local time

LOCATION: 1317 Winewood Blvd., Building #3, Room 205G, Tallahassee, Florida. Opening and reading bids aloud will occur in Building #3, Room 202, Conference Room.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted within two business days, at the location where the bids were opened. If no protest is filed per Section B-21, "Notice and Protest Procedures", the OWNER will award a contract to the qualified, responsive low Bidder in accordance with established departmental contracting procedures (60D-5, F.A.C.). In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all Bidders will be duly notified.

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, October 23, 2019 and 3:00 p.m., Tuesday, October 29, 2019.

Rule No.	File Date	Effective Date
19-8.010	10/23/2019	11/12/2019
53ER19-64	10/24/2019	10/24/2019
53ER19-65	10/24/2019	10/24/2019
53ER19-66	10/24/2019	10/24/2019
53ER19-67	10/24/2019	10/24/2019
53ER19-68	10/24/2019	10/24/2019
59A-6.020	10/23/2019	11/12/2019
62-710.500	10/24/2019	11/13/2019
62-710.510	10/24/2019	11/13/2019
62-710.800	10/24/2019	11/13/2019
62-710.901	10/24/2019	11/13/2019
62-730.150	10/24/2019	11/13/2019
62-730.171	10/24/2019	11/13/2019
62-730.220	10/24/2019	11/13/2019
62-730.900	10/24/2019	11/13/2019
62-737.400	10/24/2019	11/13/2019
65C-41.003	10/29/2019	11/18/2019
65C-41.0031	10/29/2019	11/18/2019

69A-40.027	10/24/2019	11/13/2019
69A-40.033	10/24/2019	11/13/2019
69A-40.036	10/24/2019	11/13/2019
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Intent to Issue Consent Order and Variance

RULE NO.: RULE TITLE:

62-312.410 General Criteria

The Department of Environmental Protection gives notice of its intent to issue a Consent Order and Variance (1) to resolve all matters with Lazaro R Martinez and Marialina T Martinez (Respondents), pursuant to Section 120.57(4), Florida Statutes (F.S.), for violations of Sections 373.430, and 403.161, F.S., and Rule 62-330.020, Florida Administrative Code (F.A.C.); and (2) to grant a variance, pursuant to Section 403.201, F.S., to Lazaro R Martinez and Marialina T Martinez from the provision of Rule 62-312.410(2), F.A.C. The Order addresses the unauthorized placement of approximately 143 square feet of fill on privately-owned submerged canal bottom and construction of riprap revetment on the property owned by Lazaro R Martinez and Marialina T Martinez, located at 184 Venetian Drive, Islamorada, Florida (Monroe County Property Appraiser Parcel ID 00393860-000000), without obtaining a valid permit from the Department. The purpose of the fill placement is to reestablish the historical shoreline of the property and stabilize it with a riprap revetment. The Order grants a variance under Section 403.201, F.S., from the prohibition to grant an Environmental Resource Permit under Rule 62-312.410(2), F.A.C., and grants regulatory authorization for the permanent placement of approximately 143 square feet of fill on the property subject to the findings and conditions set out in the Order.

The Department will issue the proposed Consent Order and Variance unless a timely petition for administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final

agency action, this process may result in a modification of the proposed agency action or even denial of the application. The procedures for petitioning for a hearing are as follows.

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the following information required by Rules 28-106.201 and 28-106.301, F.A.C.:

- (a) The name and address of each agency affected and each agency’s file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, email address, and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding;
- (c) An explanation of how the petitioner’s substantial interests are or will be affected by the agency determination;
- (d) A statement of when and how the petitioner received notice of the agency decision;
- (e) A statement of all disputed issues of material fact; or, if there are none, the petition must so indicate;
- (f) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency’s proposed action;
- (g) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency’s proposed action, including an explanation of how any alleged facts relate to the specific rules or statutes; and;
- (h) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency’s proposed action.

Petitions must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person’s right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. If petitioner is someone other than the Respondents to the Consent Order and Variance, the petitioner shall also mail a copy of the petition to the Respondents at the following addresses: Lazaro R Martinez and Marialina T 13851 SW 30th Street, Miami, FL 33175.

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the Respondents to the Consent Order and Variance and persons who have asked the Department in writing to receive notice of this action pursuant to Sections 403.201 and 120.63, F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant and those entitled to written notice under Section 120.60(3), F.S., must be filed within 21

days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Mediation is not available in this proceeding.

The Consent Order and Variance, and all files associated with the Order are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at the Department of Environmental Protection, South District Branch Office, 2796 Overseas Highway, Suite 221, Marathon, Florida 33050.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of the Secretary
Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850) 717-9076. This public notice fulfills the requirements of 15 CFR 930.

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.
