

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-6.007 Elephant Rides

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify rule language and increase public safety of elephant rides. The effects of the proposed draft rule will be clarified application requirements, improved enforcement, and increased public safety.

SUMMARY: Current rules governing elephant rides in Florida lack clarity and allow for ambiguity in enforcement action. The proposed draft rule clarifies application requirements such as animal identification and safety records. It also requires licensees to notify the Commission in advance when an elephant ride is to occur outside of a licensed facility. Handlers will be required to have free contact experience hours specific to each elephant, thus increasing public safety. Currently, rules do not establish specific barrier requirements for elephant rides, which has the potential to impact public safety. The proposed draft rule modification would require a boundary and barrier during public elephant rides. The boundary would form the ride delineation and the public barrier would prevent unauthorized contact from bystanders during public elephant rides. The draft rule provides specific requirements for public barrier height and material. Licensees who have been continuously licensed and authorized for elephant rides at the time the rule becomes effective would be grandfathered and authorized to conduct private elephant rides.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATE AND TIME: During the Commission’s regular meeting May 13-14, 2020, 8:30 a.m. to 5:00 p.m., each day

PLACE: Hilton Miami Dadeland, 9100 North Kendall Drive, Miami, Florida 33176

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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Major Rob Beaton, 620 South Meridian Street, Tallahassee, FL 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 68A-6.007 follows. See Florida Administrative Code for present text.)

68A-6.007 Elephant Rides

(1) No person, firm, or corporation shall use elephants for rides without first obtaining written authorization from the Commission. Such authorization shall be applied for annually with the license issued under Section 379.3761, F.S. and Rule 68A-6.004(c).

(2) Definitions: For the purposes of this rule, the following shall be defined as:

(a) Safety incident - any incident involving the elephant that causes injury or death of any person or animal.

(b) Free contact - contact in which there are no barriers between a person and the elephant

(c) Ride area - area where the elephant walks while conducting rides

(3) Qualifications for elephant ride authorization

(a) Identification: Applicants for elephant ride authorization shall include in their application identifying

information including photographic identification and other information that clearly identifies the elephant(s) to be used in the rides. The identifying information must allow the Commission to identify the individual elephant(s) being used in the rides so as to be distinguished from other elephants. Photographs of each elephant must be updated at each application and shall include a full view of the front and both sides of the elephant.

(b) Safety record: The application shall include a notarized statement which details the complete safety record and documents all of the known safety incidents or escapes involving the elephant identified in the ride authorization request. No elephant that has ever caused a safety incident shall be used for rides. In addition, licensees are required to notify the Commission immediately if an elephant escapes containment or is involved in a safety incident subsequent to the approval of the application. Any elephant involved in a safety incident, regardless of location, shall not be allowed to have any contact with the public in Florida and all ride authorizations will be immediately suspended until an investigation and review of the incident by the Commission is completed. After reviewing the findings of the investigation, the Commission shall render a determination concerning the continuation or termination of such ride authorization or the authorization of any qualified handler or assistant to operate the elephant ride. Such determination shall consider the following:

1. If the safety incident was not caused by the elephant, it shall not result in termination of the elephant ride authorization or public contact.

2. If the safety incident was not caused by and could not have been prevented by the handler or assistant, it shall not result in termination of the handler or assistant's authorization.

(c) Notification: Licensee shall notify the Commission no less than 24 hours prior to conducting elephant rides at a location other than a facility authorized to possess elephants. Notification shall consist of an itinerary which shall include dates, times, and locations that elephant rides will be conducted. Licensees shall not be required to notify the Commission if these rides were previously submitted on the itinerary required as part of their application for licensure under Section 379.3761, F.S.

(d) Emergency response: A tethering device and firearm shall be present at all sites where elephant rides are available. Applicants shall have a written emergency response plan to ensure public safety. This plan shall be available onsite and at all times elephant rides are occurring for inspection by Commission personnel. Emergency response plan and preparation shall include:

1. Measures for protecting the public which specify what to do in case of an elephant safety incident, including where tethering devices and firearms are kept. If the plan includes

tranquilizing equipment, their location must also be included. The plan must also include a list of onsite personnel authorized to use the tethering devices, tranquilizing equipment and/or firearms, and when such equipment, devices and/or firearms shall be used to capture, control, or destroy escaped or out-of-control animals. All tranquilizing equipment, tethering devices and/or firearms are subject to inspection by commission personnel to ensure all equipment and/or firearms are operable and sufficient for the intended purpose. The tethering device shall have the ability to be anchored and be within 50 feet of the elephant while conducting rides. The minimum acceptable caliber for the firearm shall be .375 H & H magnum. Personnel authorized in the plan to utilize tranquilizing equipment, tethering devices and/or firearms shall be an employee 18 years of age or older and trained in the use of such devices, equipment and/or firearms.

2. When an elephant is available for or conducting rides, personnel, equipment, devices and/or firearms shall be on the premises, in close proximity and able to be accessed within 5 minutes. Use and possession of firearms specified in the plan shall be in compliance with Chapter 790, F.S.

(e) Experienced supervision: All elephant rides shall be supervised by a minimum of one qualified handler and one assistant. Both the qualified handler and assistant shall be a minimum of 18 years of age and not have any unsafe captive wildlife conditions or animal neglect or abuse related violations within three years. Applicants shall provide a notarized document at the time of application showing the qualified handler meets the standards below:

1. A minimum of 1000 hours of free contact experience with the specific animal that he or she will be handling.

2. The experience must be gained by working with a qualified handler who is currently authorized as a handler for that specific elephant.

3. The experience hours must include the dates, times, and locations of the training and identifying information of the currently authorized handler. The currently authorized handler must sign the provided experience hours certifying all claimed hours were gained in their presence and with the specific elephant for which they are requesting authorization.

4. Individuals authorized as qualified handlers on the effective date of this rule are not required to provide additional documentation of experience for the elephants for which they are currently authorized.

5. Once a handler has been approved for an elephant, they may request additional elephant authorizations by providing an additional 250 hours of free contact experience with each additional elephant in the same manner as stated above.

6. In their initial and renewal application and upon every change of personnel, applicants shall provide the Captive

Wildlife Office with the following information for the requested qualified handlers and assistants:

- a. Name,
- b. Date of birth, and
- c. A copy of a valid government-issued photo ID.

7. Qualified handlers and assistants shall be approved by the Commission in writing prior to conducting the activity. Such handler shall be in the immediate presence of the elephant at all times when the elephant is in position to be in direct contact with the public. Such handler is determined to be in the immediate presence of an elephant if the handler is in close physical proximity to the elephant and able to instantly exert direct control, if necessary.

(f) For elephant rides open to the general public there shall be a ride area and public barrier as defined below:

1. The ride area shall be clearly identified with a ring curb or other easily identifiable boundary delineation.

2. The public barrier shall be a minimum of 44 inches tall from the ground up with gaps no greater than six inches to prevent bystanders from having contact with the animal. The barrier shall be constructed of a manufactured material which creates a continuous and uniform barrier which is anchored or otherwise secured in a manner that maintains the integrity of the barrier. The public barrier shall be no less than five feet from the ride boundary and have clearly visible signs posted every 10 feet which state "Keep Out" in at least 2-inch letters.

(g) Licensees who have had continuous annual authorization for elephant rides since the effective date of this rule shall be allowed to conduct private elephant rides. A private elephant ride shall be prearranged and must have a written contract in place at least 24 hours in advance and not be open to the general public. Only guests or hosts of the contracted event are eligible to engage in elephant rides. Such ride shall utilize two qualified handlers and adequate assistants to prevent bystanders from coming into contact with the elephant and are not required to have an additional barrier.

(4) No person shall intentionally attempt to weaken or breach the integrity of any boundary or barrier.

(5) No person, except the ride participants, qualified handler, or assistant, may come into contact with the elephant while it is conducting a ride.

(6) Full contact is only allowed by the ride participants during the elephant ride. Ride participants shall only come into contact with the elephant's back and sides.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.373, 379.374 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3761, 379.3762 FS. History—New 1-1-08, Amended 1-8-08, 8-27-09, 8-26-10, 12-31-16, 1-1-19, 9-30-19,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Curtis Brown, Director, Division of Law Enforcement,

Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 2, 2020

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agent and Agency Services

RULE NOS.:	RULE TITLES:
69B-215.050	Receipt of 24 Risks
69B-215.070	Exchange of Business: Property and Casualty Insurance

PURPOSE AND EFFECT: These rules are being amended pursuant to statutory changes made in 2018 that amended requirements for agents that write business outside the companies the agent is appointed to represent as well as reporting requirements for insurers that receive business from agents that are not appointed to represent the company. The proposed amendments also update references to the bureau and division.

SUMMARY: The proposed amendments address statutory changes made regarding agents writing business outside the companies the agent is appointed to represent.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's preliminary economic analysis indicated the proposed rules will not result in an adverse impact or regulatory costs in excess of \$1 million within five years.

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: 624.308, FS.

LAW IMPLEMENTED: 624.307(1), 626.561(1), 626.611, 626.621, 626.752, 626.793, 626.837, 626.9541, 627.4085, 627.420, 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: Ray Wenger, Chief, Bureau of Investigation, Division of Insurance Agent and Agency Services at (850)413-5605, 200 East Gaines Street, Tallahassee, Florida 32399, or Ray.Wenger@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-215.050 Receipt of ~~24~~ Risks.

For purposes of an insurer reporting to the Department agents from whom the insurer received more than four (4) ~~24~~ risks per calendar year as set forth under sections 626.752, 626.793, and 626.837, F.S., the term “received” shall mean the binding of coverage and receipt of payment for such coverage by the insurer to whom the business is submitted by the brokering agent of more than four (4) ~~24~~ personal lines risks during a calendar year.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.752, 626.793, 626.837 FS. History—New 10-12-93, Formerly 4-215.050, Amended, _____.

69B-215.070 Exchange of Business: Property and Casualty Insurance.

(1) Purpose. This rule regulates the acts and practices of insurers and agents specifically with respect to exchange of business under section 626.752, F.S.

(2) Required Disclosure on Forms. All business submitted under section 626.752, F.S., must be submitted on forms which prominently display the name of the insurer. All forms must prominently display the insurer’s name at the time the forms are furnished to the agent by the insurer or on the insurer’s behalf by the managing general agent (MGA). No business may be submitted on forms which did not prominently display the name of the insurer at the time the forms were furnished to the agent. The term “forms,” for purposes of this subsection, includes coverage documents, binders, and applications. This restriction shall not apply to the placing of surplus lines business.

(3) Brokering Agent. If an insurer intends to do business with a resident general lines agent not appointed by the insurer, the insurer must furnish the agent with its forms, coverage documents, binders, applications and other incidental supplies subject to these rules necessary to facilitate the writing of exchange of business as defined in section 626.752, F.S.

(4) Writing Business Outside of Appointment Office. Under section 626.752, F.S., an agent is permitted to transact insurance for companies the agent is not appointed to represent outside of his office. However, the Department will discipline an agent under section 626.752(3)(g)3., F.S., among other

provisions, if the agent fails to furnish the applicant or insured with completed legible copies of all documents signed by the applicant or the agent prior to the applicant paying any part of the premium.

(5) Entries In Brokering Agent’s Register. The Department interprets section 626.752(3)(e), F.S., regarding entries into the Brokering Agent’s Register, to require the brokering agent to make sequential entries as each application is taken.

(6) Bank Accounts for Non-Appointing Insurers.

(a) Regarding section 626.561, F.S., and the exchange of business, the following conditions shall be met:

1. At least one bank account shall be established by the agent which shall hold all the funds received on behalf of insurers with whom the agent is not appointed. Said account or accounts shall not hold any other funds. Examples of “any other funds” include:

- a. Funds received on behalf of an insurer with whom the agent is appointed;
- b. Business operating expenses; or
- c. Any other funds that are not trust funds of the insurer or the insured.

2. The agent shall keep separate account ledgers as to each insurer and a master account ledger as to these insurers collectively.

3. The agent shall maintain these ledgers at the same time as the agent effects transactions in the bank account or accounts. These accounts must be reconcilable.

4. The ledger(s) must be sufficient to allow the Department to trace the flow of funds among all the parties (including the insurers, premium finance companies, agents, agency, and/or insured(s) and among the agent’s accounts (including the appropriate ledger(s) and bank account(s)). All such transactions shall be traceable back to the brokering agent’s register (or “binder book”) which register must contain the entries as required by section 626.752(3)(e), F.S.

5. The agent shall retain copies of the documents necessary to account for trust funds, including checks, electronic transfers, debit and credit card transactions, withdrawals, bank statements, binders, refund receipts, and ledgers, for a period of at least three years. Preservation of records by computer or photographic reproduction or records in photographic form shall constitute compliance with this requirement.

(b) Nothing in this rule shall preclude an agent from maintaining separate bank accounts as required by an insurer or MGA, providing that the requirements do not conflict with paragraph (6)(a) of this rule.

(c) This subsection does not apply to funds collected through the placement of surplus lines business.

(7) Effective Date of Coverage. At the time that coverage is bound, the brokering agent shall promptly notify the insured and the insurer of effective time and date of coverage and the

brokering agent shall promptly forward the application and any due premium funds to the insurer. If coverage is not bound at the time of the application, the insurer or brokering agent shall promptly notify the insured when the coverage is bound as to the time and effective date of coverage. If coverage is not accepted by the insurer, then the brokering agent shall promptly inform the prospective insured that coverage was not bound.

(8) It shall be the responsibility of the insurer and MGA to verify that any business submitted to them for consideration is submitted in compliance with the provisions of this rule and section 626.752, F.S. The insurer and MGA shall immediately report and supply a copy of any document submitted in violation of this rule to the Bureau of Investigation, Division of Insurance Agent and Agency Services Investigations, in Tallahassee, Florida. No insurer or MGA shall accept business from an agent not appointed with the insurer on a form, coverage document, binder, or application not furnished to the agent by the insurer and/or MGA. If any insurer or MGA fails to comply with this rule, the insurer or MGA shall be subject to penalty as provided under the Florida Insurance Code and rule chapter 69B-231, F.A.C. If an insurer accepts or an MGA handles business under section 626.752, F.S., the insurer and the MGA shall be liable for coverage arising thereunder. This subsection is not intended to relieve the brokering agent of his or her obligation to comply with this rule or to preclude any right of an insurer or MGA to seek recovery from the brokering agent for damages incurred due to the wrongful acts of the brokering agent.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 626.561(1), 626.611, 626.621, 626.752, 626.9541, 627.4085, 627.420 FS. History—New 10-12-93, Formerly 4-215.070, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Wenger
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, CFO
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 04, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 12, 2020

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: 5B-57.014
RULE TITLE: State Hemp Program
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 198, October 10, 2019 issue of the Florida Administrative Register.

Rule 5B-57.014 - State Hemp Program

(1) No change.

(2) Definitions. The definitions provided in ss. 581.011, 581.217, F.S., and the following shall apply to this rule:

(a) “Acceptable THC level” means that the representative sample has a Total delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry-weight basis.

~~(b)~~(a) No change.

(c) “Designated laboratory” means a laboratory that:

1. Holds an ISO 17025 accreditation; and

2. Is registered with Drug Enforcement Administration (DEA) in accordance with 21 CFR 1301.13; and

3. Has entered into a compliance agreement with the Department to conduct Tetrahydrocannabinol concentration sampling and testing. The Designated Laboratory Compliance Agreement, FDACS – 08121, 12/19, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The Pre-Harvest Sampling Manual, FDACS – 08127, 02/20, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The Cannabis Sample Submission Form, FDACS-08114, 02/20, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. JCGM 100:2008, Evaluation of Measurement Data - Guide to the expression of uncertainty in measurement (September 2008) is incorporated herein by reference. Copies may be obtained from <http://www.bipm.org> and are also available for public inspection during regular business hours at the Florida Administrative Code and Register, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250 and at the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, 1911 SW 34th Street, Gainesville, FL 32608-1201. Posting of the aforementioned document on the internet for purposes of public examination would violate federal copyright law.

~~(d)~~(b) No change.

~~(e)~~(e) “Lot/Plot” means a contiguous area in a field, greenhouse, or indoor growing structure used for cultivation of the same variety or strain of hemp.

(d) through (g) reordered (f) through (i) No change.

(3) No change.

(4) Application. It is unlawful for a Person to cultivate hemp in this state without a License to Cultivate Hemp issued by the Department. A Person seeking a license to cultivate hemp shall submit the following to the Department:

(a) A completed Application for License to Cultivate Hemp, FDACS-08112, 12/19 40/49, incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) A detailed description of each ~~Plot~~ location intended for the cultivation of hemp, including address, legal land description, tax parcel number, and GPS coordinates.

(c) A full set of fingerprints for each Control person and the Responsible person submitted through a Livescan service provider evaluated by the Florida Department of Law Enforcement for state and national processing to Department ORI number FL925080Z. The Livescan service provider receipt for payment and process reference number must be provided with the Application For License to Cultivate Hemp, FDACS-08112, 12/19 40/49. If the fingerprint processing identifies criminal charges or convictions related to a controlled substance violation under state or federal law, the Department will notify the applicant that additional information is needed to complete the application. The applicant must provide to the Department a certified copy of the final disposition concerning the matter which the Department requested additional information pursuant to this section within ninety (90) days of receipt of the notification.

(d) An environmental containment plan for each LotPlot. An environmental containment plan must include the following:

1. A containment system of silt fences, berms, or fallow areas consisting of bare earth or ground cover to prevent the hemp from spreading beyond the LotPlot.

2. A plan to clean any equipment used on the LotPlot of all debris before it is moved from the property.

3. No change.

(5) License.

(a) through (c) No change.

(d) A licensee must notify the Department before changing the cultivation location(s) approved on the licensee's application. This notification must be made to DPIHemp@FDACS.gov sixty (60) days before any changes. A Licensee must request an amendment to the application sixty (60) days prior to planting additional cultivation locations.

(6) Cultivation requirements. The licensee must:

(a) No change.

(b) Comply with the Hemp Waste Disposal Manual. The Hemp Waste Disposal Manual, FDACS-08115, 12/19 40/49, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. ~~The Hemp Sample Submission Form FDACS-08113, 40/49, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.~~ Code of Federal Regulations Title 40 – Protection of

Environment, Parts 261.3 and 273, Subpart A 263, revised as of July 1, 2019, is incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(c) No change.

(d) Maintain the ~~certification~~, label, and receipts for all Certified hemp seed, Pilot project hemp cultivars, or Pilot project hemp seed ~~Certified hemp seed or Certified hemp cultivars~~ used in the cultivation of hemp for three (3) years from the date of harvest. These documents must be provided to the Department upon request.

(e) Use only Certified hemp seed, Pilot project hemp cultivars, or Pilot project hemp seed ~~Certified hemp seed or Certified hemp cultivars~~ as defined in Rule 5E-4.016, F.A.C., or nursery stock ~~obtained from a Florida nursery registered with the Department~~ that was grown from Certified hemp seed, Pilot project hemp cultivars, or Pilot project hemp seed. ~~Certified hemp seed or a Certified hemp cultivar.~~

(f) Only cultivate hemp on lands that are used primarily for bona fide agricultural purposes pursuant to s. 193.461, F.S., ~~or~~ lands located within an area zoned for agricultural or industrial use, or at a nursery as defined in s. 581.011, F.S.

(g) No change.

(h) Each LotPlot must be identified separately using a numeric ~~plot~~ designation.

(i) Report the hemp crop acreage to the USDA Farm Service Agency in accordance with 7 CFR 990.23.

(j) Only use Designated laboratories that qualify as Independent testing laboratories pursuant to section 581.217(3)(f), Florida Statutes.

(7) Nurseries. Nurseries propagating hemp plants for distribution shall:

(a) through (b) No change.

(c) Only distribute hemp plants for cultivation to Persons who are authorized to cultivate Hemp. Only distribute hemp plants for cultivation to Persons in the state of Florida who are licensed pursuant to this rule or to Persons within the United States who are authorized to cultivate hemp under a plan authorized pursuant to 7 U.S.C. 1639p.

(d) No change.

(8) Tetrahydrocannabinol concentration ~~field~~ sampling.

(a) Within fifteen (15) days prior to the harvest date, the Department or its agent shall collect a representative sample from each Lot to be tested for Total delta-9 tetrahydrocannabinol concentration. Any sampling by the Department or its agent shall be done in accordance with the Pre-Harvest Sampling Manual, FDACS – 08127, 02/20. The licensee shall be responsible for any fees or costs to conduct sampling or laboratory testing. The licensee or its agent must be present during any sample collection. Prior to each harvest,

~~the licensee shall collect a representative sample from each Plot of hemp to be tested for Total delta 9 tetrahydrocannabinol concentration. The representative sample must be collected and submitted in accordance with the Hemp Field Sampling Manual for Licensees, FDACS 08114, 10/19. The Hemp Field Sampling Manual for Licensees is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.~~

~~(b) The Department or its agent will place the sealed representative sample in the mail or deliver to the Designated laboratory of the licensee's choosing within one business day of collection. A Cannabis Sample Submission Form, FDACS-08114, 02/20, must be submitted with each representative sample. The representative sample shall be submitted by the licensee to an ISO-17025 accredited laboratory for testing. The licensee must use laboratories whose methods for testing Total delta-9 tetrahydrocannabinol concentration are within their scope of accreditation. The licensee must require the laboratory to report the analysis results for Total delta-9 tetrahydrocannabinol concentration and a copy of the Hemp Sample Submission Form, FDACS 08113, 10/19, directly to the Department by email at DPIHemp@FDACS.gov within twenty four (24) hours of test completion. The licensee shall not harvest the Plot until the laboratory results indicate the representative sample does not have a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis unless authorized under paragraph 5B-57.014(9)(b), F.A.C. If the representative sample results indicate that the Total delta-9 tetrahydrocannabinol exceeds 0.3% on a dry weight basis, the Department will perform a confirmatory test.~~

~~(c) The Designated laboratory's initial report must be issued to DPIHemp@FDACS.gov within one business day after completion of the analysis. Within one business day of receipt, the Department will notify the licensee if the representative sample has an Acceptable THC level. If the representative sample has an Acceptable THC level, the Lot may be harvested.~~

~~(d)(e) If the Department notifies the licensee initial laboratory report and the Department's confirmatory results indicate that the representative sample has an unacceptable THC level Total delta-9 tetrahydrocannabinol exceeds 0.3% on a dry weight basis, the licensee must:~~

~~1. Request that the Designated laboratory retest the retained sample held pursuant to the Designated Laboratory Compliance Agreement, FDACS – 08121, 12/19. A request to retest the retained sample must be made to the Designated laboratory within one business day of receipt of the notification provided in paragraph (d) of this subsection. The licensee shall~~

~~be responsible for any fees or costs to conduct laboratory testing; or~~

~~2. Arrange for the collection or destruction of the non-compliant Lot by a DEA-registered reverse distributor, or a duly authorized Federal, State, or local law enforcement officer; or the licensee will be responsible for the destruction of all hemp plants in the Plot. The licensee shall completely destroy all hemp plants, rendering the plants as non viable in accordance with the Hemp Waste Disposal Manual FDACS-08115, 10/19. However, if a licensee removes and destroys all leaf and floral material from the plants, the hemp plants may be processed for barestalk fiber, hulled hemp seed, hemp seed protein powder, or hemp seed oil.~~

~~3. Dispose of the Lot in accordance with the Hemp Waste Disposal Manual, FDACS-08115, 12/19.~~

~~(e) If a retest report is issued and the Department again notifies the licensee that the representative sample has an unacceptable THC level, the licensee must:~~

~~1. Arrange for the collection or destruction of the non-compliant Lot by a DEA-registered reverse distributor, or a duly authorized Federal, State, or local law enforcement officer; or~~

~~2. Dispose of the Lot in accordance with the Hemp Waste Disposal Manual, FDACS-08115, 12/19; or~~

~~3. Request that the Department collect a confirmatory sample and perform a confirmatory test of the Lot. This request must be made to DPIHemp@FDACS.gov within one business day of receipt of the notification provided in paragraph (e) of this subsection.~~

~~(f) Any confirmatory sampling by the Department of unharvested hemp shall be done in accordance with the Pre-Harvest Sampling Manual, FDACS – 08127, 02/20. Any confirmatory sampling by the Department of harvested hemp shall be done in accordance with the Post-Harvest Sampling Manual, FDACS – 08129, 02/20, which is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Any confirmatory testing by the Department shall be done in accordance with the procedures outlined in the Designated laboratory Compliance Agreement, FDACS – 08121, 12/19. The expense of the confirmatory sampling and the confirmatory testing shall be assessed, collected, and enforced against the licensee by the Department. The licensee or its agent must be present during any sample collection.~~

~~(g) If the Department's confirmatory report indicates that the Lot has an Acceptable THC level, the Lot may be harvested. If the Department's confirmatory test indicates that the Lot has an unacceptable THC level, the director of Plant Industry or her or his designee shall notify the licensee and the licensee shall within 10 days after the notice:~~

1. Arrange for the collection or destruction of the non-compliant Lot by a DEA-registered reverse distributor, a duly authorized Federal, State, or local law enforcement officer; or

2. Dispose of the Lot in accordance with the Hemp Waste Disposal Manual, FDACS-08115, 12/19.

(h) If the licensee refuses or neglects to comply with the terms of the notice in paragraph (g) of this subsection, the director or her or his authorized representative may, under authority of the Department, proceed to destroy the plants. The expense of the treatment or destruction shall be assessed, collected, and enforced against the licensee by the Department. No damages shall be awarded to the licensee for the destruction of the plants under the provisions of this rule.

(i) The licensee shall notify the Department within one business day of the collection or destruction of a non-compliant Lot. This notification must be made via Notice of Disposal, FDACS-08116, 12/19, which is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(9) Harvest.

(a) The licensee must notify the Department no fewer than thirty (30) days prior to each intended harvest date by email at DPIHemp@FDACS.gov or by phone at 1-888-397-1517. The licensee shall not harvest the Lot hemp until the Department notifies the licensee the pre-harvest laboratory results indicate that the representative sample has an Acceptable THC level unless authorized under paragraph (b) of this subsection. ~~does not have a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3 % on a dry weight basis.~~

(b) If a representative sample has been collected, the licensee may harvest the Lot before the Designated laboratory results are available if the licensee complies with the following: If sample or resample results are not available before the intended harvest date or the licensee needs to alter the intended harvest date, the Plot may be harvested if the licensee complies with the following:

1. through 3. No change.

4. The harvested material must remain segregated from other harvested hemp until the Designated laboratory results are available.

(10) Inspections. The Department shall conduct random annual inspections of each licensee to ensure compliance with the following:

(a) No change.

(b) Maintenance of Certified hemp seed, Pilot project hemp cultivars, or Pilot project hemp seed ~~Certified hemp seed or Certified hemp cultivar~~ documentation required under paragraphs 5B-57.014(6)(c)-(d), F.A.C.

(c) through (e) No change.

(11) Transportation Requirements.

(a) Intrastate movement. Any Person transporting propagative parts of hemp, live hemp plants, Processed hemp plant material, and Unprocessed hemp plant material within the state of Florida shall:

1. No change.

2. Have in their possession a bill of lading or proof of ownership, documentation showing the name, physical address, Lot~~Plot~~ designation number, and license number of the originating licensed cultivator, and the name and physical address of the recipient of the delivery when transporting between non-contiguous locations.

3. No change.

(b) Interstate movement. Any Person outside the State of Florida who desires to ship into this state propagative parts of hemp, live hemp plants, Processed hemp plant material, and Unprocessed hemp plant material from any state, U.S. possession, territory, or district of the United States, or foreign jurisdiction, shall comply with the following regulations:

1. The movement of propagative parts of hemp or live hemp plants into the State of Florida is prohibited unless:

a. Maintained and shipped in a soilless growing media, sterile growing media, ~~or sterile~~ and environment; and

b. Accompanied by proof of origin with hemp cultivation license number, or equivalent, from the jurisdiction of origin and an original phytosanitary certificate of inspection issued by a state or country plant protection governmental agency.

2. The movement of any Unprocessed hemp plant material ~~destined for processing~~ into the State of Florida is prohibited unless: ~~accompanied by proof of origin and transported frozen or dried.~~

a. Accompanied by proof of origin with a hemp cultivation license number, or equivalent, from the jurisdiction of origin; and

b. Accompanied by a certificate of analysis showing that the Unprocessed hemp plant material has an Acceptable THC level; and

c. Transported frozen or dried.

3. The movement of any Processed hemp plant material into the state of Florida is prohibited unless:

a. No change.

b. Accompanied by proof of origin with a hemp cultivation license number, or equivalent, from the jurisdiction of origin; and

c. Accompanied by a certificate of analysis showing that the Processed hemp plant material has an Acceptable THC level.

4. No change.

(12) Abandoned operations. It is the responsibility of the licensee to completely destroy all hemp plant material, rendering the plants non-viable in accordance with the Hemp

Waste Disposal Manual FDACS-08115, ~~12/19~~ 4049, prior to vacating the property or stopping hemp cultivation.

(13) through (14) No change.

~~(15) Destruction verification. All destructions must be conducted under the supervision of an authorized representative of the Department.~~

Rulemaking Authority 570.07(23), 581.031(4), (5), 581.217(5), FS. Law Implemented 581.031, 581.083, 581.217, FS. History–New _____

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

RULE NO.: RULE TITLE:
61G6-6.017 Examination Scores

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 221, November 13, 2019 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the Board at the public meeting held January 24, 2020. The rule shall now read as follows:

61G6-6.017 Qualification of Joint Ventures.

(1) through (2) No change.

(3) Any current active certified contractor under chapter 489 Part I, F.S., may use their Florida Construction Industry Licensing (CILB) Board business & finance exam scores in lieu of taking the Florida Electrical Contractors’ Licensing Board business and finance portion of the exam, provided:

(a) through (b) No change.

~~(c) Section 1 of this rule does not apply to exam scores under this provision.~~

Rulemaking Authority 455.217(2) FS. Law Implemented 455.217(2), 489.511(1) FS. History–New 11-21-07, Amended 10-20-16,

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruthanne Christie, Executive Director, Electrical Contractors’ Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-0751.

DEPARTMENT OF JUVENILE JUSTICE

Probation

RULE NOS.:	RULE TITLES:
63D-13.001	Definitions.
63D-13.0021	Detention Screening.
63D-13.0022	Intake Screening.
63D-13.004	Community Supervision.
63D-13.0041	Transfers of Supervision.
63D-13.0042	Violations of Supervision.
63D-13.0051	Admission of Youth.
63D-13.0062	Service Delivery.
63D-13.0065	Release.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 10, January 15, 2020 issue of the Florida Administrative Register.

63D-13.001 Definitions.

For this rule chapter, the following terms are defined as follows:

(1) through (39) No change.

(40) Request for Release Letter – A letter to accompany the pre-release notification PRN used to advise the court of the department’s agreement with the release request from the program. This form is also known as the Judge’s Release Notification.

(41) through (48) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.03, 985.135, 985.14, 985.145, 985.245, 985.435, 985.46, 985.601 ~~985.601~~ FS. History–New _____.

63D-13.0021 Detention Screening.

(1) No change.

(2) In making the decision to detain or release a youth, the JPO/Screeners shall take several key factors into consideration:

(a) The detention placement decision shall be based upon an independent assessment of risk determined by the DSI ~~DRAI~~.

(b) through (c) No change.

(3) Screening packets for detained youth.

(a) A screening packet shall be completed and uploaded into the document library of JJIS and copies sent to the Clerk of Court, State Attorney’s Office, Public Defender/Defense Attorney, Detention Center, if applicable, and the JPO.

(b) Documents to include in the screening packet, include copies of the following:

1. Arrest affidavit/court order;

2. DSI ~~DRAI~~;

3. through 6. No change.

(c) No change.

(4) Youth wanted in another jurisdiction and presented for detention screening.

(a) The JPO/Screeners shall access the “contact persons” portion of the JJIS Face Sheet to identify the issuing county JPO and JPOS. The JPO/Screeners shall contact the issuing JPO by telephone, to inform them that the youth has been detained (identify county) and shall identify the specific detention center where the youth will be going. The JPO/Screeners shall also send a follow-up email to the issuing county JPO and JPOS, to include the youth’s name, Department of Juvenile Justice identification number ~~DJJID~~, the county where the youth is detained, and the name of the detention center where the youth will be held.

(b) No change.

(5) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.245, FS. History–New_____.

63D-13.0022 Intake Screening.

(1) through (3) No change.

(4) An initial intake conference with the youth and parent(s)/guardian(s) shall be held in all cases unless the youth and parent(s)/ guardian(s) refuse or are unable to participate.

(a) through (b) No change.

(c) The JPO shall attempt to obtain written consent for substance abuse treatment from the youth and parent at the intake conference for all youth with substance abuse needs.

(5) No change.

(6) As with the complainant and victim information, the information gathered during the initial intake conference is a part of the youth’s assessment of risk and needs and is used in developing the State Attorney Recommendation (SAR) and Pre-Disposition Report (PDR), if ordered.

(a) No change.

(b) The SAR shall address the following: attitude of youth, cooperation of parent(s)/guardian(s), ability of parent(s)/guardian(s) to control youth, attitudes of complainant and victim, information related to youth’s involvement or association with a criminal street gang, and any available information on mental health and substance abuse needs. The State Attorney Recommendation (DJJ/CATFRM 3 08/2019) is incorporated and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-11533>.

(c) No change.

(7) through (8) No change.

(9) Staff will document all actions, efforts, occurrences, and communications related to the management of all youth referred to the department.

(a) The JJIS ~~Case Notebook Module~~ case notebook module is the sole source of documentation for all case management and supervision activities in all state-operated and provider community supervision programs. Each case note entered into the ~~Case Notebook Module~~ case notebook module shall be

entered within seventy-two (72) hours of the event that is being documented. After seventy-two (72) hours, the case note is considered a “late entry” and must be labeled as such in the *General Narrative* section.

(b) through (c) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.14, 985.145, FS. History–New_____.

63D-13.004 Community Supervision

(1) through (3) No change.

(4) The initial YES Plan shall be developed within thirty (30) calendar days of disposition, in the case of probation, or release, in the case of CR or PCP, and must be signed by all parties, including the youth, family, JPO, and JPOS. An electronic signature for the JPO and JPOS is acceptable.

(a) Once the youth, parent, JPO and JPOS have signed and dated the initial YES Plan, the JPOS will have thirty 30 calendar days to enter an initial supervisory review note into the JJIS ~~Case Notebook Module~~ case notebook module. The date of the initial supervisory review note shall serve as the starting point for determining when all subsequent ninety (90)-day supervisory reviews shall be due.

(b) through (e) No change.

(5) through (6) No change.

(7) Prolific Juvenile Offender (PJO) youth shall be contacted as follows, until the youth no longer meets the PJO eligibility criteria:

(a) ~~1-~~ Three contacts weekly face-to-face with the youth (LEO contacts with the youth do not count).

(b) ~~2-~~ One (1) face-to-face contact with the parent biweekly and one (1) weekly evening telephone call with the parent to verify curfew.

(c) ~~3-~~ During the initial twenty-one (21) days of PJO supervision, at least one face to face contact with the youth should occur on a Saturday or Sunday.

(d) ~~4-~~ PJO youth shall participate in a law enforcement curfew program, if available.

(8) The assessment of youth is not a one-time event, but an ongoing process. Therefore, the JPO shall update the youth’s risk and needs assessment to ensure that CAT results are reflective of the youth’s status, including changes in behavior and progress with YES Plan sanctions and goals.

(a) Re-assessments shall be done anytime there is a new law violation, after each new disposition, and as pre and post testing for all delinquency interventions, ~~such as Redirections and day treatment~~.

(b) Youth who score low or moderate risk to reoffend upon program completion do not require a full CAT reassessment.

(c) At a minimum, assessments shall not be more than six months old for any youth on supervision.

(d) Final assessments are required for all youth within the last thirty (30) days of supervision.

(9) No change.

(10) If a youth is placed in adult jail, the JPO shall continue case management responsibilities.

(a) No change.

(b) If a youth is placed in adult jail, the JPO shall within two (2) business days of having knowledge that the youth is in jail:

1. through 2. No change.

3. Contact the youth's family to explain that the youth will continue to be under DJJ supervision until jurisdiction expires or otherwise ordered by the court, and that the youth shall immediately upon release from jail, contact the assigned JPO to schedule a face-to-face ~~appointment~~ appointment.

4. No change.

(c) through (e) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.43514, 985.601, FS. History–New _____.

63D-13.0041 Transfers of Supervision

(1) through (2) No change.

(3) If the youth relocates within the circuit (intra-circuit), the JPOS shall prepare an email notification to the receiving unit JPOS, along with a Supervision Transfer Summary. The Supervision Transfer Summary is used to provide the receiving circuit of a youth's case the youth's address, living situation, legal status, a summary of the case(s), and the supervision adjustment. The Supervision Transfer Summary (DJJ/PROFRM 16 08/2019) is incorporated and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-11538>.

~~(4)(3)~~ If the youth relocates to another circuit (inter-circuit), the JPOS shall prepare an email notification to the sending ICJ Circuit Liaison who shall in turn notify by email the receiving ICJ Circuit Liaison, with a copy to the CPO, of the family's intent to relocate. The notification shall also include current demographic information for youth and family, as well as a Supervision Transfer Summary.

~~(5)(4)~~ If the receiving unit is in another circuit court's jurisdiction, the JPO shall request the court transfer jurisdiction to the circuit in which the youth will be residing. The court may grant or reject the request.

~~(6)(5)~~ The receiving JPO shall make face-to-face contact with the family within two (2) business days of receiving the transfer request and shall notify the sending JPO that initial contact has been made with the youth and family. The receiving JPO and JPOS shall assume all responsibility for risk assessments, YES Plan, and case reviews.

~~(7)(6)~~ For youth temporarily placed in a substance abuse, mental health, or other community-based residential treatment program, supervision shall be maintained, and not transferred.

The assigned JPO shall continue to supervise the youth in accordance with the department approved contact schedule. Contacts with the youth may be telephonic, if outside the 50-mile radius. Contacts with youth, regardless of the method used, must be meaningful and must capture the youth's progress in the program.

~~(8)(7)~~ The JPOS of the sending unit is responsible for ensuring that all procedures outlined above have been followed for the appropriate and efficient transfer of cases.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.435, 985.46, FS. History–New _____.

63D-13.0042 Violations of Supervision

(1) through (3) No change.

(4) Technical violations involve noncompliance with court-ordered sanctions, such as not reporting to the JPO as directed, failing to complete community service, failing to follow through with a referral, truancy, or failing to make restitution payments.

(a) No change.

(b) If the JPO and JPOS decide that court action is warranted, an Affidavit/Petition for Violation of Probation shall be filed with the state attorney alleging that the youth is in violation of supervision. The affidavit shall be filed within seven (7) calendar days of the JPO becoming aware of the technical violation(s). ~~Any violation previously addressed through an effective response shall be included in the affidavit.~~

(5) For the youth to meet the criteria for absconding, the JPO must have cause to believe that the youth is deliberately avoiding supervision by removing himself or herself from the home of community or has removed himself or herself from the home or community. A youth reported by family member, law enforcement agency, or foster care agency to have run away is considered an absconder.

(a) through (c) No change. At the point the JPO considers the youth to have absconded, the JPO shall document all efforts to locate the youth. The JPO has no more than seventy-two (72) hours to complete the diligent search.

(6) No change.

(7) If the department recommends a youth be transferred from minimum risk or conditional release to a non-secure, high-risk or maximum risk residential commitment program, the residential commitment manager will request a pick-up order from the youth's assigned JPO. The JPO will attach the pick-up order to the Request for Transfer document. The JPO will send the documentation to the youth's committing court. If the court doesn't provide approval but takes no action in the ten (10) day period, ~~there may be a need for~~ the JPO shall follow up with the court on the status of the pick-up order.

(8) through (9) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.435, 985.439, FS. History–New _____.

63D-13.0051 Admission of Youth.

(1) through (2) No change.

(3) There are circumstances where a youth who has already been admitted to the JAC becomes severely ill or injured while awaiting detention screening, transfer to detention, or release to the parent(s)/guardian(s). If it is obvious that the condition of the youth is severe or appears to be life threatening, the first person who becomes aware of the emergency shall call 911 immediately to request emergency medical services (EMS).

(a) through (c) No change.

(d) If the youth requires hospitalization and has not been screened for detention, the JPO/Screeners shall collect sufficient information telephonically and by other sources to complete the ~~DSI DRAI~~ to make a preliminary determination as to the youth’s qualification for secure detention, supervised released, or release with no detention status.

(e) through (f) No change.

(4) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.135, FS. History–New _____.

63D-13.0062 Service Delivery

(1) through (6) No change.

(7) Mental health and substance abuse treatment services shall be provided in accordance with Chapter 63N-1, F.A.C., and in accordance with the following provisions:

(a) through (c) No change.

(d) Suicide Prevention Services. Youth who demonstrate suicide risk factors shall be referred for assessment of suicide risk or emergency mental health services if the youth is in crisis. Assessment of Suicide Risk Form (MHSA 004), as incorporated in Chapter 63N-1, F.A.C., must be utilized when the assessment of suicide risk is conducted in a DJJ facility or program. If the youth is released to the custody of the parent or legal guardian, the parent/legal guardian must be provided the form entitled Suicide Risk Screening Parent/Guardian Notification (MHSA 003), as incorporated in Chapter 63N-1, F.A.C.

(e) through (g) No change.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.03, 985.601, FS. History–New _____.

63D-13.0065 Release

(1) No change.

(2) For youth under minimum-risk commitment, the facility shall complete a pre-release notification and acknowledgement form and follow the procedure outlined in Chapter ~~63T-1~~ ~~63T~~, F.A.C., to facilitate the release of the youth upon completion of the program.

Rulemaking Authority 985.64, 985.601, FS. Law Implemented 985.03, 985.455, 985.601, FS. History–New _____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER20-20 Triple Cash Retailer Promotion Amendment
SUMMARY: This emergency rule amends Emergency Rule 53ER20-8 Triple Cash Retailer Promotion, F. A.C., and reschedules the eighteen drawings in the Promotion from March 4, 2020 to March 6, 2020.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER20-20 Triple Cash Retailer Promotion Amendment.

(1) The eighteen drawings that were scheduled for March 4, 2020, as set forth in Emergency Rule 53ER20-8, F.A.C., Triple Cash Retailer Promotion, are rescheduled to take place on March 6, 2020.

(2) Except as provided in subsection (1) above, all other provisions set forth in Rule 53ER20-8, F.A.C., shall remain in effect.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1) FS. History – New 3-4-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 4, 2020.

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-10.004 Outdoor Advertising Permit Applications, Criteria, and Permit Issuance

The Florida Department of Transportation hereby gives notice: that on March 5, 2020, the Department entered an Order Granting Petition for Variance from paragraph 14-10.004(7)(d), Florida Administrative Code (F.A.C.). On January 21, 2020, Carter-Pritchett Advertising, Inc., filed a request for a variance from paragraph 14-10.004(7)(d), F.A.C., which directs that no sign permit shall be issued for a sign to be located outside the

boundaries of an incorporated municipality and within 500 feet of an interchange, intersection at grade, or rest area on the interstate. The Department granted the variance because Carter-Pritchett has satisfied the requirements for a variance under Section 120.542, Florida Statutes.

A copy of the Order or additional information may be obtained by contacting: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks

RULE NOS.:RULE TITLES:

- 62S-2.072 Application Requirements and Processing
- 62S-2.076 Compliance Responsibilities

NOTICE IS HEREBY GIVEN that on February 25, 2020, the Florida Department of Environmental Protection, received a petition for waiver pursuant to Section 120.542, F.S., from Petitioner, City of Miami Beach. The petition requests a waiver from paragraph 62S-2.072(2)(b) and section 62S-2.076(1), F.A.C., which require a public use dedication be recorded to encumber land that is improved using Recreational Trails Program grant funds if that land is not owned by the grant recipient. The petition has been assigned OGC No. 20-0148.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tara Reynolds, Community Assistance Consultant, Department of Environmental Protection, 3800 Commonwealth Blvd., Mail Station 100, Tallahassee, FL 32399-3000; telephone: (850)245-2065; email: Tara.V.Reynolds@FloridaDEP.gov during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

- 14-46.005 Wireless Facilities

The Department of Transportation announces a hearing to which all persons are invited.

DATE AND TIME: Friday, March 20, 2020, 3:00 p.m.

PLACE: Department of Transportation Burns Building Auditorium, 605 Suwannee Street, Tallahassee, FL; Teleconference Number: 1(850)414-4976, Participant Passcode: 369415 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice will replace notice #22955261.

Establishing permitting criteria for small wireless equipment installed in Department right-of-way.

A copy of the agenda may be obtained by contacting: Patrick Overton, State Utilities Engineer, Department of Transportation 605 Suwannee Street, Tallahassee, FL 32399, Patrick.overton@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Patrick Overton, State Utilities Engineer, Department of Transportation 605 Suwannee Street, Tallahassee, FL 32399, Patrick.overton@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Monday, March 16, 2020, 5:00 p.m., SFWMD Recreational Forum

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SFWMD Recreational Forum is an important public discussion regarding the public recreational issues and opportunities within the South Florida Water Management District. Public recreation is a meaningful part of the District’s effort to encourage safe access to District-managed public lands. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this public forum. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, ybonilla@sfwmd.gov, or at SFWMD.gov/meetings.

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: District Clerk at (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: Yvette Bonilla, (561)682-6286.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Education Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: March 26, 2020, 9:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free) 1(866)899-4679, meeting ID/access code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review pending accreditor applications for recommendation to the Commission. Review pending advanced accredited courses for recommendation to the Commission.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Product Approval Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: March 26, 2020, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free) 1(866)899-4679, meeting ID/access code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Product approval & entities statistics report Report on conditional approval from the February 2020 meeting

Review of product approval and entity applications

A copy of the agenda may be obtained by contacting: Zubeyde Binici, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Zubeyde Binici, Product Approval POC, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Accessibility Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: March 26, 2020, 3:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free): 1(866)899-4679;

Meeting ID / Access Code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of Applications for Waivers from Accessibility Requirements and other Council Business as noted on Agenda. A copy of the agenda may be obtained by contacting: Chip Sellers, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Chip Sellers, Accessibility Advisory Council, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 1, 2020, 9:00 a.m. Eastern Time

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

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: 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 HEALTH

Board of Osteopathic Medicine

The Board of Osteopathic Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 25, 2020, 1:00 p.m. ET

PLACE: Telephone conference phone number 1(888)585-9008, Conference room number 742-225-236

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

A copy of the agenda may be obtained by contacting: www.floridasosteopathicmedicine.gov/meeting-information

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: Christa Peace, Regulatory Specialist III, at (850)245-4161 or christa.peace@flhealth.gov or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399. 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: www.floridasosteopathicmedicine.gov/meeting-information.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2020, 4:00 p.m.

PLACE: 720 N. Denning Dr., Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development meeting

A copy of the agenda may be obtained by contacting: Darlene Byars, 720 N. Denning Dr., Winter Park, Fl. 32789.

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: Darlene Byars, 720 N. Denning Dr., Winter Park, Fl. 32789. 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: Darlene Byars, 720 N. Denning Dr., Winter Park, Fl. 32789.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Market Accountability Advisory Committee (MAAC) announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 19, 2020, 11:30 a.m.

PLACE: Teleconference: 1(866)361-7525, Passcode: 7849939192

GENERAL SUBJECT MATTER TO BE CONSIDERED: Includes but not limited to the Agency Services Update and Depopulation and Clearinghouse Update

A copy of the agenda may be obtained by contacting: www.CitizensFLA.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: Barbara Walker at (850)513-3744. 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).

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Actuarial and Underwriting (A&U) Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 10, 2020, 11:30 a.m.

PLACE: Teleconference: 1(866)361-7525, Passcode: 8632017402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Included but not limited to actuarial and underwriting updates.

A copy of the agenda may be obtained by contacting: www.CitizensFLA.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: Barbara Walker at (850)513-3744. 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 Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2020, 10:00 a.m.

PLACE: Hyatt Regency Orlando Airport Hotel, Orlando, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The board will meet to discuss general matters of the Association. The agenda will include but not limited to: Minutes, Finance and Audit Committee Report, Receivers, Legal, Claims, 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 FIGA Finance & Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2020, 8:30 a.m.

PLACE: Hyatt Regency Orlando Airport Hotel, Orlando, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss general matters. The agenda will include but not limited to: Minutes, Investment Report, Investment Policy Review, Audit Reports 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 IS FOR VETERANS INC.

The Florida is for Veterans, Inc., dba Veterans Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 16, 2020, 10:00 a.m.

PLACE: Teleconference line: 1(877)619-2945, no pin needed

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Internal Operations Committee for Veterans Florida will meet to discuss the Executive Director report, IRS Form 990, and Budget Updates in preparation for the March 25, 2020 Board Meeting

A copy of the agenda may be obtained by contacting: info@veteransflorida.org.

For more information, you may contact: info@veteransflorida.org.

FLORIDA IS FOR VETERANS INC.

The Florida is for Veterans, Inc., dba Veterans Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 16, 2020, 2:00 p.m.

PLACE: Teleconference line: 1(877)619-2945, no pin needed

GENERAL SUBJECT MATTER TO BE CONSIDERED: The External Operations Committee for Veterans Florida will meet to discuss the Executive Director report and program updates in preparation for the March 25, 2020 Board Meeting.

A copy of the agenda may be obtained by contacting: info@veteransflorida.org.

For more information, you may contact: info@veteransflorida.org.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Victor J. Cavaleri, filed on February 17, 2020. The petition seeks the agency's opinion as to the applicability of subsection 489.103(3), F.S., as it applies to the petitioner.

Petitioner seeks a determination from the Board regarding the State of Florida licensing exemption requirements for a licensed general contractor who applies for a permit on behalf of a Florida county in the course of his employment in the discharging of his duties, as it pertains to statute. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

Please refer all comments to: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Susan Buckley, filed on February 21, 2020. The petition seeks the agency's opinion as to the applicability of paragraph 489.105(3)(a), subsection (6), and Section 498.128, F.S., as it applies to the petitioner.

Petitioner seeks a determination from the Board regarding the State of Florida licensing requirements for an unlicensed modular home retailer to perform general contractual services while under contract with Petitioner. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Gregg A. Spath, Esquire, and Brendon M. Pinkard, Esquire, on behalf of Verizon Wireless, filed on March 4, 2020. The petition seeks the agency's opinion as to the applicability of subsections 489.502(2) and (9), Florida Statutes, as it applies to the petitioner.

Petitioner is asking if the proposed activities listed in the petition, meet the definition of alarm systems contractor or contracting, and whether Verizon Wireless would be required to be licensed as such. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ruthanne Christie, Executive Director, Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, Ruthanne.Christie@myfloridalicense.com or by telephoning (850)717-1395.

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 ENVIRONMENTAL PROTECTION
 BDC33-19/20: Long Key State Park - Beach Stabilization and Campground Restoration
 NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC33-19/20, Long Key State Park – Beach Stabilization and Campground Restoration. More info @ <https://tinyurl.com/yx4exzoy>.

DAYTONA STATE COLLEGE
 Architectural Services
 Advertisement to read:
 DAYTONA STATE COLLEGE
 Architectural Design Services
 RFQ #20-015

Pursuant to the provisions of Section 287.055, Florida Statutes, the “Consultants’ Competitive Negotiations Act”, Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural design services. The project consists of the interior remodel and exterior work to include roofing replacement and structural elements of Palm Coast Campus Building 1. The total project budget is \$3.5M inclusive of all fees and furnishings. Firms desiring consideration must submit proposals no later than 2:00 p.m. on March 17, 2020, to the Facilities Planning Department, Daytona State College, B430A/R108, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting sharon.dyke@daytonastate.edu or by visiting our website at <http://www.daytonastate.edu/fp/proposals.html>.
 END OF AD

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., Friday, February 28, 2020 and 3:00 p.m., Thursday, March 5, 2020.

Rule No.	File Date	Effective Date
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
53ER20-19	3/2/2020	3/2/2020
53ER20-20	3/5/2020	3/5/2020
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
68A-23.005	3/3/2020	3/23/2020
68B-14.001	3/2/2020	4/1/2020
68B-14.002	3/2/2020	4/1/2020
68B-14.0036	3/2/2020	4/1/2020
68B-14.0038	3/2/2020	4/1/2020
68B-14.006	3/2/2020	4/1/2020
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	**/**/*****

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment seeks approval to update the Dental service reimbursement language. This amendment to the State Plan will have no federal fiscal impact for federal fiscal year (FFY) 2019-20 and FFY 2020-21. The effective date for this amendment will be April 1, 2020.

Interested parties may contact the following staff for further information: Jesse Bottcher, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4242 or by e-mail at: Jesse.Bottcher@ahca.myflorida.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of Rehabilitation and Liquidation

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH WINDHAVEN INSURANCE COMPANY.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2019 CA 002861

In Re: The Receivership of WINDHAVEN INSURANCE COMPANY, a Florida corporation authorized to transact private passenger auto liability and private passenger auto physical damage lines of business.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH WINDHAVEN INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered on the 12th day of December 2019, the Department of Financial Services of the State of Florida was appointed as Receiver of WINDHAVEN INSURANCE COMPANY and by separate order, effective on January 6, 2020, was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons having claims against the assets of WINDHAVEN INSURANCE COMPANY shall present such claims to the Department on or before Wednesday, January 6, 2021.

Requests for forms for the presentation of such claims concerning this Receivership should be addressed to: The Florida Department of Financial Services, Division of Rehabilitation and Liquidation, Receiver of WINDHAVEN INSURANCE COMPANY, 325 John Knox Road, The Atrium Building, Suite 101, Tallahassee, Florida 32303. Additional information may be found at: www.myfloridacfo.com/division/receiver

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
DEO Final Order No. DEO-20-007
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY POLK COUNTY, FLORIDA
 ORDINANCE NO. 19-070

FINAL ORDER

APPROVING POLK COUNTY ORDINANCE NO. 19-070

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Polk County, Florida, (the “County”) Ordinance No. 19-070 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by Section 380.0551, Florida Statutes, as an area of critical state concern. The County is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by Polk County on December 03, 2019, and received by the Department on January 7, 2020.
3. The Ordinance amends the County’s Land Development Code to amend the De Novo Hearing Process under Section 922. The Ordinance allows the Board to deny certain development applications without prejudice during the Level 3 Review process to afford applicants the ability to return directly to the Board with a revised site plan rather than having to redo the process from the beginning.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* §§ 380.05(6) and 380.0552(9), Fla Stat.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the Polk County Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Objective 2.101-A, and Policy 2.129-A2.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development for that area. § 380.05(6) and 380.0552(9), Fla Stat. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole, and is not inconsistent with any of the Principles for Guiding Development.

WHEREFORE, IT IS ORDERED that the Department finds that Polk County Ordinance No. 19-070 is consistent with the County’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby **APPROVED.**

This Order becomes effective 21 days after publication in the Florida Administrative Register, unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.
/s/ James Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED ON THE CERTIFICATE OF SERVICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230, AGENCY.CLERK@DEO.MYFLORIDA.COM.

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE DATE OF THE FILING OF THE FINAL ORDER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO SUBSECTIONS 28-106.104(2), 28-106.201(2), AND SECTION 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTION 120.569 AND SUBSECTION 120.57(1), FLORIDA STATUTES, OR SECTION 120.569 AND SUBSECTION 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of March, 2020.

/s/Janay Lovett, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

Honorable Bill Braswell, Chairman, Polk County, Florida, P.O. Box 9005, Drawer BC01, Bartow, FL 33831

John Bohde, Director, Land Development, Polk County, P.O. Box 9005, Drawer GM03, Bartow, FL 33831

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.
