

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-16.001 Written Certification Examination Requirements

PURPOSE AND EFFECT: To update and add additional requirements to the rule.

SUBJECT AREA TO BE ADDRESSED: Update and add additional requirements.

RULEMAKING AUTHORITY: 455.217, 489.108 FS.

LAW IMPLEMENTED: 455.217, 489.113 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: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395.

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

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support

RULE NOS.: RULE TITLES:
64J-1.002 Basic Life Support Service License - Ground
64J-1.003 Advanced Life Support Service License - Ground
64J-1.005 Air Ambulances
64J-1.006 Neonatal Transports
64J-1.007 Vehicle Permits
64J-1.019 Emergency Treatment of Insect Stings
64J-1.0201 EMS Instructor Qualifications

PURPOSE AND EFFECT: Review and amend rule language as necessary to ensure that all rules conform to statutory requirements and to delete unnecessary and obsolete language. The department intends to update department forms and requirements for EMS Service requirements, including licensure, vehicle and air ambulance permitting and staffing requirements, life support and lifesaving equipment and

supplies, medications and medication security, patient transport requirements, department inspection requirements of EMS services, emergency use of and training related to epinephrine auto injectors including but not limited to treatment of allergic reactions; neonatal transports; The department intends to make amendments related to instructor qualifications at EMT and paramedic training programs.

SUBJECT AREA TO BE ADDRESSED: EMS Service licensure; vehicle and ambulance, including air ambulances, permitting, staffing, equipment and supplies, instructor qualifications for EMS training programs for personnel certification and recertification, emergency use of epinephrine auto injectors, medication security; neonatal transports.

RULEMAKING AUTHORITY: 381.0011, 381.88(3), 383.19, 395.405, 401.121, 401.23, 401.25, 401.251, (6), 401.265, 401.27, (2), 401.35, (1)(h) FS.

LAW IMPLEMENTED: 381.001, 381.0011, 381.0205, 381.025, 381.88, 383.15, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.251, 401.252, 401.26, 401.265, 401.27, (4)(a)1., 2., 401.2701(1)(a)5.a., 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.113, 401.414, 401.421 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: Melia Jenkins, 4052 Bald Cypress Way, Bin A-22, Tallahassee, FL 32399, (850)245-4440, x2773.

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

Section II

Proposed Rules

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-118.002 Definitions

PURPOSE AND EFFECT: To define terms used within the rule.

SUMMARY: Terms used within the rule are defined for clarity.

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: no regulatory cost is imposed by defining of terms. 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: 311.101, FS.

LAW IMPLEMENTED: 311.101, 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: Susan Schwartz, Assistant General Counsel, Department of Transportation, 605 Suwannee street, Tallahassee, FL 32399, susan.schwartz@dot.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

14-118.002 Definitions.

(1) through (2) No change.

(3) "Project" means a Transportation Facility as defined in this rule Section 334.03, F.S., for the conveyance or shipment of goods, to or from an ILC, through one or more eligible seaports.

(4) "Intermodal" means a change from one mode of transport to another, for example, a change from bulk sea shipping container to truck transport.

(5)(4) "Intermodal Logistics Center" (ILC) means as defined in Section 311.101, F.S.

(6)(5) "Program" means the Intermodal Logistics Center Infrastructure Support Program, as described in Section 311.101, F.S.

(7) "Transportation Facility" means a road, rail line, rail spur, rail terminal, runway, taxiway, apron, or dock, and associated equipment necessary for the intermodal transfer of goods being conveyed from or to private sector businesses operating at the ILC to or from an eligible seaport. The term does not include improvements that will be solely utilized by the owner of an ILC or solely by a single private sector business operating or planning to locate operations at the ILC. The term also does not include warehouses or other storage facilities, or equipment for the movement of goods within a warehouse or storage facility.

Rulemaking Authority 311.101 FS. Law Implemented 311.101 FS. History—New 5-16-13, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jasmin Raffington, Senior Policy Analyst

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Rachel D. Cone, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 4, 2017

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.002 Definitions

PURPOSE AND EFFECT: The purpose is to update definitions to terms used in current operations. The effect will be to simplify and make the rules easier to understand.

SUMMARY: An update of definitions to terms used in current operations to simplify and make the rules easier to understand.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.20, FS.

LAW IMPLEMENTED: 947.002, 947.16, 947.165, 947.172, 947.173, 947.174, 947.1745, 947.1746, 947.21, 947.22, 947.23, FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.002 Definitions.

The following definitions are provided for the clarification of all terms used throughout Chapter 23, F.A.C.:

(1) "Aggravate" means to add a number of months to established number of months selected from the matrix time range.

(2) "Aggregation" means a process to separate multiple criminal episodes and score each single episode by determining the salient factor score, severity of offense behavior, presence of aggravating or mitigating circumstances and assess a number of months of incarceration for each scored episode. The total of months for each scored episode is then aggregated (added together) for the establishment of a presumptive parole release date.

(3) "Burglary" and "bBreaking and eEntering" are defined as they are found in the Florida Statutes on the dates the crimes were are committed.

(4) "Commission Chair" means the Chair of the Florida Commission on Offender Review who, as selected by the Governor and Cabinet, is authorized to conduct agency business and call and preside over meetings of the Commission meetings.

(5) "Commission investigator," which is synonymous with "parole examiner," "hearing examiner," and "parole hearing examiner." means a Commission employee authorized to:

(a) Conduct an initial, subsequent, effective, or special interview;

(b) Provide professional case analyses and recommendations to the Commission;

(c) Conduct investigations for the Commission;

(d) Hold preliminary, bond, final revocation, and rescission hearings in order to make recommendations to the Commission;

(e) Perform other duties as assigned by the Chair.

(6) (5) "Commission mMeeting" or "meeting" means a publicly noticed ealled public meeting of the Commission, including business meetings.

(7) (6) "Commission Secretary" means the Commissioner, as selected by the Governor and Cabinet, and whom the Commissioners select from their number to serve as secretary for a period of one year or until a successor is elected and

qualified, and elected to a one year term or until a successor is elected by the Commission, whose duties include encompass serving notice and publishing information concerning Commission business meetings, preparation and distribution of the agendas, maintenance of the official minutes, and recorder of the minutes of at all scheduled and emergency Commission business meetings.

(8) (7) "Commission Vice-Chair" means the dually selected Commission Vice-Chair of the Florida Commission on Offender Review who, as selected by the Governor and Cabinet, is authorized to call and preside over meetings of the Commission to serve in the absence of the Commission Chair.

(9) (8) "Competent and pPersuasive" means that:

(a) The information is specific as to the behavior alleged to have taken place; and

(b) The source of the allegation appears to be reliable.

(9) County jail time credit means the time awarded by the Court for time spent in custody prior to sentencing.

(10) "Conditional mMedical rRelease" means the release of an inmate from incarceration by the Commission as set forth in Section 947.149, F.S., under conditions of release and supervision, as a result of being referred by the Department as permanently incapacitated or terminally ill.

(11) "County jail time credit" means the time awarded by the court for time spent in custody prior to sentencing.

(12) (11) "Criminal eEpisode" means the commission of one or more criminal offenses ending with the last imposition of a court sanction. Any offense committed after a court sanction or pronouncement of disposition will be considered a subsequent criminal episode and subject to aggregation.

(13) (12) "Department" means the Florida Department of Corrections.

(14) (13) "Early tTermination of pParole" means a Commission Order of Discharge from the term and conditions of parole prior to the expiration date of parole as set forth on the pParole cCertificate.

(15) (14) "Effective pParole rRelease dDate (EPRD)" means the actual parole release date, when authorized by the Commission as set forth in Sections 947.1745, and 947.1746, and 947.18, F.S. The Commission's consideration for authorization of the EPRD is occasioned by the approach of the PPRD, which determines the initial point in time the Commission considers the requirements under Florida law that no person be placed on parole until and unless the Commission can find that there is reasonable probability that, if the inmate is placed on parole, he will live and conduct himself as a respectable and law abiding person, that his release will be compatible with his own welfare and the welfare of society, and that he will either be suitably employed in self sustaining employment or will not become a public charge.

(16)(45) "Element of a cCrime" means that which was specifically contained in the statutory definition of the crime on the date the crime was committed.

(17)(46) "Escape" is defined as it was found in the Florida Statutes on the date the crime was committed.

(18)(47) "Exceptional cCircumstances" are those circumstances which are out of the ordinary.

(19)(48) "Extend" means to increase the presumptive parole release date.

(20)(49) "Extraordinary rReview" means a further examination by the Commission of the entire record in an inmate's case following the Commission's decision declining to authorize an eEffective pParole rRelease dDate.

(21)(50) "Final rRevocation hHearing" means a fact-finding quasi-judicial hearing held by the Commission, a Commissioner, or the Commission's duly authorized representative for the purpose of determining whether a parolee has violated the conditions of the parole and if so, what recommendation should be made to the Commission.

(22)(51) "Good cCause" means factors legally sufficient that justify action taken and which are not arbitrary, capricious, irrational, or unreasonable.

(23)(52) "Individual pParticularity" means case-specific, factual material or references related only to the inmate, including but not limited to the circumstances of the offense and unsatisfactory institutional conduct concerned.

(24)(53) "Initial dDate of cConfinement in eExecution of the jJudgment of the cCourt" means the initial date of incarceration in the Department of Corrections or, in the instance of a county jail sentence, receipt at the county jail.

(25)(54) "Inmate" means any person under Florida Court commitment to incarceration in any state or federal correctional facility, the Department, or to a county jail for a cumulative sentence of 12 months or more.

(26)(55) "Juvenile sSanction" means a court-imposed punishment on a minor for an act which, if committed by an adult, would have been criminal.

(27)(56) "Matrix tTime rRange" means the appropriate range of months found where the offender's salient factor score total intersects with the offender's severity of offense behavior.

(27) Meeting means an officially called Commission meeting.

(28) "Mitigate" means to reduce the number of months used to establish the the matrix time range or the previously established presumptive parole release date.

(29) "New iInformation" means knowledge acquired subsequent to the initial interview or the establishment of the presumptive parole release date.

(30) "Nullification of pParole" means the Commission action voiding the grant of parole when an inmate refuses to accept parole.

(31) PPRD means "Presumptive parole release date (PPRD)" means the tentative parole release date, when authorized by the Commission as set forth in Section 947.172, F.S.

(32) "Parole" means the release of an inmate, prior to the expiration of the inmate's sentence, with a period of supervision to be successfully completed by compliance with the enumerated conditions and terms of the release agreement as ordered by the Commission. The decision of the Commission to parole an inmate shall represent an act of grace of the state and shall not be considered a right.

(33) "Parolee" means an inmate who has been paroled placed on parole.

(34) Parole examiner, which is synonymous with hearing examiner, means a Commission employee authorized to:

(a) Conduct an initial, subsequent, effective or special interview;

(b) Provide professional case analyses and recommendations to the Commission;

(c) Conduct investigations for the Commission;

(d) Hold preliminary, bond, final revocation and rescission hearings in order to make recommendations to the Commission;

(e) Perform other duties as assigned by the Chair.

(34)(35) "Preliminary hHearing" means an informal quasi-judicial hearing held after a parolee has been arrested, pursuant to a Commission warrant, to determine whether there is probable cause to believe that a violation(s) of the conditions of parole have occurred.

(35)(36) "Present cCommitment" means the total of court sentences to incarceration, including expired individual sentence or sentences contained therein, resulting from a single criminal offense or multiple offenses involved in a single criminal episode. An offender may have more than one present commitment for computation purposes. Further, cCourt sentences of sixty days or more are considered as commitments to incarceration, including sentences to time served as provided in subsection 23-21.007(2), F.A.C.

(36)(37) "Present oOffense of cConviction" means the offense or offenses resulting in conviction in a single criminal episode. At least one of the convictions must result in a sentence to incarceration for sixty days or more, including sentences to time served of sixty days or more.

(37)(38) "Prior cCriminal rRecord" means an offense or offenses which result in the imposition of a judicial sanction. Both the consummation of the criminal offense(s) and the last imposition of the judicial sanction(s) must be obtained obtain at some date earlier in time than the offense(s) resulting in commitment to incarceration for the present offense of conviction. For the purpose of scoring in this category, prior offenses resulting in probation with adjudication of guilt withheld will be counted.

(38)(39) "Probation" means the release of a defendant for a period of supervision to be ~~successfully~~ completed by compliance with the enumerated conditions and terms of the release agreement as ordered by the trial court.

(39)(40) "Quorum" means a majority of the Commission ~~that when duly assembled is legally competent to transact business.~~

(40)(41) "Recidivist cCriminal fFactor" means four or more prior adult felony convictions or juvenile adjudications for felony offenses, from four or more separate criminal episodes, at least two of which resulted in a sentence of incarceration of sixty days or more.

(41)(42) "Rescission of pParole" means the withdrawal of an effective parole release date unexecuted grant of parole.

(42)(43) "Revocation of pParole" means the order of the Commission entered after a parolee has been found to have violated one or more conditions of parole, and requires the parolee's return to prison to resume service of the sentence.

(43)(44) "Salient fFactors" are the indices of the offender's present and prior criminal behavior and related factors found by experience to be predictive in regard to parole outcome.

(44)(45) "Satisfactory rRelease pPlan" means a release plan that meets all of the following requirements and is approved by the Commission:

(a) A transitional housing program or residence confirmed by field investigation to be sufficient to meet the living needs of the individual seeking parole, or sufficient financial resources or assistance to secure adequate living accommodations ~~with the approval of the parole supervisor.~~

(b) Self-sustaining employment or financial support sufficient to preclude the parolee from becoming a public charge which has been confirmed by field investigation.

(c) Both paragraphs (a) and (b) available in a community that does not represent individual, collective, or official resentment or hostility to an extent that it impairs the opportunity for lawful and peaceful existence of the parolee or any individual within that community.

(d) If the individual seeking parole is a convicted sexual offender, the proposed transitional housing program or residence and employment must not pose an undue risk to persons children under the age of eighteen.

(e) The occupants of the proposed transitional housing program or residence must not pose an undue risk to the inmate's ability to reintegrate into society.

(f) The proposed transitional housing program or residence must not contain any firearms.

(45)(46) "Severity of oOffense bBehavior" means the statutorily assigned degree of felony or misdemeanor for the present offense of conviction.

(46)(47) "Subpoena" or "subpoena dDuces tTecum" means a document signed by a member of the Commission or an

authorized Commission representative which compels the attendance of a person at Commission proceedings and may require the person so compelled to bring with him designated items as specified on the document.

(47)(48) "Tentative release date" means the date projected for the inmate's release from custody by virtue of gain-time granted or forfeited pursuant to Section 944.275(3)(a), F.S.

(48) "Unsatisfactory iInstitutional cConduct" includes behavior which results in one or more of the following:

(a) A Results in processed disciplinary action actions as defined by the Department that results in the loss of gain time and/or placement in disciplinary confinement;

(b) A Results in a pending or completed court prosecution;

(c) A Results in a reclassification action (raising custody classification, transferring to a higher custody or level institution, or transferring to close management status);

(d) Results in Tthe Commission finding that there is competent and persuasive evidence in the form of an admission against interest by the inmate; or

(e) Results in Tthe Commission determining through competent and persuasive independent knowledge of an action pending either in court or in the Department's disciplinary hearing process.

(49) "Vacate" means to set aside a previously established date or order.

(50) "Warrant" means a document executed by a member of the Commission which will cause the incarceration of a parolee or releasee pending final action by the Commission.

(51) "Work rRelease" means the Department's of Correction's cCommunity wWork rRelease program.

Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.002, 947.16, 947.165, 947.172, 947.173, 947.174, 947.1745, 947.1746, 947.21, 947.22, 947.23 FS. History—New 9-10-81, Amended 10-1-82, 8-1-83, 7-1-84, Formerly 23-21.02, Amended 7-9-87, 1-29-93, 1-5-94, 8-19-04, 8-17-06, 2-12-13, 2-3-14, 9-25-14.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:
23-21.007 Salient Factor Scoring

PURPOSE AND EFFECT: The purpose is to use consistent language throughout the rule, to make the rule more clear and readable. The effect will be a more consistent rule that is easier for the public to understand and that comports with agency practice.

SUMMARY: An update of the language used in the rule, to make it easier for the public to understand and to bring it into compliance with agency practice.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.165, FS.

LAW IMPLEMENTED: 947.002, 947.13, 947.165, FS.

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

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: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.007 Salient Factor Scoring.

Salient factors (1) through (5) shall be calculated on the inmate's criminal record.

(1) No change.

(a) Misdemeanor convictions or adjudications do not constitute criteria to be used in determining Recidivist Criminal Factor. Further, individual felony convictions or adjudications within a single criminal episode result in the entire criminal episode being considered as one prior felony conviction or adjudications when computing the Recidivist Criminal Factor. Inmates who meet the criteria of the Recidivist Criminal Factor shall not be scored on the remaining five ~~six~~ factors as the inmate automatically falls within the Recidivist Criminal Factor time ranges on the matrix. Once an inmate is found to meet the criteria to be scored in the Recidivist Criminal Factor time ranges, all rescoreing on subsequent incarcerations must also fall in the Recidivist Criminal Factor time ranges unless it is determined an error was made in an earlier scoring.

(b) through (i) No change.

(2) No change.

(a) through (c) No change.

(d) Count only incarcerations which were imposed ~~and served~~ prior to the receipt by commitment for the present offense of conviction. Incarcerations which were imposed after the commission of the present offense of conviction are not counted for purposes of this item; unless the incarceration resulted from a criminal offense committed while on bail or probation for the present offense of conviction. This does not preclude considering the commission of additional offenses as a negative indicant of parole prognosis.

(e) No change.

(3) No change.

(4) NUMBER OF PROBATION, PAROLE OR MCR REVOCATIONS:

Two ~~or more~~ revocations = 2 Points

One revocation = 1 Point

No revocations = 0 Points

(a) through (b) No change.

(c) Score 0 if the inmate has never had parole or probation revoked or if the inmate's only probation revocation did not result in a sentence to incarceration of sixty days or more.

(d) No change.

(e) More than three or more one revocations of probation, parole, CCR or MCR shall be considered as a negative indicant of parole prognosis, and may be used as an aggravating factor.

(5) through (6) No change.

Rulemaking Authority 947.07, 947.165 FS. Law Implemented 947.002, 947.13, 947.165 FS. History—New 9-10-81, Amended 10-1-82, 8-1-83, 7-1-84, Formerly 23-21.07, Amended 1-26-93, 1-5-94, 8-17-06, 12-30-08, 3-31-10, 2-12-13, 7-30-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.010 Decisions Outside the Matrix Time Range

PURPOSE AND EFFECT: The purpose is to align the rule with agency best practices. The effect will change examples of aggravating circumstances and clarify the use of underlying offenses in the calculation of an outside the matrix time range felony murder case.

SUMMARY: An update of examples of aggravating circumstances and a clarification of the use of underlying offenses in the calculation of an outside the matrix time range felony murder case.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.165, FS.

LAW IMPLEMENTED: 947.002, 947.165, FS.

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contacting: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.010 Decisions Outside the Matrix Time Range.

(1) through (2) No change.

(3) The Commission shall use as an aggravating factor all existing consecutive sentences, including parole ineligible sentences. In so doing, a specific number of months shall be assessed for each consecutive sentence(s), even if one of such sentences is for the most serious offense, as defined in these rules. A consecutive sentence(s) for the underlying offense(s) in a felony murder conviction shall be used as an aggravating factor(s), but the number of months assessed for these sentences shall be zero.

(4) No change.

(5) Following are examples of situations in which a Commission investigator or the quorum may wish to consider a recommendation of aggravation or mitigation. However, these are only examples and the Commission is not limited to only these examples as long as a written explanation of the factor is provided to the inmate:

(a) Aggravation – Decisions above the matrix time range:

1. Reasons related to aggravation of the severity of offense behavior can include:

a. No change.

b. The offense was committed for pecuniary gain. The offense resulted in great bodily injury or pecuniary loss;

c. through d. No change.

e. The offense was part of a large-scale organized scheme or criminal conspiracy;

f. through j. No change.

k. In Inmate fled from the crime in an attempt to avoid apprehension, the inmate fled from the jurisdiction where the crime was committed;

l. The offense was committed against on a victim that the inmate had custodial or familial authority over;

m. The inmate is or has been affiliated with a gang.

2. No change.

(b) No change.

Rulemaking Authority 947.07, 947.165 FS. Law Implemented 947.002, 947.13, 947.165 FS. History—New 9-10-81, Formerly 23-21.10, Amended 1-26-93, 1-5-94, 8-17-06, 7-30-14.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.011 Calculating Time in Custody

PURPOSE AND EFFECT: The purpose is to use consistent language throughout the rule related to the “time begins” calculation so as to make the rule more readable comport with agency practice. The effect will be a more consistent rule that is easier for the public to understand and that comports with agency practice.

SUMMARY: A clarification, for consistency and readability, of the language used as to calculation of the “time begins” date.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, FS.

LAW IMPLEMENTED: 947.002, 947.165, FS.

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

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: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850) 488-4460, ranawallace@fcor.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). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850) 488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.011 Calculating Time in Custody.

Time in custody means only time in actual physical custody for the present offense of conviction. Time out of incarceration shall be part of the calculation of time in custody. Time out shall include but not be limited to bail, supersedeas bond, escape, unauthorized absence from official custody, parole or MCR not credited by the Commission, or Federal Witness Protection and must be considered before a presumptive parole release date is established. Following are the procedures to be followed in calculating time in custody for single conviction commitments, multiple conviction commitments and cases where aggregation applies:

(1) Single Conviction Commitments:

(a) through (d) No change.

(e) Determine if the inmate spent any time out of incarceration. Time out of incarceration shall include for example, mandatory conditional release, supersedeas ~~supersedes~~ bond, escape, or grant of reprieve or parole. If the inmate was out of incarceration, ascertain the exact number of days out of incarceration and add those days to the date found in paragraph (c) above. This computation will produce the “TIME BEGINS” date. ~~If the “TIME BEGINS” date calculation results in a date prior to the date of the present offense of conviction, the “TIME BEGINS” date will be reset to the actual date of the offense.~~

(f) No change.

(2) Multiple Conviction Commitments:

(a) through (b) No change.

(c) Determine if the inmate spent any time out of incarceration. Time out of incarceration shall include, for example, mandatory conditional release, supersedeas bond, escape, or grant of reprieve or parole. If the inmate was out of incarceration, ascertain the exact number of days out of

incarceration and add those days to the date found in paragraph (a) above. If the inmate is paroled to a non-parole eligible sentence(s), the time served on those sentences may be considered for the purposes of computing the "TIME BEGINS" time begins date. If the "TIME BEGINS" date calculation results in a date prior to the date of the earliest offense of conviction, the "TIME BEGINS" date will be reset to the actual date of the earliest offense.

(d) No change.

(3) No change.

Rulemaking Authority 947.07, FS. Law Implemented 947.002, 947.165 FS. History—New 9-10-81, Amended 8-1-83, Formerly 23-21.11, Amended 1-26-93, 8-17-06, 2-3-14.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.022 Revocation of Parole; Preliminary Hearings; Final Hearings

PURPOSE AND EFFECT: The purpose is to create a procedure for parolees out-of-state who want to waive a violation hearing. The effect will allow parolees to waive a violation hearing out-of-state, if approved by the Commission.

SUMMARY: An addition of provisions permitting a parolee out-of-state to waive his preliminary and final parole hearings.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS.

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: 947.07, FS.

LAW IMPLEMENTED: 947.23, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.022 Revocation of Parole; Preliminary Hearings; Final Hearings.

(1) through (4) No change.

(5) Waiver of Preliminary Hearing.

(a) A parolee serving a state sentence within the State of Florida may waive his or her preliminary hearing after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The parolee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a preliminary hearing shall be convened after appropriate notice. Prior to the preliminary hearing, the parolee may elect to waive such hearing, provided such waiver is executed in writing before a Commissioner or duly authorized representative of the Commission, and follows a full explanation of all rights, procedures, and possible consequences. The parolee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after the execution of the waiver. Upon receipt of a timely waiver withdrawal

request, a preliminary hearing shall be convened after appropriate notice.

(b) A parolee serving a sentence in a jurisdiction outside the State of Florida or serving a federal sentence may submit a written request to waive his or her preliminary hearing in absentia. Upon receipt of the written waiver request, the Commission can elect to either proceed with the preliminary hearing or wait until the parolee has completed his or her sentence in the other jurisdiction and is returned to Florida. The parolee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a preliminary hearing shall be convened after notice.

(6) through (15) No change.

(16) Waiver of Final Hearing.

(a) A parolee serving a state sentence within the State of Florida may waive his or her final hearing after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The parolee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a revocation hearing shall be convened after appropriate notice from the Department that the parolee has been returned to the custody of the Department from another jurisdiction. Any final hearing can be waived by the parolee after an explanation of all rights and possible consequences of waiver. The waiver shall be in writing, shall affirm knowledge and understanding of the rights and consequences, and shall be executed before a member of the Commission or the Commission's designated representative. The parolee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed and postmarked within 14 days after the execution of the waiver. Upon receipt of a timely withdrawal of waiver form, a final revocation hearing shall be convened after appropriate notice.

(b) A parolee serving a sentence in a jurisdiction outside the State of Florida or serving a federal sentence may submit a written request to waive his or her final hearing in absentia and have the Commission proceed with the disposition of the revocation. Upon receipt of the written waiver request, the Commission can elect to either proceed with the revocation or wait to make a final decision as to the revocation until the parolee has completed his or her sentence in the other jurisdiction and is returned to Florida. The parolee may withdraw the waiver by submitting a written request which

waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a revocation hearing shall be convened after appropriate notice.

(17) through (28) No change.

Rulemaking Authority 947.07, 947.20, FS. Law Implemented 947.23 FS. History—New 9-10-81, Amended 10-1-82, 7-1-84, Formerly 23-21.22, Amended 5-10-87, 1-26-93, 1-5-94, 8-17-06, 3-31-10, 2-12-13,

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.0051 Full Commission Reviews

PURPOSE AND EFFECT: The purpose is to simplify the language used, to update or remove outdated programs, and to ensure conformity with Rule 23-21.0052, F.A.C. The effect is to make the rule easier to understand, comport with agency practice, and ensure conformity with Rule 23-21.0052, F.A.C.

SUMMARY: An update to the language used and a removal of outdated programs to ensure the rule is consistent with agency practice and ensures conformity with Rule 23-21.0052, F.A.C.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.20, FS.

LAW IMPLEMENTED: 947.06, 947.07, 947.135, 947.141, 947.172, 947.1745, 947.1746, 947.18, 947.19, 947.23, 947.24, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850) 488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.0051 Full Commission Reviews.

The Commission, consisting of three Commissioners, appointed by the Chair, shall vote the following types of cases:

(1) In any case where a panel agrees to set or reduce a Presumptive Parole Release Date or Mutual Participation Program parole release date which would place or continue to place that date within the period of retained jurisdiction by a court, the case shall be referred to the full Commission for consideration of that action;

(1)(2) Upon receipt of significant information impacting on parole decision-making, a single Commissioner can have a case placed on the docket for a full Commission vote;

(2)(3) A panel of Commissioners is authorized to refer a case originally placed on the docket for its consideration to the full Commission. Should a panel split in their vote on any case voted on by a panel, to refer a case to the full Commission, the Chair or his or her designee will cast the deciding vote. If the Chair agrees that the case should be referred to the full Commission, the member of the panel who voted to refer will be responsible for preparing the memorandum;

(4) When a panel is unable to agree and the case is referred to the Chair, the Chair shall either concur with one of the voting panel members or refer the case to the full Commission;

(3)(5) Whenever a panel of Commissioners reviews a case which is on a docket and for consideration and the panel determines that new information has been gathered which suggests an extension or reduction modification of the established presumptive parole release date greater than in excess of sixty (60) months, the panel shall make its recommendation for such extension or reduction modification and refer the case to the full Commission. The panel's recommendation regarding the new information shall include a statement of the specific reason for its recommendation;

(4)(6) In any case where a panel agrees to set or reduce modify a Mutual Participation Program parole release date sixty (60) months or more, below the established presumptive parole release date PPRD, the panel shall make its recommendation for such extension modification and refer the case to the full Commission for decision;

(7) Cases for which notice has been provided to the sentencing court, under the provision of Section 947.1745(4), F.S., and for which the court has submitted a written objection to parole release;

(5)(8) All parole violation cases following final hearing;

(6)(9) All effective interviews, and extraordinary interviews, and extraordinary reviews;

(7)(10) Decisions on All conditional medical release cases;

(8)(11) Setting Establishing presumptive parole release dates for capital felony offenders whose sentence includes a 25-year mandatory minimum term;

(9)(12) Reviewing presumptive parole release dates requests filed pursuant to Section 947.173, F.S., for capital felony offenders whose sentence includes a 25-year mandatory minimum term;

(10)(13) Parole cases in which the Department of Corrections is making a recommendation, separately from any other scheduled action;

(14) Cases in which the presumptive parole release date is within the retained jurisdiction period of the court;

(11)(15) Rescinding or nullifying a parole granted by the Commission;

(12)(16) Reviewing the term and conditions of parole as outlined in Rule 23-21.017, F.A.C.;

(13)(17) When the Commission cannot reach a majority vote, the action of the Commission is no action and the case will be placed on the next docket; and

(14) Determining unsatisfactory institutional conduct for establishing eligibility for the setting of a presumptive parole release date for capital felony offenders.

Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.06, 947.07, 947.149, 947.18, 947.20 FS. History—New 1-26-93, Amended 1-5-94, 8-17-06, 2-3-14.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:
23-21.0052 Panel Reviews

PURPOSE AND EFFECT: The purpose is to simplify the language used, to update or remove outdated programs, and to ensure conformity with Rule 23-21.0051, F.A.C. The effect is to make the rule easier to understand and in line with agency practice.

SUMMARY: An update to the language used and a removal of outdated programs to ensure the rule is consistent with agency practice and ensures conformity with Rule 23-21.0051, F.A.C.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.20, FS.

LAW IMPLEMENTED: 947.06, 947.13, 947.135, 947.1405, 947.141, 947.146, 947.149, 947.172, 947.173, 347.174, 947.1745, 947.1746, 947.18, 947.19, 947.20, 947.23, 947.24, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.0052 Panel Reviews.

A panel consisting of two Commissioners, appointed by the Chair, shall vote the following types of cases:

(1) Establishing presumptive parole release dates; for offenders whose sentence does not include a capital felony unless the sentence includes a 25 year mandatory minimum term;

(2) Inmate initiated reviews of presumptive parole release dates filed pursuant to Section 947.173, F.S., for offenders whose sentence does not include a capital felony unless the sentenee includes a 25 year mandatory minimum term;

(3) No change.

(4) Determining unsatisfactory institutional conduct for establishing eligibility for the setting of presumptive parole release dates for offenders whose sentence does not include a capital felony;

(5) through (13) No change.

(14) Ordering release on recognizance (ROR) following a hearing;

(15) Establishing the term and conditions for control releasees, conditional releasees and addiction recovery releasees; and

(16) Referring a case for a Full Commission review, with good cause; and

(17) Any other case not specifically set forth to be voted on by a Full Commission, as set forth in Rule 23-21.0051, F.A.C. Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.06, 947.13, 947.135, 947.1405, 947.141, 947.146, 947.149, 947.172, 947.173, 947.174, 947.1745, 947.1746, 947.18, 947.19, 947.20, 947.23, 947.24 FS. History-New 8-17-06. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.0155 Extraordinary Review Procedures

PURPOSE AND EFFECT: The purpose is to alter the deadline on which an order must be acted upon by the Commission. The effect is to ensure there is sufficient time to complete the order before it must be acted on.

SUMMARY: An extension of the deadline on which an order must be acted upon by the Commission.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, FS.

LAW IMPLEMENTED: 947.07, 947.18, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460,

ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.0155 Extraordinary Review Procedures.

(1) When an inmate's case is referred for extraordinary review by the Commission, an order shall be prepared outlining the reason(s) for the Commission's decision. The order shall be acted upon by the Commission within 90 ~~60~~ days of the decision declining to authorize the effective parole release date. The Commission's order shall specifically state the reasons for finding the inmate to be a poor candidate for parole release pursuant to Section 947.18, F.S., and shall identify the information relied upon in reaching this conclusion. Additionally, the order shall suspend the established presumptive parole release date until such time that the inmate is found to be a good candidate for parole release. The determination, on extraordinary review, that an inmate is not a good candidate for parole release shall have the effect of overriding his presumptive parole release date however, the inmate shall continue to receive extraordinary interviews, which shall be scheduled pursuant to Rule 23-21.013, F.A.C.

(2) No change.

Rulemaking Authority 947.002, 947.07 FS. Law Implemented 947.002, 947.07, 947.18 FS. History—New 8-1-83, Formerly 23-21.155, Amended 8-17-06, 2-12-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.0165 Conditions of Parole

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by offenders on parole. The effect is to make clear to offenders on parole that firearm possession is not allowed.

SUMMARY: A clarification and emphasis that possession of a firearm by an offender on parole is not permitted.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.20, FS.

LAW IMPLEMENTED: 947.1747, 947.20, 947.23, FS.

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

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 Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-21.0165 Conditions of Parole.

- (1) The following are the Standard Conditions of Parole:
 - (a) through (c) No change.
 - (d) Condition 4 – I shall not:

1. Own, carry, possess, or have in my constructive possession a firearm or ammunition.

2.4. Use or possess alcohol or intoxicants of any kind,

3.2. Use or possess narcotics, drugs, or marijuana unless prescribed by a physician.

4.3. Enter any business establishment whose primary purpose is the sale/consumption of alcoholic beverages.

(e) No change.

(f) Condition 6 – I shall secure the permission of my parole officer before I own, carry or have in my constructive possession a ~~firearm~~, knife or any other weapon.

(g) through (l) No change.

(2) through (8) No change.

Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.1747, 947.20, 947.23 FS. History–New 8-1-83, Formerly 23-21.165, Amended 1-26-93, 1-5-94, 8-17-06, 3-31-10.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-22.013 Control Release Supervision

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by offenders on control release. The effect is to make clear to offenders on control release that firearm possession is not allowed.

SUMMARY: A clarification and emphasis that possession of a firearm by an offender on control release is not permitted.

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 Agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the

revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.146, FS.

LAW IMPLEMENTED: 947.146, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-22.013 Control Release Supervision.

(1) No change.

(2) All persons placed solely on control release supervision shall initially be subject to the standard conditions of control release:

(a) The standard conditions of control release shall include the following:

1. through 3. No change.

4. I shall not:

a. Own, carry, possess, or have in my constructive possession a firearm or ammunition.

b. Use or possess alcohol or intoxicants of any kind.

c. Use or possess narcotics, drugs, or marijuana unless prescribed by a physician.

d. Enter any business establishment whose primary purpose is the sale/consumption of alcoholic beverages,

5. No change.

6. I shall secure the permission of my control release officer before I own, carry or have in my constructive possession a ~~firearm~~, knife or any other weapon.

7. through 13. No change.

(b) No change.

(3) through (8) No change.

Rulemaking Authority 947.146(6)(i), 947.07, 947.20 FS. Law Implemented 947.146, FS. History—New 9-1-90, Amended 8-24-92, 1-5-94, 3-31-10, 2-12-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-22.014 Revocation of Control Release

PURPOSE AND EFFECT: The purpose is to create a procedure for out-of-state control releasees who want to waive a violation hearing. The effect will allow out-of-state control releasees to waive a violation hearing, if approved by the Commission.

SUMMARY: An addition of provisions permitting an out-of-state control releasee to waive his violation hearing.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.146, FS.

LAW IMPLEMENTED: 947.141, 947.146, 947.147, FS.

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

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: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-22.014 Revocation of Control Release.

- (1) through (3) No change.
- (4) Control Release Violation Hearing.
 - (a) through (b) No change.
 - (c) Waiver of Violation Hearing.

1. A control releasee serving a state sentence within the State of Florida may waive his or her final hearing after an explanation of the consequences of a waiver. Any control release violation hearing may be waived by the control releasee after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The control releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a control release violation hearing shall be convened after appropriate notice.

2. A control releasee serving a sentence in a jurisdiction outside the State of Florida or serving a federal sentence may submit a written request to waive his or her final hearing in absentia and have the Commission proceed with the disposition of the violation. Upon receipt of the written waiver request, the Commission can elect to either proceed with the revocation or wait to make a final decision as to the revocation until the releasee has completed his or her sentence in the other jurisdiction and is returned to Florida. The control releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the the execution of the waiver. Upon receipt

of a timely waiver withdrawal request, a violation hearing shall be convened after appropriate notice.

(d) through (p) No change.

Rulemaking Authority 947.07, 947.146 (7)(h), 947.20 FS. Law Implemented 947.141, 947.146, 947.147, FS. History—New 9-1-90, Amended 4-20-94, 1-5-94, 3-31-10, 2-12-13.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-23.006 Conditional Release Definitions

PURPOSE AND EFFECT: The purpose is to update definitions to terms used in current operations. The effect will change the term “parole officer” to “commission investigator” and will simplify the definition of “sexual predator.”

SUMMARY: A change of the term “parole officer” to “commission investigator” and a simplification of the definition of “sexual predator.”

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.1405(9), FS.

LAW IMPLEMENTED: 947.1405, FS.

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

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THE FULL TEXT OF THE PROPOSED RULE IS:

23-23.006 Conditional Release Definitions.

(1) through (9) No change.

(10) Commission Investigator Parole Examiner – for purposes of these rules, means an employee of the Florida Commission on Offender Review who performs the following conditional release functions:

(a) Conducts violation hearings and makes findings of fact and recommendations to the Commission;

(b) Performs other related duties as assigned by the Chair.

(11) through (14) No change.

(15) Sexual Predator – means an inmate the court has found and designated a sexual predator pursuant to Florida Statutes, each offender who is convicted, on a current offense committed on or after October 1, 1993, of, or is found to have committed, regardless of adjudication, or pleads guilty or nolo contendere to:

(a) Any capital, life, or first degree felony violation of Chapter 794 or Section 847.0145, F.S., or of a similar law of another jurisdiction; or

(b) Any second degree or greater felony violation of Chapter 794, Section 880.04, 827.071, or 847.0145, F.S., or of a similar law of another jurisdiction, and who has previously been convicted of or found to have committed, regardless of adjudication, or has pled nolo contendere or guilty to, any violation of Sections 794.011(2), (3), (4) or (5), 794.023, 794.041(2)(a) or (b), 800.04, 827.071, 847.0133, or 847.0145, F.S., or of a similar law of another jurisdiction; and

(c) The court has made a written finding that the offender is a sexual predator.

(16) through (19) No change.

Rulemaking Authority 947.07, 947.1405(9) FS. Law Implemented 947.1405(2)(a) FS. History—New 10-20-91, Amended 1-5-94, 5-29-02, 3-31-10.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-23.010 Conditional Release Supervision

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by offenders on conditional release. The effect is to make clear to those on conditional release that firearm possession is not allowed.

SUMMARY: A clarification and emphasis that possession of a firearm by an offender on conditional release is not permitted.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, FS.

LAW IMPLEMENTED: 947.1405, 947.141, FS.

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

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participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-23.010 Conditional Release Supervision.

(1) through (4) No change.

(5) All persons placed solely on conditional release supervision shall initially be subject to the standard conditions of conditional release upon their release from incarceration.

(a) The standard conditions of conditional release shall be the following:

1. through 3. No change.

4. You shall not:

a. Own, carry, possess, or have in my constructive possession a firearm or ammunition.

b.a. Use or possess alcohol or intoxicants of any kind.

c.b. Use or possess narcotics, drugs, or marijuana unless prescribed by a physician.

d.e. Enter any business establishment whose primary purpose is the sale/consumption of alcoholic beverages.

5. No change.

6. You shall secure the permission of your Conditional Release Supervisor before you own, carry or have in your constructive possession a ~~firearm~~, knife or any other weapon.

7. through 13. No change.

(b) No change.

(6) through (10) No change.

Rulemaking Authority 947.07, ~~947.20~~ FS. Law Implemented 947.1405, 947.141 FS. History—New 10-20-91, Amended 1-5-94, 3-31-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: September 29, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-23.011 Revocation of Conditional Release

PURPOSE AND EFFECT: The purpose is to create a procedure for out-of-state conditional releasees who want to waive a violation hearing. The effect will allow out-of-state conditional releasees to waive a violation hearing, if approved by the Commission.

SUMMARY: An addition of provisions permitting an out-of-state conditional releasee to waive his violation hearing.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, FS.

LAW IMPLEMENTED: 947.1405, 947.141, FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-23.011 Revocation of Conditional Release.

- (1) through (3) No change.
- (4) Conditional Release Violation Hearing.
- (a) through (b) No change.
- (c) Waiver of Conditional Release Violation Hearing.

1. A conditional releasee serving a state sentence within the State of Florida may waive his or her final hearing after an explanation of the consequences of a waiver. Any conditional release violation hearing may be waived by the conditional releasee after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The conditional releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a conditional release violation hearing shall be convened after appropriate notice.

2. A conditional releasee serving a sentence in a jurisdiction outside the State of Florida or serving a federal sentence may submit a written request to waive his or her final hearing in absentia and have the Commission proceed with the disposition of the violation. Upon receipt of the written waiver request, the Commission can elect to either proceed with the revocation or wait to make a final decision as to the revocation until the conditional releasee has completed his or her sentence in the other jurisdiction and is returned to Florida. The conditional releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a conditional release violation hearing shall be convened after appropriate notice.

- (d) through (n) No change.

Rulemaking Authority 947.07, 947.20 FS. Law Implemented 947.1405, 947.141 FS. History—New 10-20-91, Amended 1-5-94, 4-20-94, 3-31-10, 2-12-13.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-24.030 Conditions of Conditional Medical Release

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by offenders on conditional medical release. The effect is to make clear to those on conditional medical release that firearm possession is not allowed.

SUMMARY: A clarification and emphasis that possession of a firearm by an offender on conditional medical release is not permitted.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.149, FS.

LAW IMPLEMENTED: 947.141, 947.149, FS.

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

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Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-24.030 Conditions of Conditional Medical Release.

All persons placed on conditional medical release supervision shall be subject to the standard conditions of conditional medical release.

(1) The following are the standard conditions of conditional medical release:

(a) through (c) No change.

(d) I shall not:

1. Own, carry, possess, or have in my constructive possession a firearm or ammunition.

2. Use or possess alcohol or intoxicants of any kind.

3. Use or possess narcotics, drugs or marijuana unless prescribed by a physician.

4. Enter any business establishment whose primary purpose is the sale/consumption of alcoholic beverages.

(e) No change.

(f) I shall secure the permission of my conditional medical release officer before I own, carry or have in my constructive possession a ~~firearm~~, knife or any other weapon.

(g) through (m) No change.

(2) through (4) No change.

Rulemaking Authority 947.07, 947.149 FS. Law Implemented 947.141, 947.149 FS. History—New 1-5-94, Amended 3-31-10.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-24.050 Revocation of Conditional Medical Release

PURPOSE AND EFFECT: The purpose is to create a procedure for out-of-state conditional medical releasees who want to waive a violation hearing. The effect will allow out-of-state conditional medical releasees to waive a violation hearing, if approved by the Commission.

SUMMARY: An addition of provisions permitting an out-of-state conditional medical releasee to waive his violation hearing.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 947.07, 947.149, FS.

LAW IMPLEMENTED: 947.141, 947.149, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade

Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-24.050 Revocation of Conditional Medical Release.

The revocation process for conditional medical release shall be initiated either by order of the Commission or by issuance of a warrant. Any hearing will be conducted in accordance with 947.141, F.S. Revocation hearings pursuant to order of the Commission, shall be initiated when the Commission does not intend to require the releasee to be taken into custody prior to the hearing. Revocation proceedings pursuant to warrant shall be initiated when the Commission believes that the conditional medical releasee should be returned to custody prior to the hearing being convened.

(1) No change.

(2) Conditional Medical Release Revocation Hearing pursuant to Commission Order.

(a) through (b) No change.

(c) Waiver of Violation Hearing.

1. A conditional medical releasee serving a state sentence within the State of Florida may waive his or her final hearing after an explanation of the consequences of a waiver. Any conditional medical release revocation hearing can be waived by the conditional medical releasee after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The conditional releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a conditional release violation hearing shall be convened after appropriate notice.

2. A conditional medical releasee serving a sentence in a jurisdiction outside the State of Florida or serving a federal sentence may submit a written request to waive his or her final hearing in absentia and have the Commission proceed with the disposition of the violation. Upon receipt of the written waiver request, the Commission can elect to either proceed with the revocation or wait to make a final decision as to the revocation until the conditional medical releasee has completed his or her sentence in the other jurisdiction and is returned to Florida. The conditional medical releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a conditional medical release violation hearing shall be convened after appropriate notice. The waiver

~~shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The conditional medical releasee can withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a conditional medical release revocation hearing shall be convened after appropriate notice.~~

(d) through (k) No change.

(3) through (6) No change.

Rulemaking Authority 947.07, 947.149 FS. Law Implemented 947.141, 947.149 FS. History—New 1-5-94, Amended 4-20-94, 3-31-10, 2-12-13.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-25.004 Addiction Recovery Supervision

PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by offenders on addiction recovery supervision. The effect is to make clear to those on addiction recovery supervision that firearm possession is not allowed.

SUMMARY: The purpose is to emphasize that firearm possession is not allowed by offenders on addiction recovery supervision. The effect is to make clear to those on addiction recovery supervision that firearm possession is not allowed.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any review of the

revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 944.4731, 947.07, FS.

LAW IMPLEMENTED: 944.4731, 947.141, FS.

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

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: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-25.004 Addiction Recovery Supervision.

(1) through (4) No change.

(5) (a) through (c) No change.

(d) You shall not:

1. Own, carry, possess, or have in my constructive possession a firearm or ammunition.

2.4. Use or possess alcohol or intoxicants of any kind.

3.2. Use or possess narcotics, drugs or marijuana unless prescribed by a physician.

4.3. Enter any business establishment whose primary purpose is the sale/consumption of alcoholic beverages.

(e) through (p) No change.

(6) through (10) No change.

Rulemaking Authority 944.4731(8), 947.07, FS. Law Implemented 944.4731, 947.141 FS. History-New 2-10-03, Amended 3-31-10, 2-12-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2016

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-25.005 Revocation of Addiction Recovery Supervision

PURPOSE AND EFFECT: The purpose is to create a procedure for out-of-state offenders on addiction recovery supervision who want to waive a violation hearing. The effect will allow out-of-state offenders on addiction recovery supervision to waive a revocation hearing, if approved by the Commission.

SUMMARY: An addition of provisions permitting an out-of-state offender on addiction recovery supervision to waive his violation hearing.

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 agency conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 944.4731, 947.07, FS.

LAW IMPLEMENTED: 944.4731, 947.141, FS.

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

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: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.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). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: : Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460, ranawallace@fcor.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

23-25.005 Revocation of Addiction Recovery Supervision.
(1) through (3) No change.
(4) Addiction Recovery Supervision Violation Hearing.
(a) through (b) No change.
(c) Waiver of Addiction Recovery Supervision.

1. A releasee serving a state sentence within the State of Florida may waive his or her final hearing after an explanation of the consequences of a waiver. Any Violation Hearing may be waived by the Releasee after an explanation of the consequences of a waiver. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a violation hearing shall be convened after appropriate notice.

2. A releasee serving a sentence in a jurisdiction outside the State of Florida or serving a federal sentence may submit a written request to waive his or her final hearing in absentia and have the Commission proceed with the disposition of the violation. Upon receipt of the written waiver request, the Commission can elect to either proceed with the revocation or wait to make a final decision as to the revocation until the releasee has completed his or her sentence in the other jurisdiction and is returned to Florida. The releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request must be appropriately witnessed, and postmarked within 14 days after date of the the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a violation hearing shall be convened after appropriate notice. The waiver shall be in writing and shall be executed before a Commissioner or duly authorized representative of the Commission. The Releasee may withdraw the waiver by submitting a written request which waives all time constraints. The waiver withdrawal request

~~must be appropriately witnessed, and postmarked within 14 days after the execution of the waiver. Upon receipt of a timely waiver withdrawal request, a Violation Hearing shall be convened after appropriate notice.~~

(d) through (n) No change.

Rulemaking Authority 944.4731~~(8)~~, 947.07, FS. Law Implemented 944.4731, 947.141 FS. History—New 2-10-03, Amended 3-31-10, 2-12-13.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Commission on Offender Review

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Melinda Coonrod, Chair, Florida Commission on Offender Review

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 29, 2016

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-7.020 Definitions

PURPOSE AND EFFECT: The Agency proposes to amend the rule to clarify the definition of an Exclusive Use Laboratory.

SUMMARY: Definitions related to clinical laboratory licensure.

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: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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: 483.051, FS.

LAW IMPLEMENTED: 483.035, 483.041, 483.051, 483.191, 483.245 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 2, 2017 at 10:00 a.m. to 12:00 p.m. ET

PLACE: Agency for Health Care Administration, Conference Room C, 2727 Mahan Drive, Building #3, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Zachary Masters, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4374 or by e-mail at zach.masters@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).. If 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: Zachary Masters at (850)412-4374 or email at: zach.masters@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-7.020 Definitions.

(1) through (10) No changes.

(11) Exclusive Use Laboratory – a clinical laboratory where operated by one or more of the following is legally responsible for all aspects of the provider operation and which is operated exclusively in connection with the diagnosis and treatment of their own patients:

- (a) Physician licensed under Chapters 458 or 459, F.S.;
- (b) Chiropractor licensed under Chapter 460, F.S.;
- (c) Podiatrist licensed under Chapter 461, F.S.;
- (d) Naturopathist licensed under Chapter 462, F.S.;
- (e) Dentist licensed under Chapter 466, F.S.

(12) through (32) No changes.

Rulemaking Authority 483.051 FS. Law Implemented 483.035, 483.041, 483.051, 483.191, 483.245 FS. History–New 11-20-94, Amended 8-13-95, 12-27-95, 6-22-06, 3-31-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Zachary Masters

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 03/28/2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 05/25/2016

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants

PURPOSE AND EFFECT: To update continuing education requirements.

SUMMARY: Update continuing education requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 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: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants.

(1) No change.

(2) All registered contractors and certified contractors are required to complete fourteen (14) hours of continuing education each renewal cycle. Of the fourteen (14) hours, one (1) hour shall be required in each of the following topics:

(a) through (e) No change.

(f) Wind mitigation methodologies, if license is held in the following category: General, Building, Residential, Roofing, Speciality Structure, or Glass and Glazing;

(g) Pool electrical requirements, if license is held in the following category: Commercial pool/spa, Residential pool/spa, Swimming pool/spa servicing, or Residential pool/spa servicing specialty.

The remaining hours may include any of the aforementioned subject matter or general topics as defined hereinafter.

(3) through (12) No change.

Rulemaking Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 FS. History—New 12-2-93, Amended 5-19-94, 8-16-94, 10-12-94, 1-18-95, 2-4-98, 5-11-99, 7-12-99, 1-23-00, 2-1-00, 12-27-00, 3-25-01, 7-26-04, 9-1-05, 9-27-06, 9-1-07, 11-15-07, 11-17-08, 10-23-12, 3-31-13.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 22, 2017

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

RULE NO.: RULE TITLE:

61N-2.012 Application for Out-of-State Prescription Drug Wholesale Distributor Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division's permitting application forms into rule.

SUMMARY: The proposed rule adopts and incorporates the division's permitting application for entities that are required to be permitted as Out of State Prescription drug wholesale distributors.

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 economic review conducted by the agency.

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: 499.012(3), 499.012(5), 499.04, 499.05, FS.

LAW IMPLEMENTED: 499.001, 499.005, 499.0051, 499.01, 499.012, 499.0121, 499.028, 499.04, 499.041, 499.05, 499.051, 499.067, 559.79 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047; (850)717-1802; Dinah.Greene@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.012 Application for Out-of-State Prescription Drug Wholesale Distributor Permit

An out-of-state prescription drug wholesale distributor permit is required for any person, located outside of Florida but within the United States or its territories, that engages in the wholesale distribution of prescription drugs into Florida. A person, prior to engaging in activity for which an out-of-state prescription drug wholesale distributor permit is required, must file with the department a completed application on form number DBPR-DDC-214, Application for Out-of-State Prescription Drug Wholesale Distributor Permit, effective March 2017, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule Title 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850) 717-1800, or at

<https://www.flrules.org/Gateway/reference.asp?No=Ref-08143>.
Rulemaking Authority 499.012(3), 499.012(5), 499.04, 499.05 FS.
Law Implemented 499.001, 499.005, 499.0051, 499.01, 499.012, 499.0121, 499.028, 499.04, 499.041, 499.05, 499.051, 499.067, 559.79 FS. History-New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew F. Winters, Division Director
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Matilde Miller, Interim Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

RULE NO.: RULE TITLE:
61N-2.016 Application for Prescription Drug Wholesale Distributor Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division's permitting application forms into rule.

SUMMARY: The proposed rule adopts and incorporates the division's permitting applications for entities that are required to be permitted as a prescription drug wholesale distributor.

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 economic review conducted by the agency.

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: 499.012(3), 499.012(5), 499.04, 499.05, FS.

LAW IMPLEMENTED: 499.001, 499.005, 499.0051, 499.01, 499.012, 499.0121, 499.028, 499.04, 499.041, 499.05, 499.051, 499.067, 559.79 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047; (850)717-1802; Dinah.Greene@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.016 Application for Prescription Drug Wholesale Distributor Permit

A prescription drug wholesale distributor permit is required for any person, located inside of Florida, that engages in the wholesale distribution of prescription drugs in Florida. A person, prior to engaging in activity for which a prescription drug wholesale distributor permit is required, must file with the department a completed application on form number DBPR-DDC-213, Application for a Prescription Drug Wholesale Distributor Permit, effective March 2017, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule Title 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08144>.

Rulemaking Authority 499.012(3), 499.012(5), 499.04, 499.05 FS.
Law Implemented 499.001, 499.005, 499.0051, 499.01, 499.012, 499.0121, 499.028, 499.04, 499.041, 499.05, 499.051, 499.067, 559.79 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew F. Winters, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Matilde Miller, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016.

Section III

Notice of Changes, Corrections and Withdrawals

NONE

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 April 5, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner's Name: Cheryl McFarland-Bryant / CDM & Co., Inc.

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. 17-4250.

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. (R2017021).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 6, 2017, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Quality Inn Cruise Port located in Tampa. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be located on the same level for use by customers. They are requesting to utilize bathrooms located on a different level.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division

of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 6, 2017, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code, paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2009 FDA Food Code from Island Thyme Subs located in Key West. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees and the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers and employees and to utilize the mopsink located within another business under a different ownership. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 6, 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 The Dreamette at Town Center located in Jacksonville. 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 three compartment sink and 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.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF REVENUE

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

DATE AND TIME: April 25, 2017, 3:00 p.m.

PLACE: 2450 Shumard Oak Blvd., Building 2, Suite 1600, Tallahassee, Florida 32399-0109

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, an RFP opening is hereby noticed within the timeline for Request For Proposal (Number: 16/17-36) for a Florida Child Support Identity Proofing (CSIProof) Solution. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted on the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Register (FAR). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: John Kinneer, (850)717-6951, John.Kinneer@floridarevenue.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 24 hours before the workshop/meeting by contacting: John Kinneer, (850)717-6951, John.Kinneer@floridarevenue.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: John Kinneer, (850)717-6951, John.Kinneer@floridarevenue.com.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, Florida's Turnpike Enterprise announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 18, 2017, 5:30 p.m. – 7:30 p.m. In the event that severe weather or other unforeseen conditions cause the meeting to be postponed, it will be held on the alternate date of Thursday, May 4, 2017.

PLACE: Polk County Tourism and Sports Marketing Headquarters, multi-purpose room, 2701 Lake Myrtle Park Road, Auburndale, Florida 33823

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of the proposed Project Development and Environment (PD&E) Study for a new interchange at Polk Parkway (SR 570) and Braddock Road in Polk County. The project is located at Polk Parkway milepost 21 and the total project length is approximately three miles. The Financial Project ID Number is 438018-1.

A copy of the agenda may be obtained by contacting: Brian Ribaric, Florida's Turnpike Enterprise, P.O. Box 613069, Ocoee, Florida 34761, brian.ribaric@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Brian Ribaric, Project Manager, (407)264-3095, brian.ribaric@dot.state.fl.us.

If any person requires translation services (free of charge), please advise Brian Ribaric at least 7 days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Program announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2017, 8:00 a.m. – 5:00 p.m.

PLACE: The Capitol, 400 South Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Florida Gubernatorial Fellows Program will meet to discuss program business and updates.

A copy of the agenda may be obtained by contacting: Kim McClure, 400 South Monroe Street, 1604B, Tallahassee, Florida 32399.

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: Kim McClure, kim.mcclure@eog.myflorida.com,

(850)717-9224. 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: Wednesday, April 19, 2017, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

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

Okeechobee Service Center, 3800 NW 16th Boulevard, Okeechobee, FL 34972

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

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda at www.sfwmd.gov:

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link

Or subscribe to ePermitting/eNoticing at www.sfwmd.gov/epermitting.

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

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’s Office, (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).

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2017, 10:30 a.m. – 11:30 a.m.

PLACE: Charlotte Community Foundation, 227 Sullivan Street, Punta Gorda, FL 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southwest Council business and election of State Council Representative.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2054 or email: LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP. 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).

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Friday, April 21, 2017, 12:00 Noon

PLACE: GuideWell Innovation, 6555 Sanger Road, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Telehealth Advisory Council will meet to make recommendations intended to increase the use and accessibility of services provided via telehealth.

A copy of the agenda may be obtained by contacting: Dana Watson, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop 16, Tallahassee, FL 32308-5403.

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: Dana Watson. 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: Dana Watson at (850)412-3784.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 4, 2017, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation and other general business of the Committee. To participate in

the call, please contact: Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: May 9, 2017, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. To participate in any public portion of the Probable Cause Panel Meeting, please contact: Rebecca Sammons, rsammons@fbpe.org, at least 10 days prior to the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: May 9, 2017, 1:00 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. To participate in the call, please contact: Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560, contact Ms. Sammons, rsammons@fbpe.org, for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: May 9, 2017, 3:00 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. To participate in the call, please contact: Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is: 1(888)392-4560, contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: May 19, 2017, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Application/Experience & Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board. To participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: April 20, 2017, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

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

A copy of the agenda may be obtained by contacting :Rebecca Sammons, rsammons@fbpe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, April 17, 2017, 3:00 p.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet 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. All or part of this meeting may be conducted

as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, at (407)481-5662. 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: Division of Real Estate, (407)481-5662. 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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

DATES AND TIMES: Tuesday, April 18, 2017, 8:30 a.m., ET; meeting will reconvene on Wednesday, April 19, 2017, 8:30 a.m., ET.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission; topics include, but are not limited to, proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2 rule discussion, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Mike Davis at michael.davis@myfloridalicense.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: Division of Real Estate, (407)481-5662. 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATES AND TIMES: Wednesday, April 19, 2017, 9:00 a.m. – 5:00 p.m.; Thursday, April 20, 2017, 9:00 a.m. – 5:00 p.m.

PLACE: 3rd Floor Auditorium, Center of Excellence for Coral Reef Ecosystem Research, Nova Southeastern University Oceanographic Center, 8000 North Ocean Drive, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FDEP Coral Reef Conservation Program is holding its biannual, two-day meeting of its Technical Advisory Committee (TAC). The TAC will be advising the Southeast Florida Coral Reef Initiative (SEFCRI) on its mission to develop and support the implementation of an effective strategy to preserve and protect southeast Florida's coral reefs and associated reef resources, emphasizing balance between resource use and protection, in cooperation with all interested parties.

Specifically, the TAC will be reviewing and advising on the development of SEFCRI and TAC projects and project ideas.

A copy of the agenda may be obtained by contacting: David Cox, David.F.Cox@dep.state.fl.us, (561)681-6691.

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: David Cox at (561)681-6691. 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 ENVIRONMENTAL PROTECTION

The Division of Air Resource Management announces a hearing to which all persons are invited.

DATE AND TIME: May 10, 2017, 10:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 195, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 C.F.R. 60.23, the Department of Environmental Protection (Department) announces the opportunity to offer comments and participate in a public hearing, if requested, on the proposed submission of Florida's State Plan for Municipal Solid Waste (MSW) Landfills to the U.S. Environmental Protection Agency (EPA) under the Clean Air Act. The Department is proposing to submit this State Plan so that Florida may enforce the Emission Guidelines promulgated by EPA on August 29, 2016, which set emissions limitations for MSW Landfills that commenced construction or modification on or before July 17, 2014. The proposed State Plan adopts the

model rules contained in 40 C.F.R. Part 60, Subpart Cf, and contains information on the facilities subject to regulation under this subpart. Once EPA approves Florida's State Plan, the Department will be the agency tasked with ensuring that MSW Landfills subject to 40 C.F.R. Part 60, Subpart Cf, comply with the applicable emissions limitations. A public hearing will be held, if requested, at the date, time, and place given above. It is not necessary that the hearing be held or attended for persons to comment on the proposed State Plan. Any comments or requests for a public hearing must be submitted by letter or email to Hastings Read, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or Hastings.Read@dep.state.fl.us, and received no later than May 8, 2017. If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at the following website: <http://sharepoint.dep.state.fl.us/PublicNotices/default.aspx>. Persons may also contact: Mr. Read at (850)717-9017 to find out if the hearing has been cancelled. The materials comprising the proposed State Plan are accessible at the website above by clicking on the May 10, 2017, hearing link or at the following website: <http://www.dep.state.fl.us/air/rules/regulatory.htm>. The materials may also be inspected during normal business hours at Department's Division of Air Resource Management offices, 2600 Blair Stone Road, Tallahassee, Florida or accessed with the aid of any Department District Air Section or Department-approved local air pollution control office.

A copy of the agenda may be obtained by contacting: Mr. Read by letter or email at the above addresses or by calling (850)717-9017.

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: Terri Long at (850)717-9023 or Terri.Long@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).

For more information, you may contact: Ms. Long by letter or email at the above addresses or by calling (850)717-9023.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF CANCELLATION -- The Florida Communities Trust Governing Board announces the cancellation of a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2017, 9:30 a.m. – CANCELLED
PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida 32399; telephone conference toll-free: 1(888)670-3525, participant code: 2255967442, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FCT Governing Board to consider the minutes from the February 8, 2017, meetings, approval of UA17 final ranking list, amendment and restatement of perpetual conservation easement and amendment to grant award agreement submitted by Hillsborough County, and any other business deemed necessary has been cancelled.

For more information, you may contact: Linda Reeves, Florida Department of Environmental Protection, Office of Operations, Land and Recreation Grant Programs, 3900 Commonwealth Blvd., Mail Station 103, Tallahassee, Florida 32399, (850)245-2702, Linda.Reeves@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

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

DATE AND TIME: May 4, 2017, 8:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained at <http://floridaspodiatricmedicine.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: Brandi.May@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: Brandi.May@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.012 Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units

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

DATE AND TIME: April 21, 2017, 3:00 p.m., Eastern Time

PLACE: Conference call meeting; phone number: 1(888)670-3525, at prompt enter participant code: 552 583 4898 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss numerous

issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code. The panel may also hear updates on research projects and may also discuss research proposals as requested by the Research review and Advisory Committee. A copy of the agenda may be obtained by contacting: Dale Holcomb, Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin # A08, Tallahassee, Florida 32399-1710.

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: Dale Holcomb, Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin # A08, Tallahassee, Florida 32399-1710. 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: Dale Holcomb, Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin # A08, Tallahassee, Florida 32399-1710.

DEPARTMENT OF HEALTH

Division of Public Health Statistics and Performance Management

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

DATE AND TIME: April 14, 2017, 9:00 a.m. – 12:00 Noon
PLACE: Capital City Office Complex, Betty Easley Building, Room 166, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for the State Health Improvement Plan (SHIP) Steering Committee to review, revise, or approve the proposed goals, strategies and objectives for inclusion in the State Health Improvement Plan. The SHIP steering committee will also discuss next steps for the Priority Area Workgroups. A copy of the agenda may be obtained by contacting: Community Health Assessment at (850)245-4009.

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: Community Health Assessment at (850)245-4009. 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: Community Health Assessment at (850)245-4009.

DEPARTMENT OF HEALTH

Division of Public Health Statistics and Performance Management

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

DATE AND TIME: April 14, 2017, 9:00 a.m. – 12:00 Noon
PLACE: Capital City Office Complex, Building 4025, Room 301, Tallahassee, FL 32399; Go to Meeting information: to join from computer, tablet or smartphone: <https://attendee.gotowebinar.com/register/6883936030086553857>; dial-in information: United States (toll-free) 1(877)309-2071, access code: 248-414-727

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for the State Health Improvement Plan (SHIP) Steering Committee to review, revise, or approve the proposed goals, strategies and objectives for inclusion in the State Health Improvement Plan. The SHIP steering committee will also discuss next steps for the Priority Area Workgroups.

A copy of the agenda may be obtained by contacting: Community Health Assessment at (850)245-4009.

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: Community Health Assessment at (850)245-4009. 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: Community Health Assessment at (850)245-4009.

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 13, 2017, 2:00 p.m.

PLACE: 5920 Arlington Expressway, Jacksonville, Florida 32211; telephone conference: call-in number: 1(888)670-3525, participant code: 6628119413#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Solicitation Conference for an Invitation to Negotiate (ITN #SSDCF100417 for Janitorial Services for Northeast Region Headquarters (Roberts Building), Jacksonville, Florida 32211. A copy of the agenda may be obtained by contacting: Chuck Johnson, General Services Manager, 5920 Arlington Expressway, Jacksonville, Florida 32211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Chuck Johnson, General Services Manager, 5920 Arlington Expressway, Jacksonville, Florida 32211. 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 CHILDREN AND FAMILIES

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

DATE AND TIME: May 11, 2017, 2:05 p.m.

PLACE: 5920 Arlington Expressway, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN Reply Opening and Review of Mandatory Requirements for the Department of Children and Families Northeast Region General Services Invitation to Negotiate (ITN) #SSDCF100417 for Janitorial Services for Northeast Region Headquarters (Roberts Building).

A copy of the agenda may be obtained by contacting: Chuck Johnson, General Services Manager, 5920 Arlington Expressway, Jacksonville, Florida 32211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Chuck Johnson. 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 CHILDREN AND FAMILIES

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

DATE AND TIME: May 19, 2017, 10:00 a.m.

PLACE: 5920 Arlington Expressway, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Debriefing meeting of the evaluators and ranking of the replies for the Department of Children and Families Northeast Region

General Services Invitation to Negotiate (ITN) #SSDCF100417 for Janitorial Services for Northeast Region Headquarters (Roberts Building).

A copy of the agenda may be obtained by contacting: Chuck Johnson, General Services Manager, 5920 Arlington Expressway, Jacksonville, Florida 32211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Chuck Johnson. 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 CHILDREN AND FAMILIES

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

DATE AND TIME: May 26, 2017, 2:00 p.m.

PLACE: 5920 Arlington Expressway, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Negotiation Team to Develop Recommendation for Award relating to the Department of Children and Families Northeast Region General Services Invitation to Negotiate (ITN) #SSDCF100417 for Janitorial Services for Northeast Region Headquarters (Roberts Building).

A copy of the agenda may be obtained by contacting: Chuck Johnson, General Services Manager, 5920 Arlington Expressway, Jacksonville, Florida 32211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Chuck Johnson. 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).

PASCO-PINELLAS AREA AGENCY ON AGING

The Area Agency on Aging of Pasco-Pinellas announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 17, 2017, 9:30 a.m.

PLACE: HCA Trinity Hospital, 9330 State Road 54, Trinity, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696, ext. 233.

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: Brenda Black at (727)570-9696, ext. 233. 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: Brenda Black at (727)570-9696, ext. 233.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Grant Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 18, 2017, 9:00 a.m.

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Grant Committee of the Florida Medical Malpractice Joint Underwriting Association will meet to hear grant presentations from the grantees and will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 18, 2017, 3:30 p.m.

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Compensation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 18, 2017, immediately following the Audit Committee Meeting

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Compensation Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The FMMJUA Claims & Underwriting Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 18, 2017, immediately following the Compensation Committee Meeting

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee of the Florida Medical Malpractice Joint Underwriting Association will receive and consider reports from the Association's General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

**FLORIDA MEDICAL MALPRACTICE JOINT
UNDERWRITING ASSOCIATION**

The FMMJUA Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 2017, 9:00 a.m.

PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors of the Florida Medical Malpractice Joint Underwriting Association will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Grant Committee, Audit Committee, Compensation Committee, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or calling (850)385-8114. 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: frankie@fmmjua.org or call (850)385-8114.

FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

The Executive Committee of the Florida Commission on Access to Civil Justice announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 12, 2017, 2:00 p.m. – 3:00 p.m., Eastern

PLACE: Telephone conference: 1(888)376-5050, participant code: 2311661132

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will continue to discuss the topics covered at the last meeting, specifically the establishment of the Council of Business Partners

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer, 1(800)342-8060, ext. 5793, flaccessjustice@flabar.org. The agenda will be ready two days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Francisco-Javier Digon-Greer, 1(800)342-8060, ext. 5793, flaccessjustice@flabar.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Francisco-Javier Digon-Greer, 1(800)342-8060, ext. 5793, flaccessjustice@flabar.org.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Division of Drugs Devices and Cosmetics has received the petition for declaratory statement from Mr. Paul Reid, Maitland Labs, 7972 Forest City Road, Orlando, FL 32810, (407)730-7002. The petition seeks the agency's opinion as to the applicability of 499.01(1)(a), F.S., as it applies to the petitioner.

The Petition seeks a formal opinion from the Department for clarification on the requirement to obtain a permit to operate as a prescription drug manufacturer under 499.01(1)(a). Maitland Labs is a newly established FDA registered 503B Outsourcing Facility, a recently created class of manufacturer of prescription compounded drugs under 21 USC 353(b) Outsourcing Facility. As a manufacturer of prescription drugs it is assumed that Maitland Labs must apply for and obtain a manufacturing license from the Division prior to commencing operations.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399, Dinah.Greene@myfloridalicense.com, (850)717-1802.

Please refer all comments to: Drew F. Winters, Division Director, Division of Drugs, Devices and Cosmetics, 2601 Blair Stone Road, Tallahassee, FL 32399, Drew.Winters@myfloridalicense.com, website http://interredesignalpha/dbpr/ddc_division_notices.html.

Except for good cause shown, motions for leave to intervene or petitions for administrative hearing by persons whose substantial interest may be affected must be filed within 21 days after the publication of this notice.

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

EARLY LEARNING COALITION OF MIAMI-DADE/MONROE

Request for Qualifications for Legal Services

PUBLIC LEGAL NOTICE ADVERTISEMENT
REQUEST FOR QUALIFICATIONS #ELCMDM2017-08
FOR
LEGAL SERVICES

The Early Learning Coalition of Miami-Dade/Monroe, Inc. request written proposals ("Proposals") for Legal Services. The Early Learning Coalition will select a firm or attorney that is decidedly qualified to provide services as described within the Request for Qualifications (RFQ) that can be found at: <http://www.elcmdm.org/procurements/rfp.asp>,

Important Dates:

Proposal Deadline: April 28, 2017, by 12:00 p.m. (ET)

Mail to:

Early Learning Coalition of
Miami-Dade/Monroe, Inc.
Attn: Lisney Badillo
Director of Contracts & Procurement
2555 Ponce de Leon Blvd., Suite 500
Coral Gables, FL 33134

Calendar of Events: Appendix "A"

Section XII

Miscellaneous

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., Friday March 31, 2017 and 3:00 p.m., Thursday, April 6, 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
6A-1.002	4/5/2017	4/25/2017
6A-1.004	4/5/2017	4/25/2017
6A-1.0403	4/5/2017	4/25/2017
6A-1.04511	4/5/2017	4/25/2017
6A-3.006	4/5/2017	4/25/2017
6A-3.0121	4/5/2017	4/25/2017
6A-3.016	4/5/2017	4/25/2017
6A-3.037	4/5/2017	4/25/2017
6A-4.037	4/5/2017	4/25/2017
6A-6.0571	4/5/2017	4/25/2017
6A-6.0573	4/5/2017	4/25/2017
6A-10.0401	4/5/2017	4/25/2017
6A-10.050	4/5/2017	4/25/2017
6A-16.018	4/5/2017	4/25/2017
6A-16.019	4/5/2017	4/25/2017
6A-16.020	4/5/2017	4/25/2017
6A-16.021	4/5/2017	4/25/2017
6A-16.022	4/5/2017	4/25/2017
6A-16.023	4/5/2017	4/25/2017
6A-16.024	4/5/2017	4/25/2017

6A-16.025	4/5/2017	4/25/2017
6A-16.026	4/5/2017	4/25/2017
6A-18.048	4/5/2017	4/25/2017
60A-1.041	4/5/2017	4/25/2017
40D-8.624	3/31/2017	4/20/2017
40D-8.624	3/31/2017	4/20/2017
61B-33.0015	4/4/2017	4/24/2017
62-210.200	4/6/2017	4/26/2017
62-210.300	4/6/2017	4/26/2017
62-210.310	4/6/2017	4/26/2017
64B11-5.001	4/4/2017	4/24/2017
64B5-4.005	4/5/2017	4/25/2017
64B5-13.005	4/5/2017	4/25/2017
64B5-15.004	4/5/2017	4/25/2017
64B16-28.840	4/6/2017	4/26/2017
64B16-28.800	4/6/2017	4/26/2017
65A-1.206	4/3/2017	4/23/2017
65C-35.002	3/31/2017	4/20/2017
65C-35.003	3/31/2017	4/20/2017
65C-35.004	3/31/2017	4/20/2017
65C-35.005	3/31/2017	4/20/2017
65C-35.006	3/31/2017	4/20/2017
65C-35.007	3/31/2017	4/20/2017
65C-35.008	3/31/2017	4/20/2017
65C-35.009	3/31/2017	4/20/2017
65C-35.010	3/31/2017	4/20/2017
65C-35.011	3/31/2017	4/20/2017
65C-35.012	3/31/2017	4/20/2017
65C-35.013	3/31/2017	4/20/2017
65C-35.014	3/31/2017	4/20/2017
68-1.003	4/3/2017	4/23/2017
69A-67.001	4/5/2017	4/25/2017
69A-67.002	4/5/2017	4/25/2017
69A-67.003	4/5/2017	4/25/2017
69A-67.004	4/5/2017	4/25/2017
69A-67.005	4/5/2017	4/25/2017
69A-67.006	4/5/2017	4/25/2017
69A-67.007	4/5/2017	4/25/2017
69G-20.0030	4/3/2017	4/23/2017
69I-31.805	4/3/2017	4/23/2017
73C-26.022	4/5/2017	4/25/2017

73C-26.023	4/5/2017	4/25/2017
73C-26.024	4/5/2017	4/25/2017
73C-26.025	4/5/2017	4/25/2017
73C-42.005	4/5/2017	4/25/2017
73C-42.008	4/5/2017	4/25/2017
73C-42.013	4/5/2017	4/25/2017
73C-42.020	4/5/2017	4/25/2017
73C-43.001	4/5/2017	4/25/2017
73C-43.002	4/5/2017	4/25/2017
73C-43.003	4/5/2017	4/25/2017
73C-43.004	4/5/2017	4/25/2017
73C-43.005	4/5/2017	4/25/2017
73C-43.006	4/5/2017	4/25/2017
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
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
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 ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
WHITE SPRINGS, FLORIDA

The Florida Department of Environmental Protection (DEP) has determined that the Town of White Springs' project involving rehabilitation of wastewater transmission facilities is not expected to generate controversy over potential

environmental effects. The total estimated construction cost is \$3,112,400. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000, calling (850)245-2967 or emailing thomas.montgomery@dep.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY
State of Florida 2017 Action Plan for Community
Development Block Grant Disaster Recovery (CDBG-DR)
Program

The U.S. Department of Housing and Urban Development (HUD) has allocated \$58,602,000 in CDBG-DR funds to the state for recovery in the Federal Emergency Management Agency (FEMA) declared counties impacted by Disaster Declaration 4280 (Hurricane Hermine) and Declaration 4283 (Hurricane Matthew). The Department of Economic Opportunity (DEO) is the lead agency and responsible entity for administering the funds.

The rules for grant management applying to the funds were published in the Federal Register, 81 Federal Register 83254 on November 21, 2016 and 82 Federal Register 5591 on January 18, 2017. As required by the Federal Register an Action Plan that primarily addresses unmet housing needs must be submitted by DEO to HUD for approval.

On April 7, 2017, a copy of the draft Action Plan will be posted on the DEO's website at <http://www.floridajobs.org/cdbg-dr>. The required 14-day comment period will commence on April 7, 2017, and will conclude on April 21, 2017.

DEO will submit the final Action Plan to HUD no later than Monday, April 24, 2017. DEO will accept comments or questions about the draft Action Plan until Friday, April 21, 2017.

A copy of the "draft" Action Plan may be obtained by the link above or by email to CDBG-DR@deo.myflorida.com or by contacting Robin Grantham at the number below:

Florida Department of Economic Opportunity
Bureau of Rural Communities and Small Cities
The Caldwell Building
107 E. Madison Street, MSC-400
Tallahassee, Florida 32399
Telephone: (850)717-8426

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-17-107

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF LAKELAND
ORDINANCE NO. 16-055

FINAL ORDER

APPROVING CITY OF LAKELAND ORDINANCE NO. 16-055

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lakeland, Florida, (the "City") Ordinance No. 16-055 (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 City is a local government within the Green Swamp Area of Critical State Concern.

2. The Ordinance was adopted by the City on December 19, 2016, and rendered to the Department on March 2, 2017.

3. The Ordinance amends the City's Land Development Code to adopt new Floodplain Management Standards.

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* section 380.05(6), Florida Statutes.

5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City's Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policies 2I and 2J of the Conservation Element; 4.3A, 4.3B and 4.3C of the Infrastructure Element; and X12 of the Future Land Use Element.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. *See* section 380.05(6), Florida Statutes. 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 specifically furthers the following Principles:

(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.

(b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.

(c) Protect the water available for aquifer recharge.

(d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

(e) Protect the normal supply of ground and surface water.

(k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Lakeland Ordinance No. 16-055 is consistent with the City'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 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.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 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 SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. 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

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 FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

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 3rd day of April, 2017.

/s/ _____

Agency Clerk

Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified-U.S. Mail:

R. Howard Wiggs, Mayor
Kelly S. Koos, City Clerk
Timothy J. McCausland, Esq., City Attorney
City of Lakeland
228 S. Massachusetts Ave
Lakeland, Florida 33801

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.