

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:           RULE TITLE:  
61-35.026         Florida Real Estate Appraisal Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

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

RULEMAKING AUTHORITY: 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.213, 475.275, 475.615, 475.6221, 475.623, 475.6235, 475.630 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Nick DuVal, Assistant General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1822.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61-35.026 Florida Real Estate Appraisal Departmental Forms.

The following Florida Real Estate Appraisal forms can be obtained at [www.myfloridalicense.com/dbpr/](http://www.myfloridalicense.com/dbpr/) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)487-1395.

(1) No change.

(2) Appraisers –

(a) Persons applying to become licensed as a Residential or General Appraiser shall use Form DBPR FREAB 10, Application for Initial Certification for Residential or General Appraiser, effective ~~XXXXXX April 2012~~, adopted and incorporated by reference, and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01982>~~.

(b) No change.

(c) Persons applying to become licensed as a Residential or General Appraiser and are currently licensed to practice real estate appraisal in another state shall use Form DBPR FREAB 12, Application for Out-of-State Certified Appraiser by Mutual Recognition, effective ~~XXXXXX April 2012~~, adopted and incorporated by reference, and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01985>~~.

(d) Persons applying for a non-resident temporary practice permit shall use Form DBPR FREAB 13, Application for Non-resident Temporary Practice Permit, effective ~~XXXXXX July 2013~~, adopted and incorporated by reference, and available at

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>~~

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03051>~~.

(e) Persons requesting supervisory appraiser designation or termination shall use Form DBPR FREAB 14, Supervisor Designation/Termination Form, effective ~~XXXXXX April 2012~~, adopted and incorporated by reference, and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01987>~~.

(f) through (i) No change.

(j) Persons applying to become licensed as an Appraiser Instructor shall use Form DBPR FREAB 19, Application for Appraiser Instructor, effective ~~XXXXXX April 2012~~, adopted and incorporated by reference, and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01992>~~.

(k) Appraisers submitting an appraisal experience log shall use Form DBPR RE-2300, Appraisal Experience Log, effective ~~XXXXXX~~, adopted and incorporated by reference, and available at

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>~~.

(3) Continuing Education –

(a) Any person or organization requesting continuing education course approval shall use Form DBPR FREAB 20, Continuing Education Course Approval Application, effective ~~XXXXXX~~, adopted and incorporated by reference, and available at

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>~~.

(b) Any person or organization applying to provide continuing education shall use Form DBPR FREAB 21, Continuing Education Provider Approval Application, effective XXXXXX, adopted and incorporated by reference, and \_\_\_\_\_ available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(c) Persons requesting to instruct continuing education courses shall use Form DBPR FREAB 22, Request for Instructor Evaluation, effective XXXXXX, adopted and incorporated by reference, and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

Rulemaking Authority 455.2035, 455.213 FS. Law Implemented 455.213, 455.275, 475.615, 475.6221, 475.623, 475.6235 475.630 FS. History—New 12-23-12, Amended 9-25-13, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.:           RULE TITLE:  
64B17-3.001        Licensure

PURPOSE AND EFFECT: The updated language ensures public safety by clarifying that a current physical therapist or physical therapist assistant license is required by an applicant for licensure in Florida without examination, and addresses legislative changes.

SUBJECT AREA TO BE ADDRESSED: The rule amendments clarify requirements for application for licensure without examination in Florida, and address legislative changes.

RULEMAKING AUTHORITY: 456.013, 486.025, 486.031(3), 486.104 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.0635, 456.38, 486.031, 486.041, 486.051, 486.061, 486.0715, 486.081, 486.102, 486.103, 486.104 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy, 4052 Bald Cypress Way Bin C-05, Tallahassee, Florida 32399-3255, Allen.hall@flhealth.gov.

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

**Section II  
Proposed Rules**

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NOS.:       RULE TITLES:  
12D-18.005       Adoption of Non-Ad Valorem Assessment Roll

12D-18.006       Certification of Assessment Roll

PURPOSE AND EFFECT: The purpose of amending Rule 12D-18.005, F.A.C., is to implement statutory changes enacted in section 1 of Chapter 2010-139, L.O.F.; by adding an exception to the provisions local governments use to levy non-ad valorem assessments. The rule also implements changes enacted by section 13 of Chapter 2016-128, L.O.F., revising the time frame local governments shall adopt a non-ad valorem assessment roll at a public hearing. Rule 12D-18.006, F.A.C., is also amending the time frame local governments shall adopt a non-ad valorem assessment roll at public hearing, updating a subsection reference in an amendment in Chapter 12D-13, F.A.C. that became effective April 5, 2016, and removing the requirement to send a document to the department.

SUMMARY: These rule amendments implement changes promoting renewable energy resources and allow local governments to assist in funding these improvements, adding additional time local governments can hold a public hearing to adopt non-ad valorem assessment rolls and delete a duplicate document requirement.

**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: 1) no requirement for a SERC was triggered under Section 120.541(1), F.S.; and, 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S. Any person who wishes to provide information regarding a SERC, or to provide a proposal for a

lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

RULEMAKING AUTHORITY: 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS.

LAW IMPLEMENTED: 125.011, 163.08, 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 15, 2017, 10:00 a.m.

PLACE: : Room 1220, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Cotton telephone (850)617-8870 or email Mike.Cotton@floridarevenue.com

THE FULL TEXT OF THE PROPOSED RULE IS:

12D-18.005 Adoption of Non-Ad Valorem Assessment Roll.

(1) The provisions of this rule section are applicable to non-ad valorem assessments levied for the first time, other than a non-ad valorem assessment levied under Section 163.08, F.S.

(a) The public notice and hearing provisions of this rule section are not applicable to assessments which are:

1. on an existing tax roll, and which have gone through public hearing and adoption processes specified by Section 197.363, F.S., for collection on the tax notice using the ad valorem tax method, or

2. on any existing assessment roll under other authority of law, for which the tax notice and ad valorem method are not used and which are, therefore, not considered to be levied for the first time under Section 197.3632(4)(a)1., F.S.

(b) For a new non-ad valorem assessment, a local government shall adopt a non-ad valorem assessment roll at a public hearing held between January 1 and September 15, or between January 1 and September 25 for any county defined in Section 125.011(1), F.S., if one or more of the following circumstances exist regarding the assessment:

1. It is levied for the first time;

2. It is increased beyond the maximum rate authorized by law or judicial decree at the time of its initial imposition;

3. It is related to a change in boundaries of (name of local government), unless all newly affected property owners have provided written consent for such assessment to the local governing board; or

4. It is related to a change in purpose for an existing assessment or in the use of the revenue from such assessment.

(c) A local government may hold its public hearing and adopt or reaffirm a capital project assessment roll at any time prior to certification of the roll to the tax collector, and is not required to hold the public hearing between January 1 and September 15. For capital project assessments, any notice or hearing required by this rule chapter may be combined with any other notice required by this rule chapter, by the general or special law, or by municipal or county ordinance, pursuant to which the capital project assessment is levied.

(2) Through (4) No change.

Rulemaking Authority 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS. Law Implemented 125.011, 163.08, 197.322, 197.363, 197.3631, 197.3632, 197.3635, ~~213.05~~ FS. History--New 2-21-91, Amended 4-18-94, 1-1-04, \_\_\_\_\_.

12D-18.006 Certification of Assessment Roll.

(1) The chairman of the local governing board, or his designee, must shall certify the non-ad valorem assessment roll, on a compatible electronic medium tied to the property identification number, to the tax collector by September 15 of each year, or by September 25 for any county defined in Section 125.011(1), F.S. The local government must shall first post the non-ad valorem assessment for each parcel on the roll in a such compatible electronic medium. The certification shall be made on Form DR-408A. The tax collector shall not accept any roll which is not so certified and which is not so posted in such compatible electronic medium. The , and it is the responsibility of the local governing board is responsible for making sure that the such roll is be free of errors and omissions.

(2) The chairman of the local governing board, or his designee, may make alterations to the roll up to 10 days before certification. If the tax collector discovers errors or omissions on the roll, he may request the local governing board to file a corrected roll or a correction of the amount of any assessment. After the roll has been certified to the tax collector, the local government may make corrections to it by filing Form DR-409A, Certificate of Correction of Non-Ad Valorem Assessment Roll, with the tax collector a Certificate of Correction on Form DR-409A. Form DR-409A is adopted and incorporated by reference in Rule 12D-16.002, F.A.C. Such form must shall be in lieu of the form specified in subsection 12D-13.065(1) 12D-13.006(5), F.A.C., but must shall be processed in the same manner under the provisions of that rule

section. ~~One~~ ~~Provided further that one~~ copy of the form must ~~shall~~ be sent to the tax collector and one copy to the property appraiser, ~~and the Department.~~

(3) If the non-ad valorem assessment roll is to be collected for a period of more than one year or to be amortized over a number of years, the local governing board must state the collection period or amortization, shall so specify and shall The board must inform the property appraiser, tax collector and Department on Form DR-412, Notice of Intent, by January 10 if it intends to discontinue using the uniform method of collecting such assessment. Form DR-412 is adopted and incorporated by reference in Rule 12D-16.002, F.A.C. Copies of these forms can be found online at <http://floridarevenue.com/dor/property/forms/>.

Rulemaking Authority 195.027(1), 197.3632(11), 197.3635, 213.06(1) FS. Law Implemented 197.322, 197.363, 197.3631, 197.3632, 197.3635, 213.05 FS. History—New 2-21-91, Amended 10-30-91, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Mike Cotton

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** The Governor and Cabinet of Florida.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** May 23, 2017

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** March 27, 2017

**DEPARTMENT OF CORRECTIONS**

**RULE NOS.:** 33-601.731  
33-601.732

**RULE TITLES:** Suspension of Visiting Privileges  
Reinstatement of Suspended Visiting Privileges

**PURPOSE AND EFFECT:** The purpose and effect is to amend Rules 33-601.731 and 33-601.732, F.A.C. to make several clarifications to the inmate visitation rules in regards to the suspension and reinstatement of privileges. Additionally, revisions are made to Form NI1-102 which denotes the length of time visiting privileges may be suspended for certain offenses

**SUMMARY:** Clarification to the rules include: (a) requires the ICT to temporarily suspend visiting privileges pending the outcome of an investigation into delineated violations, (b) removes mandatory consideration of indefinite suspension when an inmate is found guilty of certain rule violations, (c) eliminates the limitation of concurrent suspension terms, (d) designates the regional director as the final reviewing authority for all indefinite suspensions where the warden served as the suspending authority, and (e) updates Form NI1-102, Visiting Privileges Suspension Matrix.

**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:

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

**RULEMAKING AUTHORITY:** 944.09, 944.115 FS.

**LAW IMPLEMENTED:** 944.09, 944.115, 944.23, 944.47, 944.8031 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:** Gregory Hill, Assistant Regional Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

33-601.731 Suspension of Visitation Privileges.

(1) Suspension of Inmate Visiting Privileges.

(a) through (b) No change.

(c) The ICT shall temporarily suspend the visiting privileges of any inmate subject to a pending investigation for escape, attempted escape, or possession of escape paraphernalia until the investigation is complete. If the inmate is found guilty, the ICT shall consider ~~indefinite~~ suspension of the inmate's visiting privileges pursuant to paragraph (1)(b) of this rule. If the inmate is not found guilty, the ICT shall immediately reinstate the inmate's visiting privileges.

(d) If an inmate is found guilty of an offense listed in paragraph (1)(b), the ICT shall suspend the inmate's visiting privileges for the length of time specified on Form NI1-102, Visiting Privileges Suspension Matrix, <http://www.flrules.org/Gateway/reference.asp?No=XXXXX> Form NI1-102 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

The effective date of the form is XX-XX. If an inmate's visiting privileges are suspended pursuant to this rule and the inmate receives a subsequent guilty finding for one of the offenses listed in paragraph (1)(b), the inmate is subject to an increased period of suspension as follows:

1. If the subsequent offense occurs within two years of a guilty finding for the same offense, the inmate's visiting privileges shall be suspended for the length of time specified on Form NI1-102 for subsequent offenses. This period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, ~~not to exceed a total of one year from the time of the subsequent offense.~~

2. If the subsequent offense is different from the previous offense, the inmate's visiting privileges shall be suspended for the length of time specified on Form NI1-102 for an initial violation. However, this period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, ~~not to exceed a total of one year from the time of the subsequent offense.~~

(e) through (f) No change.

(2) Suspension of Visitor Visiting Privileges.

(a) No change.

(b) A visitor's visiting privileges shall be suspended by the warden or designee when the visitor:

1. through 4. No change.

5. Falsifies information to obtain visiting privileges, including ~~falsification~~ falsification of guardianship documents, unless it is reasonably determinable that the incorrect information was provided as a result of an inadvertant or good faith mistake, omission, or clerical error.

6. No change.

(c) If a visitor is determined to have committed an offense listed in paragraph (2)(b), the warden or designee shall suspend the visitor's visiting privileges for the period of time specified on Form NI1-102, Visiting Privileges Suspension Matrix. If a visitor's visiting privileges are suspended pursuant to this rule and the visitor subsequently commits one of the offenses listed in paragraph (2)(b), the visitor is subject to an increased period of suspension as follows:

1. If the subsequent offense occurs within two years of the commission of the same offense, the visitor's visiting privileges shall be suspended for the length of time specified on Form NI1-102 for subsequent offenses. This period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, ~~not to exceed a total of two years from the time of the subsequent offense.~~

2. If the subsequent offense is different from the previous offense, the visitor's visiting privileges shall be suspended for the length of time specified on Form NI1-102 for an initial violation. However, this period of suspension shall be concurrent with any period of suspension remaining as a result

of the previous offense, ~~not to exceed a total of two years from the time of the subsequent offense.~~

(3) No change.

(4) The regional director acts as the final reviewing authority for all indefinite suspensions in which the warden was the suspending authority of a visitor's visiting privileges. The regional director's decision shall be recorded in the department's electronic inmate database.

(5)(4) Temporary suspensions. The Inspector General's Office is authorized to temporarily suspend the visiting privileges of an approved visitor who is involved in or is the subject of an ongoing investigation pending the outcome of the investigation.

Rulemaking Authority 944.09, 944.115 FS. Law Implemented 944.09, 944.115, 944.23, 944.47, 944.8031 FS. History—New 11-18-01, Formerly 33-601.707, 33-601.708, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, 10-23-11, 9-24-12, 12-9-12, 6-18-13, 11-4-14,

33-601.732 Reinstatement of Suspended Visiting Privileges.

(1) No change.

(2) The warden or designee shall approve or deny requests for reinstatement of a visitor's suspended visiting privileges. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the assigned institutional classification officer. The visitor for whom the reinstatement is being considered shall submit a Request for Visiting Privileges, Form DC6-111A, if the suspension has been for longer than six months.

(a) through (c) No change.

(d) The warden or designee shall consider the following factors in considering whether ~~an~~ visitor's ~~inmate's~~ visitation privileges shall be reinstated:

1. through 2. No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 2-13-12, 9-24-12,

NAME OF PERSON ORIGINATING PROPOSED RULE:

Richard Comerford, Assistant Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Julie Jones, Secretary of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: April 26, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: March 10, 2017

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:
61G10-18.006 Approval of Continuing Education Courses
NOTICE OF CHANGE

Notice is hereby given that the following changes have been
made to the proposed rule in accordance with subparagraph
120.54(3)(d)1., F.S., published in Vol. 43 No. 41, March 1,
2017 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by
the staff of the Joint Administrative Procedures Committee
and discussion and subsequent vote by the board at a public
meeting held April 26, 2017. The changes are as follows:

61G10-18.006 Approval of Continuing Education
Courses.

- (1) through (2) No change.
(3) The application shall be submitted no later than 60
days prior to the next scheduled Board meeting at which the
application is to be considered for approval. It shall include:

- (a) through (f) No change.
(g) If a course has approval as a course in the Landscape
Architecture Continuing Education System (LACES), the
provider may submit a copy of the LACES approval email in
lieu of the items listed above in (3)(a) through (f).

(4) through (10) No change.

Rulemaking Authority 455.2179, 481.306, 481.325(2) FS. Law
Implemented 455.2179 FS. History--New 9-19-01, Amended 6-6-02,
5-8-07, 12-21-09, 1-27-15, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Ruthanne Christie, Executive
Director, Board of Landscape Architecture, 2601 Blair Stone
Road, Tallahassee, Florida 32399-0783, (850)487-1395.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-22.201 Year-Round Water Conservation Measures
NOTICE IS HEREBY GIVEN that on May 22, 2017, the
Southwest Florida Water Management District received a
petition for a variance or waiver.

Petitioner's Name: John Dickinson

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought:
Lawn and landscape irrigation

The Petition has been assigned tracking No. 17-4255.

A copy of the Petition for Variance or Waiver may be
obtained by contacting: Lois Sorensen, 7601 US Highway
301, Tampa, Florida 33637, (813)985-7481, ext.. 2298,
water.variances@watermatters.org. Any interested person or
other agency may submit written comments within 14 days
after the publication of this notice. (R2017030)

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 24, 2017, the
Florida Department of Business and Professional Regulation,
Division of Hotels and Restaurants, received a petition for an
Emergency Variance for paragraph 61C-1.004(1)(a), Florida
Administrative Code, and Paragraph 5-202.11(A), 2009 FDA
Food Code from Chef Pat's Cuisines Inc. located in
Lauderdale Lakes. The above referenced F.A.C. addresses the
requirement that each establishment have an approved
plumbing system installed to transport potable water and
wastewater. They are requesting to utilize holding tanks to
provide potable water and to collect wastewater at the
handwash sink.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on August 23, 2016, by Jesus Mesa. The Notice of Petition for Waiver or Variance was published in Vol. 42, No. 71, of the September 1, 2016, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 61G4-16.005, F.A.C., which requires for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board. The Board considered the instant Petition at a duly-noticed public meeting held on November 11, 2016, in Altamonte Springs, Florida. The Board's Order, filed on May 5, 2017, denied the petition finding that Petitioner has not established that the purpose of the underlying statute, Section 489.113, F.S., would be met were the Petitioner to be granted a variance from the rule. Petitioner failed to establish that the Board's application of Rule 61G4-16.005, F.A.C., to the Petitioner's circumstances would violate the principles of fairness or would impose a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039, (850)487-1395 or by email: Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

The Board of Speech-Language Pathology and Audiology hereby gives notice of the issuance of an Order Granting Petition, regarding the Petition for Variance and Waiver for Julie Butler, filed on April 6, 2017. The Notice of Petition for Variance and Waiver was published May 5, 2017 in Volume 43, No. 88, of the Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting on April 19, 2017. The Petitioner requested the Board's waiver of Rule 64B20-6.002, F.A.C., with regard to receiving CEU credit for an ASHA-approved course wherein the instructor did not first secure permission to present the course in Florida prior to offering the course.

The Board's Order, filed on May 23, 2017, granted the Petition on the following grounds: the Petitioner established that the purpose of the speech-language pathology and audiology licensure statute would be met were she to be granted a waiver of Rule 64B20-6.002, F.A.C., and further

established that the Board's application of this Rule to her circumstances would violate principles of fairness and would impose a substantial hardship on her.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161, kama.monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

The Board of Speech-Language Pathology and Audiology hereby gives notice of the issuance of an Order Granting Petition regarding the Petition for Variance and Waiver for Jenna Martin, filed on March 31, 2017. The Notice of Petition for Variance and Waiver was published May 5, 2017 in Volume 43, No. 88 of the Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting on April 19, 2017. The Petitioner requested the Board's waiver of Rule 64B20-6.002, F.A.C., with regard to receiving CEU credit for an ASHA-approved course wherein the instructor did not first secure permission to present the course in Florida prior to offering the course.

The Board's Order, filed on May 23, 2017, granted the Petition on the following grounds: the Petitioner established that the purpose of the speech-language pathology and audiology licensure statute would be met were she to be granted a waiver of Rule 64B20-6.002, F.A.C., and further established that the Board's application of this Rule to her circumstances would violate principles of fairness and would impose a substantial hardship on her.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161, kama.monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

The Board of Speech-Language Pathology and Audiology hereby gives notice of the issuance of an Order Granting Petition regarding the Petition for Variance and Waiver for Marjorie Smith, filed on April 5, 2017. The Notice of Petition for Variance and Waiver was published May 5, 2017 in Volume 43, No. 88 of the Florida Administrative Register. The Board considered the Petition at a duly-noticed public

meeting on April 19, 2017. The Petitioner requested the Board’s waiver of Rule 64B20-6.002, F.A.C., with regard to receiving CEU credit for an ASHA-approved course wherein the instructor did not first secure permission to present the course in Florida prior to offering the course.

The Board’s Order, filed on May 23, 2017, granted the Petition on the following grounds: the Petitioner established that the purpose of the speech-language pathology and audiology licensure statute would be met were she to be granted a waiver of Rule 64B20-6.002, F.A.C., and further established that the Board’s application of this Rule to her circumstances would violate principles of fairness and would impose a substantial hardship on her.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161, kama.monroe@flhealth.gov.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: June 1, 2017, 5:30 p.m.

PLACE: San Mateo Woman's Club, 125 SR-100, San Mateo, FL 32187

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Department of Transportation (FDOT) invites you to attend a public meeting to discuss proposed improvements to SR-100 @ East End Road Intersection, Financial Project ID: 437629-1 in San Mateo, Florida. Due to a history of severe crashes at this intersection, a study was conducted by the Department to look at possible safety improvements. The FDOT will be presenting three alternatives at this meeting for your review. They are: 1) Standard T-Intersection, 2) Roundabout, 3) Minor Intersection Enhancements. Doors will open at 5:30 p.m. with an “Open House” format, for visitors to come by and review project displays and talk with Department Staff, then at 6:30 p.m. the Department will open give a brief presentation followed by a public comment period. Public participation is solicited without regard to race, color, sex, age, religion, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### REGIONAL PLANNING COUNCILS

##### South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 26, 2017, 10:30 a.m.

PLACE: Murray E. Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, FL 33037

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business.

A copy of the agenda may be obtained by writing to: the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

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 writing to: the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021. 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 write to: the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

#### REGIONAL PLANNING COUNCILS

##### South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 5, 2017, 9:00 a.m.



PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFRPC Revolving Loan Fund Loan Administration Board and Southeast Florida Community Development Fund Inc.

A copy of the agenda may be obtained by contacting: writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021; sfadmin@sfrpc.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: writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021; sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021; sfadmin@sfrpc.com.

**REGIONAL PLANNING COUNCILS**

**South Florida Regional Planning Council**

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 8, 2017, 9:00 a.m.

PLACE: the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFRPC Strategic Planning Retreat.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021; (954)985-4416.

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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021; (954)985-4416. 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 South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021; (954)985-4416.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 5, 2017, 9:00 a.m.

PLACE: Agency for Health Care Administration, Medicaid Office Area 6, Medicaid Training Room, Suite 216B, 6800 N. Dale Mabry Highway, Tampa, FL 33614

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will be considering applications received for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

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

DATE AND TIME: Tuesday, June 6, 2017, 9:00 a.m., ET

PLACE: FCHR office, 4075 Esplanade Way, Room 110, Tallahassee, FL 32399

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

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)907-6785 or casey.snipes@fchr.myflorida.com. For more information, you may contact: Casey Snipes at (850)907-6785 or casey.snipes@fchr.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

The Florida Board of Auctioneers announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 27, 2017, 10:00 a.m.

PLACE: 1(888)670-3525, participant pass code: 7004064007#

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General Board Business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Auctioneers, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

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#### DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: June 16, 2017, 9:00 a.m., ET

PLACE: Telephone conference call number: 1(888)670-3525, participant code: 6656186923

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

A copy of the agenda may be obtained by contacting: Carol Taylor at [carol.taylor@flhealth.gov](mailto:carol.taylor@flhealth.gov) or on the Board website at [www.floridasacupuncture.gov/meeting-information](http://www.floridasacupuncture.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: Carol Taylor at [carol.taylor@flhealth.gov](mailto:carol.taylor@flhealth.gov) or (850)245-4161. 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: Carol Taylor at [carol.taylor@flhealth.gov](mailto:carol.taylor@flhealth.gov) or (850)245-4161.

#### DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 2, 2017, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Board Meeting.

A copy of the agenda may be obtained by contacting: [Anthony.Spivey@flhealth.gov](mailto:Anthony.Spivey@flhealth.gov).

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

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

For more information, you may contact: <http://floridasclinicallabs.gov>.

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#### DEPARTMENT OF HEALTH

Division of Public Health Statistics and Performance Management

The Florida Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 22, 2017, 1:00 p.m. – 3:00 p.m.

PLACE: Conference call: number: 1(888)670-3525, code: 548 807 2525

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Physician Workforce Advisory Council to evaluate and make recommendations for processes related to Florida's physician workforce.

A copy of the agenda may be obtained by contacting: Debbie Reich at (850)245-245-4444, Extension 2702.

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: Debbie Reich at (850)245-245-4444, extension 2702. 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: Debbie Reich at (850)245-245-4444, extension 2702.

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 21, 2017, 9:00 a.m.

PLACE: Charlotte County United Way, 1700 Education Way, Room #1, Punta Gorda, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Charlotte County Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones at (239)895-0257.

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: Stephanie Jones at (239)895-0257. 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).

**NAVIGATION DISTRICTS**

West Coast Inland Navigation District

The West Coast Inland Navigation District announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 2, 2017, 10:00 a.m.

PLACE: Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 E. Miami Ave., Venice, FL 34285

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.

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: June 15, 2017, 4:00 p.m. until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. The Committee will meet regarding the general business of the Committee.

2. Such other matters as may be included on the Agenda for the June 15, 2017, Audit Committee Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation 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.

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: June 16, 2017, 8:30 a.m. until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.

3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.

4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.

5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.

6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.

7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Requests for Applications funding selection with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the June 16, 2017, Board Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation 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.

**FLORIDA HOUSING FINANCE CORPORATION**

The FHFC II, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: June 16, 2017, 11:00 a.m. or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

1. Conduct business necessary for the organization of FHFC II, INC.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the June 16, 2017, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation 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.

**FLORIDA HOUSING FINANCE CORPORATION**

The FHFC III, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: June 16, 2017, 11:00 a.m. or upon adjournment of the FHFC II, Inc. Board of Directors meeting, until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

1. Conduct business necessary for the organization of FHFC III, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the June 16, 2017, Board Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation 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.

**FLORIDA TELECOMMUNICATIONS RELAY, INC.**

The Florida Telecommunications Relay, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2017, 10:00 a.m. – 12:00 Noon

PLACE: 1820 E. Park Avenue, FTRI Conference Room, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** FTRI Board of Directors Meeting to approve quarterly reports for submission to the FPSC.

A copy of the agenda may be obtained by contacting: James Forstall, Executive Director, [jforstall@ftri.org](mailto:jforstall@ftri.org), (850)270-2641.

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 24 hours before the workshop/meeting by contacting: James Forstall, Executive Director, [jforstall@ftri.org](mailto:jforstall@ftri.org), (850)270-2641. 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: James Forstall, Executive Director, 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301, [jforstall@ftri.org](mailto:jforstall@ftri.org), (850)270-2641.

**MRGMIAMI**

The Central Florida Expressway Authority (CFX) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 8, 2017, 5:00 p.m. – 7:00 p.m.

PLACE: Corner Lake Middle School, located at 1700 Chuluota Road, Orlando, Florida 32820

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Central Florida Expressway Authority (CFX) will host an Alternatives Public Workshop for the SR 408 (Spessard L. Holland East-West Expressway) Eastern Extension from State Road 50 to the SR50/SR520 Intersection Project Development and Environment (PD&E) Study. The project identification number is 408-254.

The meeting will be an open house format from 5:00 p.m. to 7:00 p.m. Project staff will be available to answer questions and discuss the study with interested members of the public. There is no formal presentation or program for this meeting.

The study evaluates alternatives for the extension of SR 408 approximately seven miles from State Road 50 to the SR 50/SR 520 intersection.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Valerie Tutor, Public Information Officer, via email: 408study@cfxway.com or phone: (941)504-9440.

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: Valerie Tutor, Public Information Officer, via email: 408study@cfxway.com or phone: (941)504-9440. 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: Valerie Tutor, Public Information Officer by phone at (941)504-9440, by email at 408study@CFXway.com or by visiting the CFX website at www.CFXway.com/408study.

**INFINITE SOURCE COMMUNICATIONS GROUP, LLC**

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

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

PLACE: Juan Pablo Duarte Park, Recreation Building, 2800 NW 17 Avenue, Miami, FL 33142

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Florida Department of Transportation (FDOT) District Six will hold a public hearing for a roadway project along State Road (SR) 9/NW 27 Avenue from NW 23 Street to NW 26 Street, in Miami-Dade County, to discuss the project’s scope of work. The project identification number is 437922-1-52-01. The hearing will begin as an open house, from 6:00 p.m. to 8:00 p.m., with a formal presentation starting at 6:30 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist Rodolfo Roman at (305)470-5477, Rodolfo.Roman@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Rodolfo Roman. 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: Public Information Specialist Rodolfo Roman, (305)470-5477, Rodolfo.Roman@dot.state.fl.us.

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:

33-602.101 Care of Inmates

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from Inmate Daniel P. Howe, DC# R00932. The petition seeks the agency’s opinion as to the applicability of § 944.09, 945.215, Florida Statutes, and Rule(s) 33-602.101, Florida Administrative Code, as they apply to the petitioner.

The petition alleges that it seeks to resolve a controversy or answer questions or doubts regarding the application of § 944.09, 945.215, Florida Statutes, and Rule(s) 33-602.101, Florida Administrative Code. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Betty Money, 501 South Calhoun Street, Tallahassee, Florida 32399, betty.money@fdc.myflorida.com, (850)717-3605.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Abraham Dwek, In Re: Marina Tower of Turnberry Isle Condominium Association, Inc., Docket No. 2017024837, filed on May 23, 2017. The petition seeks the agency’s opinion as to the applicability of Section 718.113(2)(a), Florida Statutes, as it applies to the petitioner.

Whether the Association must follow Section 718.113(2)(a), Florida Statutes, for major changes to the common elements when the Declaration is silent about material alterations or substantial additions?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Robin E. Smith, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Brian Nix on behalf of Premier Enterprises 1 LLC, on December 12, 2016. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published on January 25, 2017, in Volume 43, No. 15 of the Florida Administrative Register. The Petitioner sought a declaratory statement as to whether a contractor’s license is required to install seamless gutters and downspouts. The Board’s Order, filed on May 5, 2017, declines to issue a declaratory statement in this matter because the petitioner is not a substantially affected party and does not have standing to request a declaratory statement, the petition appears to apply to the conduct of another person, and the petition is legally deficient.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Tracy Nix on behalf of Gulf Coast Gutters 1 LLC on December 12, 2016. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 43, No. 15 of the January 25, 2017, Florida Administrative Register. The Petitioner sought a declaratory statement as to whether a contractor’s license is required to install seamless gutters and downspouts. The Board’s Order, filed on May 5, 2017, declines to issue a declaratory statement in this matter because the petitioner is not a substantially affected party and does not have standing to request a declaratory statement, the petition appears to apply to the conduct of another person, and the petition is legally deficient.

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

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

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

St. Johns Riverkeeper, Florida Defenders of the Environment, Silver Springs Alliance, and Alice Gardiner vs. Sleepy Creek Lands, LLC And St. Johns River Water Management District; Case No.: 17-2543RE; Rule No.: 40CER17-01

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

St. Johns Riverkeeper, Florida Defenders of the Environment, Silver Springs Alliance, and Alice Gardiner vs. St. Johns River Water Management District and Sleepy Creek Lands, LLC; Case No.: 17-2543RE; Rule No.: 40CER17-01; The Emergency Rule establishing minimum flows and levels for Silver Springs is not arbitrary or capricious or otherwise an invalid exercise of delegated legislative authority

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE

Section XII  
Miscellaneous

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Thursday May 18, 2017 and 3:00 p.m., Wednesday May 24, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
53ER17-27	5/18/2017	5/18/2017
53ER17-28	5/18/2017	5/18/2017
53ER17-29	5/18/2017	5/18/2017
53ER17-30	5/18/2017	5/18/2017
61G18-12.007	5/22/2017	6/11/2017
61G19-1.009	5/19/2017	6/8/2017
63G-1.020	5/19/2017	6/8/2017
63G-1.021	5/19/2017	6/8/2017
63G-1.022	5/19/2017	6/8/2017
63G-1.023	5/19/2017	6/8/2017
63G-1.024	5/19/2017	6/8/2017
64B9-3.002	5/24/2017	6/13/2017

Rule No.	File Date	Effective Date
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
64B13-4.009	5/22/2017	6/11/2017
40B-9.021	12/21/2016	5/9/2017
40B-9.041	12/21/2016	5/9/2017
40B-9.126	12/21/2016	5/9/2017
40B-9.131	12/21/2016	5/9/2017
40B-9.1381	12/21/2016	5/9/2017
40B-9.1411	12/21/2016	5/9/2017
40B-9.142	12/21/2016	5/9/2017
40B-9.145	12/21/2016	5/9/2017
40B-9.123	12/9/2016	**/**/*****
58M-2.009	2/9/2017	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
64B8-9.009	6/15/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
69L-7.100	12/19/2016	**/**/*****
69L-7.501	12/19/2016	**/**/*****

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Coconut Creek Lincoln LLC, d/b/a Coconut Creek Lincoln for establishment of Lincoln vehicles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Ford Motor Company, intends to allow the establishment of Coconut Creek Lincoln LLC, d/b/a Coconut Creek Lincoln as a dealership for the sale and service of Lincoln passenger cars and light trucks by Ford Motor Company (line-make LINC), on or after June 10, 2017.

Temporary sales operations will be located at 4970 North State Road 7, Coconut Creek, Broward County with Service operations located at the permanent location of 4950 North State Road 7, Coconut Creek, (Broward County), Florida



33073. Once the showroom construction is completed, sales operations will move to the permanent address at 4950 North State Road 7, Coconut Creek, Broward County, Florida 33073. The distance between 4950 North State Road 7 Coconut Creek, FL 33073 and 4970 North State Road 7 Coconut Creek, Florida 33073 is approximately 262 feet.

The name and address of the dealer operator(s) and principal investor(s) of Coconut Creek Lincoln LLC, d/b/a Coconut Creek Lincoln are dealer operator(s): Ed Appleby, 4950 North State Road 7, Coconut Creek, Florida 33073 and Jeff Gale, 4950 North State Road 7, Coconut Creek, Florida 33073; principal investor(s): King Motor Company Of Coconut Creek, Ltd., 4960 North State Road 7, Coconut Creek, Florida 33073.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Program Manager, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Steve Hammond, Ford Motor Company, 13010 Morris Road Corporate Center One, Suite 500, Milton Georgia 30004.

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

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### Notice of Routine Program Change Request

The Department of Environmental Protection's Florida Coastal Office has requested the concurrence of the federal Office of Ocean and Coastal Resource Management (OCRM) of the National Oceanic and Atmospheric Administration (NOAA), in updating the statutory authorities included within the Florida Coastal Management Program (FCMP) as a routine program change (RPC). The Department of Environmental Protection has determined that the proposed program changes are a routine program change as defined by 15 CFR 923.84. This routine program change submission will

incorporate relevant statutory changes enacted by the Florida Legislature during the 2016 legislative session to statutes included in the Florida Coastal Management Program, including incorporation of Sections 373.801, 373.802, 373.803, 373.805, 373.807, and 373.811, Florida Statutes, as enforceable policies. The routine program change submittal is available

at <http://www.dep.state.fl.us/cmp/federal/fedconsv.htm> and describes the nature of the changes as well as identifies the enforceable policies to be added to the management program of the State if approved. A list of all statutes that make up the FCMP is available at [http://www.dep.state.fl.us/cmp/federal/24\\_statutes.htm](http://www.dep.state.fl.us/cmp/federal/24_statutes.htm). In addition, the FCMP has examined Chapters 267 and 597, F.S., with applicable partner state agencies to clarify the enforceable policy sections within these chapters.

Staff has evaluated these changes pursuant to 15 CFR 923, Subpart H and concluded that the changes are not amendments to the FCMP. These changes will not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization, or coordination, public involvement and the national interest.

Notice is being provided to the general public and affected parties, including local governments, state agencies, and regional offices of relevant federal agencies as required by 15 CFR 923.84(b)(2). A list of persons and organizations notified is available for inspection or can be provided upon request from the department contact below.

Pursuant to 15 CFR 923.84, comments on whether the changes constitute a routine program change of the FCMP may be submitted to Joelle Gore, NOAA/OCRM, 1305 East-West Highway, Silver Spring, MD 20910 within 21 days of the date of issuance of this notice.

For more information on this RPC submittal, please contact: Mr. Joseph Bauer, Department of Environmental Protection, Florida Coastal Office, 3900 Commonwealth Boulevard, MS 235, Tallahassee, FL 32399-3000, (850)245-2180 or [joseph.bauer@dep.state.fl.us](mailto:joseph.bauer@dep.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).

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#### DEPARTMENT OF HEALTH

The Department of Health, Office of Compassionate Use hereby provides notice of its development of regulation procedures pursuant to the Department's authority under Article X, Section 29, of the Florida Constitution. This regulation procedure will be used by the Department to implement its regulation authority under the Florida Constitution. The person to be contacted regarding the

proposed regulation and a copy of the draft is: Courtney Coppola at Courtney.Coppola@flhealth.gov.

The language of the procedure is as follows:

Office of Compassionate Use

Article X, Section 29, of the Florida Constitution  
Regulation Development Procedure

A. Background

In November 2016, Florida voters passed an amendment to Article X of the Florida Constitution establishing provisions for the recommendation, use, and sale of medical marijuana. Under the amendment, the Florida Department of Health is responsible for registering and regulating medical marijuana treatment centers that produce and distribute marijuana for medical purposes, as well as issuing identification cards to patients and caregivers. Regulations promulgated pursuant to constitutional authority are not subject to Chapter 120, Florida Statutes. Because there is public benefit to having uniform procedures that are clearly laid out for such regulations, the Florida Department of Health (Department) establishes the following procedures for implementing Article X, Section 29 of the Florida Constitution.

B. Definitions of Regulations

- a. Regulations are statements of general applicability to guide the conduct or action of the Department, medical marijuana treatment centers, physicians, patients, and caregivers, adopted by the Department to implement its powers and duties. Regulations must be consistent with the law.
- b. Regulations are not subject to the provisions of Chapter 120, Florida Statutes, as they are promulgated pursuant to constitutionally delegated authority and not legislatively delegated authority.

C. Regulation Development Procedures

- a. Notice
  - i. Prior to the adoption, amendment, or repeal of any regulation, except an emergency regulation, the Department shall give notice of its intended action. This notice shall be given at least 15 days prior to any proposed adoption or repeal of a regulation. Notice of a proposed regulation, amendment, or repeal shall include publication in the Florida Administrative Register.
- b. Comments

- i. Any person may submit written comments concerning a proposed regulation, amendment, or repeal to the contact person identified in the notice within 3 days after the date of the notice.
- ii. In response, the Department may solicit additional written comments, schedule a public hearing, withdraw or modify the regulation, amendment, or repeal in whole or in part after notice, or proceed with adopting the regulation.

c. Adoption

- i. The Department is responsible for adopting its regulations. Regulations are adopted upon promulgation by the Department.

d. Filing

- i. Place of Filing, Record and Effective Date
  1. When adopted, the regulation, amendment, or repeal shall be filed with the Agency Clerk and posted in the Florida Administrative Register.
  2. The regulation, amendment, or repeal shall become effective on the date of filing unless the effective date is stated otherwise.

D. Due Process

- a. In implementing regulations that affect the rights of individuals, the Department will honor established due process principles to ensure that applicable due process rights are afforded to affected individuals.

E. Emergency Regulations

- a. An emergency regulation may be adopted if there is an immediate danger to the public health, safety, or welfare under a procedure which is fair under the circumstances. The action taken must be only that necessary to protect the public interest in the emergency. At the time of, or prior to the Department's action, it must publish in the Florida Administrative Register specific facts and reasons for concluding that the procedure is fair under the circumstances. An emergency

regulation shall not be effective for a period longer than 90 days. However, the Department may take identical action under the regular regulation development procedure set forth herein.

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**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.

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