

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.: RULE TITLES:

5J-22.001	Definitions
5J-22.002	Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices
5F-22.003	Uniform Regulations and Methods of Sale
5J-22.004	Net Contents of Packaged Goods
5J-22.005	Metrology Lab Fees
5J-22.006	Weighing and Measuring Device Permits
5J-22.007	Guidelines for Imposing Administrative Penalties

PURPOSE AND EFFECT: Update and condense Rule Chapters 5F-1, 5F-3, 5F-4, 5F-5, 5F-7, 5F-12 and 5F-13, F.A.C., into a single rule chapter, creating Chapter 5J-22, F.A.C. The intent is to repeal Rule Chapters 5F-1, 5F-3, 5F-4, 5F-5, 5F-7, 5F-12 and 5F-13, F.A.C., after the adoption of Chapter 5J-22, F.A.C. Also, update the adopted versions of the National Institute of Standards and Technology (NIST) Handbooks 44, 130 and 133; clarify that weighing and measuring devices used in commerce in this state must have a certificate of conformance from the National Type Evaluation Program (NTEP) under the National Conference on Weights and Measures (NCWM); update ASTM International document versions adopted in this rule; update the permitting section to reflect new devices now being used in the marketplace and to comply with 2016 legislative changes; update the penalty sections; update department form references and update optional metrology lab fees.

SUMMARY: This proposed rule will update and condense Rule Chapters 5F-1, 5F-3, 5F-4, 5F-5, 5F-7, 5F-12 and 5F-13, F.A.C., into a single rule chapter, creating Chapter 5J-22, F.A.C. The intent is to repeal Rule Chapters 5F-1, 5F-3, 5F-4, 5F-5, 5F-7, 5F-12 and 5F-13, F.A.C., after the adoption of Chapter 5J-22, F.A.C. This proposed rule will also update the adopted versions of the National Institute of Standards and Technology (NIST) Handbooks 44, 130 and 133; clarify that weighing and measuring devices used in commerce in this state must have a certificate of conformance from the National Type

Evaluation Program (NTEP) under the National Conference on Weights and Measures (NCWM); update ASTM International document versions adopted in this rule; update the permitting section to reflect new devices now being used in the marketplace; update the penalty sections; update department form references and update optional metrology lab fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. Additionally, no interested party submitted additional information regarding the economic impact. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 531.40, 531.41(3), (4), 531.44(2), 531.45, 531.66, 570.07(23) FS.

LAW IMPLEMENTED: 531.40, 531.41(3), (4), (7), (13), (16), 531.415, 531.42, 531.44, 531.45, 531.47, 531.49, 531.50, 531.60-66 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE:

Richard Kimsey, Assistant Director, Consumer Services, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399 (850)921-1570.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-22.001 Definitions

As used in this rule chapter, the following definitions and those provided in Section 531.37, Florida Statutes, shall apply:

(1) Commercial Purpose means any weighing and measuring device:

(a) Used in commerce to establish the size, quantity, extent, area, or measurement of any commodity sold, offered, or submitted for sale or otherwise transacted in commerce; or

(b) Used in computing any charge or payment due for services rendered on the basis of weight, measure, or count; or

(c) Used in determining the winner of any award based on weight, measure, or count.

(2) Location means any individual structure, site, mobile unit or similar type establishment attached or otherwise where commercial weighing and/or measuring activities are conducted by the owner of a weighing or measuring device used for commercial purposes.

(3) Owner means a person that owns or uses, has primary possession or control over the use of, or otherwise employs a weighing or measuring device used for commercial or law enforcement purposes.

(4) Commercial Use Permit (Permit) means a certificate issued by the department that authorizes the holder to use weighing and/or measuring devices for commercial purposes at a location for which the certificate is issued.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.60-.66 FS. History—New _____.

5J-22.002 Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices.

(1) The National Institute of Standards and Technology (NIST) Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices, 2017 Edition, is hereby adopted and incorporated by reference as the requirements for commercial weighing and measuring devices. A copy of NIST Handbook 44, 2017 Edition, may be obtained from the National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, MD 20899-2100 or <http://www.flrules.org/Gateway/reference> . A copy of this handbook is also available for public inspection during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Standards, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850) 921-1570.

(2) Any weighing or measuring device that fails to meet applicable tolerances, as adopted in this section, shall be placed out of service by the department using FDACS-10988, Stop Use Order, Rev. 02/17, hereby adopted and incorporated by reference. A sample of this form can be accessed at <http://www.flrules.org/Gateway/reference> . Upon conformance with the requirements of this section, the stop use order shall be released by the department using FDACS-03209, Release, Rev. 02/17, hereby adopted and incorporated by reference. A sample of this form can be accessed at <http://www.flrules.org/Gateway/reference> _____.

Rulemaking Authority 366.94, 531.40, 531.41(3) FS. Law Implemented 366.94, 531.40, 531.42 FS. History—New _____.

5J-22.003 Uniform Regulations and Methods of Sale.

(1) The National Institute of Standards and Technology (NIST), Handbook 130, Uniform Laws and Regulations 2017 Edition, Sections: Uniform Packaging and Labeling Regulation; Uniform Regulation for National Type Evaluation; Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices; Uniform Regulation for the Method of Sale of Commodities; Examination Procedure for Price Verification; and Uniform Unit Pricing Regulation are hereby adopted and incorporated by reference. A copy of this handbook may be obtained from the National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, MD 20899-2100 or <http://www.flrules.org/Gateway/reference> . A copy of this handbook is also available for public inspection during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Standards, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850) 921-1570.

(2) All packages sold or offered for sale shall meet the packaging and labeling requirements adopted under this section. Any package that fails to possess a declaration of identity, declaration of responsibility or declaration of quantity, as adopted in subsection (1) of this section, shall be placed under stop sale order by the department using FDACS-03206, Stop Sale Order, Rev. 02/17, hereby adopted and incorporated by reference. A sample of this form can be accessed at <http://www.flrules.org/Gateway/reference> . Once made to conform with the requirements adopted in subsection (1) of this rule, the packages shall be released by the department from the stop sale order using FDACS-03209, Release, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.002(2), F.A.C.

(3) All weighing and measuring devices, including retail motor fuel dispensers, placed into service for the first time that will be used in commerce in the state must be approved through the National Type Evaluation Program (NTEP) and possess a valid certificate verifying such approval. Any investigation or inspection in which the department determines a weighing or measuring device does not have a valid NTEP certificate shall result in the device being prohibited from further commercial use until a valid NTEP certificate has been obtained. The department shall prohibit the continued unauthorized use of the device using FDACS-10988, Stop Use Order, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.002(2), F.A.C. When the NTEP certificate has been obtained, the stop use order shall be released by the department using FDACS-03209, Release, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.002(2), F.A.C.

(4) All service persons and service agencies servicing weighing or measuring devices used for commercial purposes that choose to operate under the provisions of s. 531.41, F.S.,

must register with the department using FDACS-10990, Weights and Measures Device Mechanic Registration Application, Rev. 02/17, hereby adopted and incorporated by reference. Copies of this form may be accessed at <http://www.flrules.org/Gateway/reference> .

(a) There shall be no fee for registration.

(b) The certificate of registration for each serviceperson or service agency shall expire two years from the date of issuance.

(c) Standards and testing equipment used by servicepersons or service agencies in the service and testing functions shall be adequate and suitable for the intended use and shall be examined and recertified by an accredited metrology laboratory as recognized by the National Institute of Standards and Technology (NIST) at least every two years.

(d) Registered servicepersons and service agencies must comply with the requirements adopted in subsection 5J-22.003(1), F.A.C.

(e) Reporting of weighing and measuring devices restored to or placed in service as required by this section shall be made on FDACS-03017, Placed in Service Report, Rev. 02/17, within 24 hours after a device is restored to service or placed in service, but not more than 10 days prior to the device being restored to service or placed in service. The document referenced in this subsection is hereby adopted and incorporated by reference and can be accessed at <http://www.flrules.org/Gateway/reference> .

(5) Weighing and measuring devices placed into service by unregistered persons and not in accordance with any exceptions provided by rule shall not be used in commerce. If such a device is placed into service by the permitted owner, only requires an electrical plug-in for installation and does not require calibration at the time of installation the device may be used after the department is notified.

(6) All commodities sold or offered for sale shall be in accordance with the Method of Sale requirements adopted under this rule. Any person utilizing a method of sale that fails to meet applicable requirements, as adopted in subsection (1) of this rule, shall be issued a notice of noncompliance by the department using FDACS-03576, Notice of Noncompliance, Rev. 02/17, hereby adopted and incorporated by reference. A sample of this form can be accessed at <http://www.flrules.org/Gateway/reference> . The notice of noncompliance shall be considered satisfied once the method of sale is made to conform with the requirements adopted in subsection (1) of this rule.

(7) The pricing of commodities shall be verified by using the examination procedures for price verification adopted under this rule. Any pricing of a commodity that fails to meet applicable requirements, as adopted in subsection (1) of this rule, shall be prohibited and affected commodities placed under stop sale order by the department using FDACS-03206, Stop

Sale Order, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.003(2), F.A.C. The commodities shall be released by the department from the stop sale order using FDACS-03209, Release, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.002(2), F.A.C., once the pricing is made to conform with the requirements adopted in subsection (1) of this rule.

(8) The unit pricing of commodities requirements shall not apply to any seller unless a system of unit pricing has been voluntarily established by the seller. Nothing contained herein shall be construed to require that a seller unit price any consumer commodity other than those with regard to which the seller has voluntarily established a system of unit pricing. Any unit pricing of a commodity that fails to meet applicable requirements, as adopted in subsection (1) of this rule, shall be prohibited and affected commodities placed under stop sale order by the department using FDACS-03206, Stop Sale Order, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.003(2), F.A.C. The commodities shall be released by the department from the stop sale order using FDACS-03209, Release, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.002(2), F.A.C., once the unit pricing is made to conform with the requirements adopted in subsection (1) of this rule.

Rulemaking Authority 531.40, 531.41(3),(4), 531.44(2), 531.45 FS. Law Implemented 531.40, 531.41(3), (4), (7), (16), 531.42, 531.44, 531.45, 531.47, 531.49 FS. History – New _____.

5J-22.004 Net Contents of Packaged Goods.

(1) The National Institute of Standards and Technology (NIST) Handbook 133, Checking the Net Contents of Packaged Goods, 2017 Edition, is hereby adopted and incorporated by reference as the procedures for testing packaged goods and commodities for net contents. A copy of this handbook may be obtained from the National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, MD 20899-2100 or may be accessed at <http://www.flrules.org/Gateway/reference> . A copy of this handbook is also for public inspection during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Standards, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone: (850)921-1570.

(2) Any package that fails to meet applicable requirements, as adopted in subsection (1) of this rule, shall be placed under stop sale order by the department using FDACS-03206, Stop Sale Order, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.003(2), F.A.C. The packages shall be released by the department from the stop sale order using FDACS-03209, Release, Rev. 02/17, adopted and incorporated by reference in subsection 5J-22.002(2), F.A.C., once the

packaging is made to conform with the requirements adopted this rule.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.41, 531.42, 531.44, 531.45, 531.47, 531.48, and 531.49 FS. History—New

5J-22.005 Metrology Lab Fees

(1) The department shall charge fees for metrology services provided as outlined in this section.

(a) Fees for each mass standard tested or certified against tolerances less stringent than American National Standards Institute (ANSI)/ASTM International Standard Designation E617-13 Appendix X5, for Class 4:

- 1. 0-2 lbs. or metric equivalent \$6 per unit
- 2. >2-10 lbs. or metric equivalent \$8 per unit
- 3. >10-50 lbs. or metric equivalent \$12 per unit
- 4. >50-500 lbs. or metric equivalent \$20 per unit
- 5. >500-1000 lbs. or metric equivalent \$30 per unit
- 6. >1000-2500 lbs. or metric equivalent \$40 per unit
- 7. >2500-5000 lbs. or metric equivalent \$50 per unit

(b) Fees for each mass standard tested or certified against ANSI/ASTM International Standard Designation E617-13 Appendix X5, for Class 4 or equivalent tolerances:

- 1. 0-10 lbs. or metric equivalent \$20 per unit
- 2. >10-50 lbs. or metric equivalent \$30 per unit
- 3. > 50-500 lbs. or metric equivalent \$40 per unit
- 4. >500-1000 lbs. or metric equivalent \$50 per unit
- 5. >1000-2500 lbs. or metric equivalent \$60 per unit
- 6. >2500-5000 lbs. or metric equivalent \$75 per unit

(c) Fees for each mass standard that is tested or certified to meet ANSI/ASTM International Standard Designation E617-13 Appendix X3, for Class 2:

- 1. 0-20 lbs. or metric equivalent \$40 per unit
- 2. > 20-50 lbs. or metric equivalent \$50 per unit
- 3. >50-1000 lbs. or metric equivalent \$70 per unit
- 4. >1000-2500 lbs. or metric equivalent \$150 per unit
- 5. >2500-5000 lbs. or metric equivalent \$250 per unit

(d) Fees for each volumetric test:

- 1. 0-5 gallon capacity or metric equivalent \$35
- 2. > 5 gallon capacity or metric equivalent Plus \$0.75 for each additional gallon.

3. All volumetric capacities for measuring liquified petroleum gas or other closed vessels used to measure other compressed or pressurized gasses shall be assessed at the special test fee rate in subsection (e).

(e) Fees for each special test or special preparation shall be \$50 per hour. Calibrations or preparations whose individual fee(s) would total less than the equivalent of one-half hour of this hourly charge shall be charged for one half-hour of time.

(2) Each fee is payable at the time metrology services are done, regardless of whether the item tested is certified or fails. Requests for services must be accompanied by a completed form FDACS-03224, Metrology Calibration Request, Rev. 02/17, prior to acceptance of any item for testing. The document referenced in this subsection is hereby adopted and incorporated by reference and can be accessed at <http://www.flrules.org/Gateway/reference> . The department may refuse to accept for testing any item it considers unfit for testing due to its condition as determined by the state metrologist or if it is unsuitable for its intended use after consideration of United States Department of Commerce, National Institute of Standards and Technology (NIST) Handbooks:

(a) 105-1, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 1. Specifications and Tolerances for Field Standard Weights (NIST Class F) (1990); or

(b) 105-2, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 2. Specifications and Tolerances for Field Standard Measuring Flasks (1996); or

(c) 105-3, Specifications and Tolerances for Reference Standards and Field Standards Weights and Measures, 3. Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards (2010); or

(d) 105-4, Specifications and Tolerances for Reference Standards and Field Standards Weights and Measures, 4. Specifications and Tolerances for Liquefied Petroleum Gas and Anhydrous Ammonia Liquid Volumetric Provers (2010); or

(e) 105-6, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 6. Specifications and Tolerances for Thermometers (1997); or

(f) 105-7, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 7. Specifications and Tolerances for Dynamic Small Volume Provers (1997); or

(g) 105-8, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, Specifications and Tolerances for Field Standard Weight Carts (2003).

(3) Materials.

(a) The American National Standards Institute (ANSI)/ASTM International Standard Designation E617-13 “Standard Specification for Laboratory Weights and Precision Mass Standards” (Approved May 1, 2013) is hereby adopted and incorporated by reference. It may be obtained from ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org> and is also available for public inspection during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of

Consumer Services, Bureau of Standards, 3125 Conner Boulevard, Lab #2, Tallahassee, FL 32399-1650, Phone: (850) 921-1570. Posting of the preceding material on the internet for purposes of public examination would violate federal copyright law.

(b) The materials in subsection (2) are adopted and incorporated by reference below. Copies of the National Institute of Standards and Technology publications may be obtained from the National Institute of Standards and Technology, 100 Bureau Drive, STOP 2600, Gaithersburg, MD 20899-2600. All publications are also available for public inspection during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Standards, 3125 Conner Boulevard, Lab #2, Tallahassee, FL 32399-1650, Phone: (850)921-1570.

1. National Institute of Standards and Technology (NIST) Handbook 105-1, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 1. Specifications and Tolerances for Field Standard Weights (NIST Class F) (1990), is hereby incorporated by reference and can be accessed at <http://www.flrules.org/Gateway>.

2. National Institute of Standards and Technology (NIST) Handbook 105-2, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 2. Specifications and Tolerances for Field Standard Measuring Flasks (1996), is hereby incorporated by reference and can be accessed at <http://www.flrules.org/Gateway>.

3. National Institute of Standards and Technology (NIST) Handbook 105-3, Specifications and Tolerances for Reference Standards and Field Standards Weights and Measures, 3. Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards (2010), is hereby incorporated by reference and can accessed at <http://www.flrules.org/Gateway>.

4. National Institute of Standards and Technology (NIST) Handbook 105-4, Specifications and Tolerances for Reference Standards and Field Standards Weights and Measures, 4. Specifications and Tolerances for Liquefied Petroleum Gas and Anhydrous Ammonia Liquid Volumetric Provers (2010), is hereby incorporated by reference and can be accessed at <http://www.flrules.org/Gateway>.

5. National Institute of Standards and Technology (NIST) Handbook 105-6, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 6. Specifications and Tolerances for Thermometers (1997), is hereby incorporated by reference and can be accessed at <http://www.flrules.org/Gateway>.

6. National Institute of Standards and Technology (NIST) Handbook 105-7, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 7.

Specifications and Tolerances for Dynamic Small Volume Provers (1997), is hereby incorporated by reference and can be accessed at <http://www.flrules.org/Gateway>.

7. National Institute of Standards and Technology (NIST) Handbook 105-8, Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, 8. Specifications and Tolerances for Field Standard Weight Carts (2003), is hereby incorporated by reference and can be accessed <http://www.flrules.org/Gateway>.

(4) Any equipment or items exempt from the fees in this rule as provided in Section 531.415(3), F.S., shall have documented evidence submitted at the time services are requested demonstrating the exempt status. Rulemaking Authority 531.41(3) FS. Law Implemented 531.415 FS. History--New.

5J-22.006 Weighing and Measuring Device Permits.

(1) No owner or person in possession of any weighing or measuring device shall use or operate the device for commercial purposes without first obtaining a permit.

(2) Each permit shall be conspicuously displayed at the location for which it is issued. Permits shall be issued by the department upon receipt of payment in full and approval of a completed form FDACS-03560, Weighing and Measuring Device Permit Application, Rev. 02/17, identifying the specific number and type of weighing and measuring devices that will be used for commercial purposes. The document referenced in this subsection is hereby adopted and incorporated by reference and can be accessed at <http://www.flrules.org/Gateway/reference>.

(3) Except for permits for additional devices placed into service at a location with an existing permit, which will be prorated on a quarterly basis as prescribed in subsection (6), permits shall be valid for one or two years from the date of issuance based on the time period selected by the applicant. Fees paid for permits are not refundable.

(4) Fees.

(a) One permit shall be issued to each location for all weighing and measuring devices used for commercial purposes at that location based on the total number, type, size and/or capacity of devices. The permit shall expire one or two years following the date of issuance based on the time period selected by the applicant and must be renewed consecutively so long as any of the devices remain in use for commercial purposes at that location. The permit renewal fee shall be the same as the fees established in this subsection.

(b) If the ownership of a permitted device(s) changes, the current permit for that device(s) shall remain in effect until its original expiration date and shall be transferred by the department to the new owner if:

1. The device(s) for which the permit was issued remained at the same location after the ownership change; and

2. The new owner, or a representative of the new owner, notifies the department in writing of the change in ownership within 30 days of the change in ownership. Notification can be made by mail to the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Compliance, 2500 Apalachee Parkway, Tallahassee, Florida 32399, or by facsimile at (850) 410-3804.

(c) If the ownership and location of a permitted device(s) change, the current permit for that device(s) automatically expires and a new permit application and fee must be submitted to the department after which a new permit shall be issued, which will expire one or two years from the date of issuance of the new permit, based on the time period selected by the applicant. However, if the location of a permitted device(s) changes without a change in ownership, the current permit for that device(s) shall be transferred to the new location upon notification to the department by the owner. The owner shall notify the department in writing within 30 days from the date of the change to the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Compliance, 2500 Apalachee Parkway, Tallahassee, Florida 32399, or by facsimile at (850) 410-3804.

(d) If the owner ceases to use all commercial weighing and measuring devices, the department must be notified within 30 days indicating that the devices are no longer in use and the permit should be terminated.

(e) The failure of an owner to notify the department of a change as prescribed in (b) and (c) above shall immediately void the permit and require full application and fees, including any applicable late fees as prescribed in subsection (7) and penalties pursuant to Rule 5J-22.007, F.A.C.

(f) The following annual commercial use permit fees for weighing devices are based on the manufacturers' rated capacity or the device's design and intended use:

1. For weighing devices used during any portion of the period covered by the commercial use permit with a manufacturer's rated capacity of up to and including 100 pounds or the metric equivalent, the fees in Table 1 will apply:

Table 1

<u>Number of Devices per Single Category</u>	<u>Annual Fee per Single Retail Establishment</u>
<u>1 to 5</u>	<u>\$40</u>
<u>6 to 10</u>	<u>\$125</u>
<u>11 to 30</u>	<u>\$175</u>
<u>31 or more</u>	<u>\$225</u>

2. For weighing devices with a manufacturer's rated capacity of greater than 100 pounds up to and including 250 pounds or the metric equivalent, the annual permit fee shall be \$40 per device.

3. For weighing devices with a manufacturer's rated capacity of greater than 250 pounds up to and including 5,000 pounds or the metric equivalent, the annual permit fee shall be \$75 per device.

4. For weighing devices with a manufacturer's rated capacity of greater than 5,000 pounds up to and including 20,000 pounds or the metric equivalent, the annual permit fee shall be \$150 per device.

5. For weighing devices with a manufacturer's rated capacity of greater than 20,000 pounds or the metric equivalent, the annual permit fee shall be \$200 per device.

6. For wheel load weighing devices the annual permit fee shall be \$15 per device.

7. For static and in-motion railroad track scales used to weigh railway cars that are not tested for accuracy and compliance with state standards by a private testing agency, the annual permit fee shall be \$200 per device.

8. For belt conveyor scales, the annual permit fee shall be \$400 per device.

(g) The following commercial use permit fees shall apply for the measuring devices listed below:

1. For mass flow meters with a maximum flow rate of up to and including 150 pounds per minute or the metric equivalent, the annual permit fee shall be \$100 per device. This includes all mass flow meters used to dispense compressed and liquefied natural gas for retail sale.

2. For mass flow meters with a maximum flow rate of greater than 150 pounds per minute or the metric equivalent, the annual permit fee shall be \$250 per device.

3. For volumetric flow meters with a maximum flow rate of up to and including 10 gallons per minute or the metric equivalent, the fees in Table 2 will apply:

Table 2

<u>Number of Devices per Single Category</u>	<u>Annual Fee per Single Retail Establishment</u>
<u>1 to 5</u>	<u>\$40</u>
<u>6 to 10</u>	<u>\$125</u>
<u>11 to 30</u>	<u>\$175</u>
<u>31 or more</u>	<u>\$225</u>

4. For volumetric flow meters with a maximum flow rate of greater than 10 and up to and including 20 gallons per minute or the metric equivalent, the annual permit fee shall be \$40 per device. This includes all devices used to dispense diesel exhaust fluid for retail sale.

5. For volumetric flow meters with a maximum flow rate of greater than 20 gallons per minute or the metric equivalent, the annual permit fee shall be \$80 per device.

6. For tanks used as measures with capacities of less than 500 gallons or the metric equivalent, with or without gauge rods or markers, the annual permit fee shall be \$100 per device.

7. For tanks used as measures with capacities 500 gallons or greater or the metric equivalent, with or without gauge rods or markers, the annual permit fee shall be \$200 per device.

8. For multiple dimension measuring devices, the annual permit fee shall be \$100 per device.

9. For LP gas bulk delivery vehicles with a meter owned or leased by a LP gas licensee, the annual permit fee shall be \$150.

(5) Fees for Device(s) Placed into Service at a Location with an Existing Commercial Use Permit. The department shall be notified by the owner of any non-replacement weighing or measuring device that is put into service during a permit year at a location and will change the permit fees by submitting form FDACS-03560, Weighing and Measuring Device Permit Application, Rev. 02/17, which is adopted and incorporated by reference in subsection (2). The fee shall be prorated on a quarterly basis of the annual fee prescribed in subsection (4) for every quarter remaining until the expiration of the existing permit for that location.

(6) Replacement Devices. Each device for which a permit has been issued may be replaced with a device of the same type, size and capacity and will not require additional fees to be paid until renewal of the permit providing the following conditions apply:

(a) The amount of the fee for the replacement device would have been equal to or less than the amount of the fee for the original device as prescribed in subsection (4); and

(b) The replacement device is reported to the department in writing within 30 days of the date of replacement. The reporting shall include a copy of the NTEP certificate, the brand name, model and serial number and capacity of the device(s) being replaced and the replacement device(s). The information shall be sent to the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Compliance, 2500 Apalachee Parkway, Tallahassee, Florida 32399, or by facsimile at (850) 410-3804.

(7) Late Fees. The department shall not issue a commercial use permit until all applicable fees, including late fees, have been received by the department. The department shall not waive late fees. A late fee of \$100 per location must be paid in addition to the commercial use permit fee required by subsection (4) if:

(a) The commercial use permit application and renewal fee are not received by the department in accordance with Section 531.62, F.S.;

(b) A commercial use permit application and fee for a non-replacement device put into service at a permitted location is not received by the department within thirty days after the device has been placed into service; or

(c) Notification of ownership or location changes as outlined in paragraphs (4)(b) and (4)(c) of this rule are not provided to the department.

Rulemaking Authority 570.07(23), 531.66 FS. Law Implemented 531.42, 531.50and 531.60-.66 FS. History—New _____.

5J-22.007 Guidelines for Imposing Administrative Penalties.

(1) This rule sets forth the guidelines the department will follow in imposing the penalties authorized under Chapter 531, F.S. The purpose of the guidelines is to give notice of the range of penalties, which will be imposed for a single violation. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase penalties to be imposed. The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty and will be grounds for enhancement of penalties.

(2) The department will administratively enforce compliance with Chapter 531, F.S., and this rule chapter by issuing an administrative complaint, stop sale order, stop use order, and/or notice of noncompliance for violations of Chapter 531, F.S., and this rule chapter.

(3) Nothing in this rule shall limit the ability of the department to informally dispose of administrative actions by settlement agreement, consent order, or other lawful means.

(4) Rule Not All-Inclusive. This rule contains illustrative violations. It does not, and is not intended to, encompass all possible violations of the statutes or department rules that might be committed by any person. The absence of any violation from this rule shall in no way be construed to indicate that the violation is not subject to a penalty. In an instance where the violation is not listed in this rule, the penalty will be determined by consideration of:

(a) The closest analogous violation, if any, that is listed in this rule; and

(b) The mitigating or aggravating factors listed in this rule.

(5) Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining penalties for violations of Chapter 531, F.S., and this rule chapter. The factors shall be applied against each single count of the listed violation.

(a) Aggravating Factors shall include:

1. The violation caused, or has the potential to cause harm to a person or property and the degree or extent of such harm.

2. The violation endangered the public safety or welfare.

3. Previous enforcement actions for the same or a similar offense.

4. The violation existed for more than one month.

5. The violation was repeated within one year.

6. The violator impeded, or otherwise failed to cooperate with the department's inspection and/or investigation.

7. Previous disciplinary action against the violator in this or any other jurisdiction and the deterrent effect of the penalty imposed.

8. Failure to take or initiate affirmative or corrective action within 48 hours after receipt of the stop sale and/or stop use order or within the timeframe specified on a notice of noncompliance for the violation.

9. The violation resulted from an intentional act.

10. The cost of enforcement action.

11. The number of other violations proven in the same proceeding.

12. The benefit to the violator.

13. Any other relevant, case-related circumstances.

(b) Mitigating Factors shall include:

1. Degree and extent of potential harm caused by the violation.

2. The amount of money by which the violator benefited from noncompliance.

3. The compliance record of the violator, including previous violations for the same or similar offenses that resulted in enforcement action.

4. Any documented efforts by the violator to repair any damages, economic or otherwise, resulting from the violation.

5. Length of time operating location while out of compliance.

6. Reliance on written professional or expert counsel or advice.

7. The intentional actions of another party prevented the violator from complying with the applicable laws or rules.

8. Financial hardship.

9. Acts of God or nature that impair the ability of the violator to comply with Chapter 531, F.S., or this rule chapter.

10. The violator expeditiously took or initiated affirmative or corrective action within 48 hours after receipt of the stop sale and/or stop use order or within the timeframe specified on a notice of noncompliance for the violation.

11. If a repeat violator, two years have passed since the last violation.

(6) The provisions of this rule shall not be construed so as to prohibit or limit any other civil action or criminal prosecution that may be brought.

(7) In addition to the penalties established in this rule, the department reserves the right to seek to recover any other cost, penalties, attorney's fees, court costs, service fees, collection costs, and damages allowed by law. Additionally, the department reserves the right to seek to recover any cost, penalties, attorney's fees, court costs, service fees, collection costs, and costs resulting from a payment that is returned for insufficient funds to the department.

(8) Penalties.

(a) Minor Violations. Any department investigation or inspection which reveals violations listed in this paragraph will result in the issuance of a notice of noncompliance as the department's first response to the violation. For the purposes of this rule, the following violations shall be considered minor and shall result in the issuance of a notice of noncompliance:

1. Use of an unpermitted weighing or measuring device for commercial purposes without a valid Commercial Use Permit if the person has never previously held such a permit and has not been notified by the department that such a permit is required.

2. Violations of the standards adopted in subsection 5J-22.002(1), F.A.C., other than devices found to be out of tolerance in favor of the device owner.

3. Violations of the standards adopted in subsection 5J-22.003(1), F.A.C., Uniform Packaging and Labeling Regulation, other than packages found to have missing or inaccurate:

a. Declaration of Quantity, or;

b. Declaration of Identity, or;

c. Declaration of Responsibility.

4. Violations of the standards adopted in subsection 5J-22.003(1), F.A.C., Uniform Regulation for the Method of Sale of Commodities.

5. Violations of the standards adopted in subsection 5J-22.003(1), F.A.C., Examination Procedure for Price Verification if:

a. Two (2) percent or less of examined items fail and the net monetary discrepancy total is no more than \$5 in favor of the business, or;

b. More than two (2) percent of examined items fail and the net monetary discrepancy total is not in favor of the business.

(b) Major Violations: Tier 1. Tier 1 violations shall result in the issuance of a stop sale order using FDACS-03206, Stop Sale Order, Rev. 02/17, or the device(s) removed from service using FDACS-10988, Stop Use Order, Rev. 02/17, as specified below. If a second Tier 1 violation is discovered within a three-year period, a \$250 penalty shall be imposed. An additional penalty of \$250 shall be added to the fine amount for the previous violation and imposed for each Tier 1 violation discovered thereafter. Aggravating factors, as defined in paragraph (5)(a) of this rule shall warrant the adjustment of the fine upward from \$250 to \$2,500 per violation per aggravating factor and mitigating factors, as defined in paragraph (5)(b) of this rule shall warrant the adjustment of the fine downward from \$250 to \$2,500 per violation per mitigating factor. The documents referenced in this subsection are adopted and incorporated by reference in subsections 5J-22.002(2) and 5J-22.003(2), of this rule chapter. For the purposes of this rule, the following violations shall be considered Tier 1 violations:

1. Violations of subsection 5J-22.003(1), F.A.C., Uniform Packaging and Labeling Regulation, shall result in the removal from sale of affected commodities by the department when found to have missing or inaccurate:

- a. Declaration of Quantity, or;
- b. Declaration of Identity, or;
- c. Declaration of Responsibility.

2. Violations of subsection 5J-22.003(1), F.A.C., Examination Procedure for Price Verification, shall result in the removal from sale of affected commodities by the department if:

a. More than two (2) percent, but not more than ten (10) percent of examined items fail and the net monetary discrepancy total is in favor of the business, or;

b. Two (2) percent or less of the examined items fail and the net monetary discrepancy total is \$5 or greater in favor of the business.

3. Violations of the standards adopted in subsection 5J-22.002(1), F.A.C., shall result in the removal of affected equipment from service by the department for devices found to be out of tolerance in favor of the device owner.

4. Violations of the standards adopted in subsection 5J-22.003(1), F.A.C., Uniform Regulation for National Type Evaluation, shall result in the removal of affected equipment from service by the department.

(c) Major Violations: Tier II. Tier II violations shall result in prohibiting the sale, distribution, offering for sale or distribution of the affected products, placing any affected equipment out of service and imposition of an administrative fine of \$250 per violation, for first-time offenders of Chapter 531, F.S., and/or Rule Chapter 5J-22, F.A.C. An additional penalty of \$250 shall be added to the fine amount for the previous violation and imposed for each subsequent violation within the three-year period. Aggravating factors, as defined in paragraph (5)(a) of this rule, shall warrant the adjustment of the fine upward from \$250 to \$2,500 per violation per aggravating factor and mitigating factors, as defined in (5)(b) of this rule, shall warrant the adjustment of the fine downward from \$250 to \$2,500 per violation per mitigating factor. For the purposes of this rule, the following violations shall be considered Tier II violations:

1. Violations of the standards adopted in Rule 5J-22.003, F.A.C., Uniform Regulation for the Voluntary Registration of Servicepersons and Service Agencies for Commercial Weighing and Measuring Devices by:

a. Failing to comply with the provisions of s. 531.41(16), F.S., for service agencies or personnel registered with the department pursuant to Rule 5J-22.003, F.A.C.; or,

b. Failing to report a weighing and measuring device placed in service for commercial purposes.

2. Violations of the standards adopted in subsection 5J-22.003(1), F.A.C., Examination Procedure for Price Verification if more than ten (10) percent of examined items fail and the net monetary discrepancy total is in favor of the business.

3. Violations of the standards adopted in Rule 5J-22.004, F.A.C.

4. Violations of Rule 5J-22.006, F.A.C.

5. Failure to correct violations of law, rule, or adopted sections of NIST Handbook 44, as adopted in Rule 5J-22.002, F.A.C., within the time period specified in a notice of noncompliance. Any device affected by a notice of noncompliance issued pursuant to this rule chapter that is not corrected within the time period specified shall be removed from service until such time that the deficiency has been corrected.

6. Failure to correct violations of law, rule, or adopted sections of NIST Handbook 130, as adopted in Rule 5J-22.003, F.A.C., within the time period specified in a notice of noncompliance. Any device affected by a notice of noncompliance issued pursuant to this rule chapter that is not corrected within the time period specified shall be removed from service until such time that the deficiency has been corrected. Any commodities affected by a notice of noncompliance issued pursuant to this rule chapter that are not corrected within the time period specified shall be removed from sale until such time that the deficiency has been corrected.

7. Failure to correct violations of law, rule, or adopted sections of NIST Handbook 133, as adopted in Rule 5J-22.004, F.A.C., within the time period specified in a notice of noncompliance. Any commodities affected by a notice of noncompliance issued pursuant to this rule chapter that are not corrected within the time period specified shall be removed from sale until such time that the deficiency has been corrected.

8. Impeding, obstructing, or hindering a department employee during duties associated with enforcement of provisions of this rule.

(d) Willful Violations. Any willful and intentional violation of Chapter 531, F.S., or this rule chapter or of any requirement or standard adopted pursuant thereto, shall result in the imposition of an administrative fine of up to \$5,000 per violation. Willful violations shall include the following:

1. The unauthorized breaking, cutting, or removal of any seal or tag applied by the department;

2. Using a weighing or measuring device for commercial purposes after notifying the department the device is not used commercially;

3. Using a device for commercial purposes that has been ordered out of service by the department prior to its being placed back into service in accordance with this rule chapter;

4. The sale or distribution, or offering for sale or distribution, of any commodity under stop sale order;

5. The sale or distribution, or offering for sale or distribution, of any commodity that was previously placed under a stop sale order and that has not been made to conform to standard; and;

6. Violations which result from a failure to comply with a final order, a notice of noncompliance, a stop sale order, or any condition stipulated on a release of a stop sale order.

(9) Resolution of Alleged Violations, Settlement, and Additional Enforcement Remedies.

(a) The department and any person charged with a violation may agree to resolve alleged violations prior to an administrative hearing, or to enter into settlement pursuant to s. 120.57(4), F.S. The penalties addressed in this rule shall not be construed to limit the authority of the department to resolve alleged violations prior to or after initiation of any administrative action or to settle with any party. The department shall utilize all available remedies to ensure voluntary compliance including administrative action, civil actions, and referrals for criminal prosecution. The department shall enforce a failure to comply with an agreement to resolve alleged violations or a settlement agreement with the penalties and remedies provided in the agreement and as authorized by Chapter 120 or Chapter 531, F.S.

(b) Failure to respond to an administrative complaint shall result in the entry of a default final order against the violator or entity responsible for the violation. The department shall impose administrative fines in a default final order equal to the maximum amount allowable under s. 531.50(1)(b), F.S., except for default final orders for violations of Rule 5J-22.006, F.A.C., in which a fine of \$1,000 shall be imposed.

(c) A failure to comply with a final order of the department shall result in additional enforcement actions as authorized by law.

(d) Nothing in this rule shall prohibit the department from exercising the special police powers granted the department under s. 531.42, F.S.

Rulemaking Authority 531.41(3) FS. Law Implemented 531.42, 531.50(1), 531.65 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APROVED BY AGENCY HEAD:
March 24, 2017

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.045
RULE TITLE: Payment Methodology for Services in Facilities Not Publicly Owned and Not Publicly Operated

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.045, Florida Administrative Code, is to incorporate by reference the Florida Title XIX Reimbursement Plan for Services in Facilities Not Publicly Owned and Not Publicly Operated (the Plan), Version XII, effective July 1, 2016.

SUMMARY: The rule is being amended to incorporate changes to the amended reimbursement plan.

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 checklist was prepared by the Agency to determine the need 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.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.9083 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: Charles McGillen, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4313, e-mail: Charles.McGillen@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m., April 19, 2017. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, or to request a hearing in

accordance with section 120.54(3)(c)1 FS., please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Not Publicly Operated.

(1) Reimbursement to participating facilities for services provided shall be in accordance ~~accord~~ with the Florida Title XIX Reimbursement Plan for Services in Facilities Not Publicly Owned and Not Publicly Operated (the Plan), Version ~~XII XI~~, effective July 1, ~~2016, 2015~~, available at DOS place holder Ref-_____ http://www.flrules.org/Gateway/reference.asp?No=R ef_____, incorporated by reference. The Plan is applicable to the fee-for-service delivery system. A copy of the Plan as revised may be obtained by writing to the Bureau of Deputy Secretary for Medicaid Program Finance, Agency for Health Care Administration, Mail Stop 23 8, Tallahassee, Florida 32308.

(2) Participating Intermediate Care Facilities (ICF) shall use the Facility Quality Assessment form (only accepted electronically), AHCA Form 5000-3548, October 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <https://apps.ahca.myflorida.com/nfqa/>.

(3) Each facility shall report monthly to the Agency, its total number of resident days and remit an amount equal to the assessment rate times the reported number of days. Facilities are required to submit their full quality assessment payment by the 15th day of the next succeeding calendar month.

(4) Providers are subject to the following monetary fines pursuant to sSection 409.9083(6), F.S., for failure to timely pay a quality assessment:

(a) For a facility’s first offense, a fine of \$500 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment.

(b) For any offense subsequent to a first offense, a fine of \$1,000 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment. A subsequent offense is defined as any offense within a period of five years preceding the most recent quality assessment due date.

(c) An offense is defined as one month’s quality assessment payment not received by the 20th day of the next succeeding calendar month.

(d) In the event that a provider fails to report their total number of resident days as defined in sSection 409.9082(1)(c), F.S., by the 20th day of the next succeeding calendar month, the fines in paragraphs (a)-(c) apply and the maximum amount of

the fines shall be equal to their last submitted quality assessment amount but in no event shall the total fine exceed the amount of the quality assessment.

(5) In addition to the aforementioned fines, providers are also subject to the non-monetary remedies enumerated in sSection 409.9083(6), F.S. Imposition of the non-monetary remedies by the Agency will be as follows:

(a) For a third subsequent offense, the Agency will withhold any medical assistance reimbursement payments until the assessment is recovered.

(b) For a fourth or greater subsequent offense, the Agency will seek suspension or revocation of the facility’s license.

(6) Sanctions for failure to timely submit a quality assessment are non-allowable costs for reimbursement purposes and shall not be included in the provider’s Medicaid per diem rate.

(7) The facility may amend any previously submitted quality assessment data, but in no event may an amendment occur more than twelve months after the due date of the assessment. The deadline for submitting an amended assessment shall not relieve the facility from their obligation to pay any amount previously underpaid and shall not waive the Agency’s right to recoup any underpaid assessments.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.9083 FS. History—New 3-14-99, Amended 10-12-04, 2-22-06, 4-12-09, 3-3-10, 2-23-11, 7-16-12, 2-13-14, 2-4-15, 6-15-15,7-11-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Charles McGillen

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 6, 2016

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.001	General Definitions
61D-14.002	Application Requirements
61D-14.005	Occupational License Requirements for Individual Persons
61D-14.0055	Temporary Individual Slot Machine Occupational License
61D-14.006	Occupational License Application Requirements for Business Entities
61D-14.008	Occupational License Renewal Application
61D-14.012	Change of Position, Place of Work, Name, or Address
61D-14.015	Slot Machine Licensee Organizational Structure
61D-14.016	Operational Requirements
61D-14.018	State Office Space Requirements
61D-14.020	Excluded Persons
61D-14.0211	Server Based Gaming Systems (SBGS) and Server Supported Gaming Systems (SSGS)
61D-14.022	Slot Machine, Slot Machine Component, and Progressive System Requirements
61D-14.024	Logic Compartment
61D-14.028	Printed Circuit Board (PCB) Identification
61D-14.032	Progressive System Requirements
61D-14.037	Games with Bonus Features, Multiple Win Lines, Prizes
61D-14.040	Game Cycle, Payment of Credits by Ticket Printer, and Ticket Redemption
61D-14.041	Randomness Requirements and Game Play Auditing
61D-14.046	Facility Based Monitoring System Functionality
61D-14.047	Facility Based Monitoring System and Computer Diagnostics
61D-14.050	Floor Plan
61D-14.051	Security Plan
61D-14.052	Electronic Identification and Access Control System
61D-14.054	Surveillance Equipment
61D-14.059	Slot Machine Licensee Personnel
61D-14.060	Business Entities, Internal Controls and Personnel Records
61D-14.063	Count Rooms
61D-14.065	Procedure for Slot Cash Storage Box Count
61D-14.067	Slot Booths and Change Machines
61D-14.072	Cashier's Cage, Satellite Cages, Vaults, and Accounting Controls

61D-14.074	Security Requirements, System Access, and Firewalls
61D-14.075	Jackpot Payouts Not Paid Directly From the Slot Machine
61D-14.076	Player Tracking System
61D-14.082	Annual Financial Report
61D-14.0861	Annual Compliance Audit
61D-14.096	Requirement for Shipment of All Slot Machines and Software Components
61D-14.097	Responsibility for Control of Slot Machine or Slot Machine Component Shipment
61D-14.098	Slot Machine Seal

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 224, November 17, 2016 issue of the Florida Administrative Register. The notice of proposed rule indicated that rules were developed on July 1. More specifically, those rules were developed on July 1, 2016.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.:	RULE TITLE:
61D-14.009	Denial Criteria for Occupational License Application or Renewal

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 224, November 17, 2016 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.012	Change of Position, Place of Work, Name, or Address
61D-14.082	Annual Financial Report

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 224, November 17, 2016 issue of the Florida Administrative Register.

61D-14.012 Change of Position, Place of Work, Name, or Address.

(1) In the event a person holding a slot machine general employee occupational license changes job duties or functions, or employment to a position requiring a slot machine professional occupational license or slot machine business employee occupational license, the licensee shall apply to upgrade the license by completing Form DBPR PMW-3450, Slot Machine Occupational License Upgrade Application.

effective xx-xx-xxxx, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, which can be obtained at www.myfloridalicense.com or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, prior to performing the professional-level duties.

(2) through (3) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), 551.107(4)(a), 559.79 FS. History—New 6-25-06, Amended.

61D-14.082 Annual Financial Report.

(1) through (2) No change.

(3) One copy of the annual financial report ~~on Form DBPR PMW 3690, Uniform Report System Prescribed for Pari-Mutuel Permitholders, effective xx xx xx, incorporated herein by _____ reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, shall be filed with the division no more than 120 days after completion of the slot machine licensee’s fiscal year. ~~Form DBPR PMW 3690, Uniform Report System Prescribed for Pari Mutuel Permitholders, can be obtained at www.myfloridalicense.com or by contacting the Division of Pari Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399 1035.~~~~

(4) through (8) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (g) FS. History—New 6-25-06, Amended.

Summary of Updates to Forms DBPR PMW 3400 – Permitholder Application for Annual Slot Machine License, DBPR PMW 3420 - Slot Machine Business Entity Occupational License Application, and DBPR PMW 3450 – Slot Machine Occupational License Upgrade Application:

- 1) All three of the above mentioned updated forms will become effective on the date the corresponding rules go into effect.
- 2) All three of the above mentioned updated forms will now contain an affidavit with the following language:
Pursuant to s. 559.79, Florida Statutes (F.S.), each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, owner, or chief executive of the applicant without the need for witnesses unless otherwise required by law.

Pursuant to s. 559.791, F.S., any license issued by the Department of Business and Professional Regulation which is issued or renewed in response to an application upon which the person signing under oath or affirmation has falsely sworn to a material statement, including, but not limited to, the names and addresses of the owners or managers of the licensee or applicant, shall be subject to denial of the application or suspension or revocation of the license, and the person falsely

swearing shall be subject to any other penalties provided by law.

I certify that I am empowered to execute this application as required by s. 559.79, F.S. I agree to abide by and obey all laws and rules of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. I understand that my signature on this application has the same legal effect as if made under oath. To the best of my knowledge, all information contained on this application is true and correct. I understand the falsification of any information on this application may result in administrative action, including a fine, denial, suspension, and/or revocation of the license.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

RULE NO.: RULE TITLE:
61N-2.015 Application for Prescription Drug
 Repackager Permit
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 22, February 2, 2017 issue of the Florida Administrative Register.

The changes are as follows:

61N-2.015 Application for Prescription Drug Repackager Permit.

A ~~nonresident~~ prescription drug repackager permit is required for any person, located in Florida, that is a repackager of a prescription drug and that distributes such prescription drug in or within Florida. A person engaging in activity for which a prescription drug repackager permit is required, must file an application on form number DBPR-DDC-203, Application for Permit as a Prescription Drug Repackager, effective February 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 2601 Blair Stone Road, Tallahassee, Florida 32399-1047, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07913>
Rulemaking Authority 499.01, 499.012, 499.0121, 499.04, 499.041, 499.05 FS. Law Implemented 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041, 499.05, 559.79 FS. History—New_____.

THE PERSON TO BE CONTACTED REGARDING THIS CHANGE IS: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-1047; (850)717-1802; Dinah.Greene@myfloridalicense.com.

FLORIDA HOUSING FINANCE CORPORATION

<p>RULE NOS.: 67-37.005 67-37.007 67-37.019</p>	<p>RULE TITLES: Local Housing Assistance Plans (LHAP) Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds</p>
--	---

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 25, February 7, 2017 issue of the Florida Administrative Register.

LAW IMPLEMENTED: 420.9071, 420.9072, 403.9073, 420.9075, 420.9076, 403.9079, ~~420.9078~~, FS

67-37.005 Local Housing Assistance Plans (LHAP).

(1) General Requirements:

(a) To be eligible for SHIP funding for a state fiscal year, a county or eligible municipality shall submit and receive approval of its local housing assistance plan and amendments thereto as provided in Rule 67-37.006, F.A.C. Plans must be submitted to the Corporation by May 2 preceding the end of the fiscal year in which the current plan expires. New Plans must be submitted using the LHAP Template 2016-001, effective [eff date] ~~October 1, 2016~~, including all required exhibits, which is adopted and incorporated herein by reference. A copy of the LHAP Template 2016-001 and required exhibits may be obtained at <http://www.floridahousing.org> or by contacting the Corporation. In the case of new eligible municipalities, plans must be submitted to the Corporation by May 2 of the state fiscal year prior to the state fiscal year they seek to become eligible for funding. No SHIP local housing distribution funds shall be distributed in a fiscal year to a county or eligible municipality unless and until an approved LHAP is in place with respect to applicable fiscal year.

(b) through (g) No change.

(2) A county or eligible municipality is permitted to:

(a) Develop a strategy within its local housing assistance plan that emphasizes the recruitment and retention of Essential Service Personnel pursuant to Section 420.9075(3)(b), F.S. ~~If a county or eligible municipality creates a strategy as referenced above before the current plan expires, an amendment shall be submitted to the Corporation in track changes format as provided in subsection 67-37.005(17), F.A.C.~~

(b) Use SHIP funds for persons or families whose total annual household income does not exceed one hundred forty percent of the area median income, adjusted for family size; this use of funds does not relieve the local government from meeting the requirements of Section 420.9075(5)(g)(e)2., F.S.

(c) through (d) No change.

(3) Notice of Funding Availability

~~(a)~~ Each county or eligible municipality shall advertise a notice of funding availability of SHIP funds at least 30 days before the beginning of the application period in a newspaper of general circulation and periodicals serving ethnically and racially diverse populations unless a waiting list of applicants exists that will exhaust all allocated funding.

~~(a)~~ The advertisement shall:

~~1.a.~~ Identify the amount of the distribution projected to be received from the state for the fiscal year;

~~2.b.~~ List the beginning and end date of the application period; and

~~3.e.~~ Provide the name of the local plan contact person and other pertinent information including where applicants may apply for assistance.

~~(b)2.~~ The advertisement may also include information that the local governments deem necessary such as:

1. An estimated amount of SHIP local housing distribution per strategy;

~~2.a.~~ Income set asides for each strategy along with applicable income limits;

~~3.b.~~ A description of the selection criteria for each strategy; and

~~4.e.~~ The maximum housing value limitation for each strategy; ~~;~~

(4) through (5) No change.

67-37.007 Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans.

(1) SHIP local housing distribution funds shall be used to implement the local housing assistance plan. The benefit of assistance provided through the SHIP program must accrue to eligible persons occupying Eligible Housing. This provision shall not be construed to prohibit use of the local housing distribution deposited into the local housing assistance trust fund for a mixed-income rental development.

(a) No change.

(b) The funds deposited to the local housing assistance trust fund must be Expended within 24 months from the end of the applicable State fiscal year. Requestsa for extensions for good cause must be submitted by the local government to the Corporation and will be reviewed and approved or denied by the Corporation on a case-by-case basis. Examples of good cause include disasters, requirements of other State agencies or housing programs, adverse market conditions, and unavoidable development delays. The Corporation may require a local government requesting an expenditure extension to receive technical assistance through the Catalyst program.

(c) through (d) No change.

(2) through (12) No change.

(13) All units constructed, rehabilitated, or otherwise assisted with local housing distributions provided from the local housing assistance trust fund must be occupied by eligible persons as defined in ~~required by~~ Section 420.9071(10) 420.9075(4)(e)1, F.S. The remainder may be reserved for eligible sponsors that will serve eligible persons.

(14) through (21). No change.

Rulemaking Authority 420.9072(9) FS. Law Implemented 420.9072, 420.9073, FS. History—New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 9I-37.007, Amended 12-26-99, 9-22-03, 11-5-06, 2-24-08, 11-22-09, _____.

67-37.019 Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds.

(1) The local government staff or entity with administrative authority for a local housing assistance plan shall maintain a financial tracking system that ensures that the local housing distribution funds disbursed from the local housing trust fund are expended in accordance with the set-aside requirements in Rule 67-37.007, F.A.C., within deadlines established in subsection 67-37.005(5)(b) and (c)(6), F.A.C. and in compliance with Section 420.9075, F.S. Failure by the local government staff or entity with administrative authority to properly track SHIP funds or reconcile the funds to the general ledger shall result in the local government being deemed in non-compliance with the SHIP program. In this circumstance, the local government or administrative entity shall be required to receive technical assistance through the Catalyst program.

(7) Subsequent to a local government SHIP program being monitored by the Corporation or its designated agent and receiving a copy of the compliance monitoring report, the local government shall submit a written response to any findings or observations documented in the monitoring report to the Corporation and the designated monitoring agent. The required response shall be submitted within 30 days and shall include an explanation and/or remedy for each item in the compliance monitoring review, including:

(a) No change.

(b) For physical inspection findings or observations deficiencies, an explanation of any ~~the~~ corrective work that will be completed to address ~~remedy~~ the findings or observations deficiencies.

(c) A timeline for correcting any observed ~~the~~ deficiencies; and

(d) No change.

(8) through (10) No change.

(11) Any contract or document establishing the relationship between a SHIP eligible local government and an organization that is a Sub Recipient receiving SHIP funds shall contain the standard audit language on Form DFS-A2-CL

(Effective 7/05) in the document as required by ~~of~~ the Florida Single Audit Act, Section 215.97, F.S ~~in the document~~.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 28, 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 Sergio's located in Doral. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on March 27, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Boca Highlands Beach Club and Marina at 4801 S Ocean Blvd., Highland Beach, FL. Petitioner seeks a permanent variance of the requirements of ASME A17.1, Sections 2.8.1 and 2.8.2.2, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that prohibits foreign

equipment in the machine room which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-047).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, chr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that on March 21, 2017, the Board of Professional Engineers received a petition for permanent waiver filed by Gregory B. Reinke, PE, regarding the requirements of subsection 61G15-35.003(1), F.A.C., specifically the requirements that three years experience in inspection threshold building be performed under the supervision of an SI and within the preceding seven years. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, at the above address, (850)521-0050 or zraybon@fbpe.org.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on August 17, 2016, the Board of Massage Therapy received a petition for Denett Renea Parham-Shilov, seeking a variance or waiver of Rule 64B7-32.003, Florida Administrative Code, regarding the requirement of the completion of a minimum of 500 classroom hours. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on February 8, 2016, by Jianhua Liu. The Notice

of Petition for Waiver or Variance was published in Vol. 42, No. 29, of the February 12, 2016 Florida Administrative Register. Petitioner sought a variance or waiver of the requirement that official transcripts be submitted by the educational institution. The Board considered the instant Petition at a duly-noticed public meeting held on June 8, 2016, by telephone conference call.

The Board's Order, filed on June 22, 2016, grants the petition for wavier or variance. The Board found that the Petition was in substantial compliance with the provisions of Section 120.542, F.S., and Chapter 28-104, F.A.C. The Petitioner has met the purpose of the underlying statute, and that failing to grant the variance or waiver would result in substantial hardship to Petitioner.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, Kama.Monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on October 7, 2016, by Debra Spears. The Notice of Petition for Waiver or Variance was published in Vol. 42, No. 203, of the October 18, 2016 Florida Administrative Register. Petitioner sought a variance or waiver of 456.017 and 480.041 F.S. regarding examination for licensure. The Board considered the instant Petition at a duly-noticed public meeting held on December 14, 2016, by telephone conference call.

The Board's Order, filed on December 30, 2016, denies the petition for wavier or variance. The Board found that the Petition was not in substantial compliance with the provisions of Section 120.542, F.S., and Chapter 28-104, F.A.C. Also, the Petitioner seeks a variance from or waiver of statutory requirements, which the Board does not have authority to do.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, Kama.Monroe@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 6, 2017, 10:00 a.m. – 11:30 a.m.

PLACE: R.A. Gray Building, Fourth Floor, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: How to Apply for a Small Matching Grant Webinar.

A copy of the agenda may be obtained by contacting: Grant Staff at 1(800)847-7278, email: BHPgrants@dos.myflorida.com or by visiting www.flheritage.com/grants

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: Grant Staff at 1(800)847-7278, email: BHPgrants@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Grant Staff at 1(800)847-7278, email: BHPgrants@dos.myflorida.com or visit www.flheritage.com/grants.

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement announces public meetings to which all persons are invited.

DATES AND TIMES: Thursday, April 20, 2017, 12:00 Noon – 5:00 p.m.; Friday, April 21, 2017, 9:00 a.m. – 2:00 p.m.

PLACE: Staybridge Suites, 1600 Summit Lake Dr., Tallahassee, FL 32317

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FDLE Missing Endangered Persons Information Clearinghouse Advisory Board is a diverse mix of law enforcement officials, victim parents, government agencies, missing children non-profit organizations and members of the business community with interest in missing children issues.

A copy of the agenda may be obtained by contacting: Craig Schroeder at 1(888)356-4774.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Dawn Mikola at 1(888)955-8770. 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: Craig Schroeder or Brendie Hawkins at 1(888)356-4774.

DEPARTMENT OF LAW ENFORCEMENT

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

DATE AND TIME: Wednesday, April 12, 2017, 1:00 p.m. – 4:00 p.m.

PLACE: Conference call; join the meeting from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/539047461>; to dial in using your phone: United States (toll-free) 1(866)899-4679; United States +1(571)317-3117; access code: 539-047-461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FDLE Missing Endangered Persons Information Clearinghouse Advisory Board is a diverse mix of law enforcement officials, victim parents, government agencies, missing children non-profit organizations and members of the business community with interest in missing children issues.

A copy of the agenda may be obtained by contacting: Craig Schroeder at 1(888)356-4774.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Dawn Mikola at 1(888)356-4774. 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: Craig Schroeder or Brendie Hawkins at 1(888)356-4774.

DEPARTMENT OF LAW ENFORCEMENT

Florida Criminal Justice Executive Institute

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

DATE AND TIME: May 3, 2017, 1:30 p.m.

PLACE: Hampton Inn - Cocoa Beach, 3425 North Atlantic Avenue, Cocoa Beach, Florida 32931

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Florida Criminal Justice Executive Institute (FCJEI) training statistics and progress for the calendar year of 2016, as well as program initiatives and items for the calendar year of 2017.

A copy of the agenda may be obtained by contacting: FCJEI Director Chris Johnson at (850)410-7373 or ChrisJohnson@FDLE.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: FCJEI Director Chris Johnson at (850)410-7373 or

ChrisJohnson@FDLE.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: FCJEI Director Chris Johnson at (850)410-7373 or ChrisJohnson@FDLE.state.fl.us.

PUBLIC SERVICE COMMISSION

RULE NOS.:RULE TITLES:

25-6.021Records of Complaints

25-6.094Complaints and Service Requests

The Florida Public Service Commission announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 9:30 a.m.

PLACE: Room 105, Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Electric public utilities requirements for responding to and keeping records of customer complaints.

Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn G.W. Cowdery, (850)413-6216, kcowdery@psc.state.fl.us. A copy of the agenda and materials for the workshop will be posted on the Commission’s website: www.floridapsc.com on April 5, 2017. One or more Commissioners may be in attendance and participate in the workshop.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. 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: Kathryn G.W. Cowdery, (850)413-6216, kcowdery@psc.state.fl.us.

PUBLIC SERVICE COMMISSION

RULE NOS.:RULE TITLES:

25-7.020Record of Complaints

25-7.080Complaints - Service Requests

The Florida Public Service Commission announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, April 19, 2017, 9:30 a.m.

PLACE: Room 105, Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Gas public utilities requirements for responding to and keeping records of customer complaints.

Undocketed.

A copy of the agenda may be obtained by contacting: Kathryn G.W. Cowdery, (850)413-6216, kcowdery@psc.state.fl.us. A

copy of the agenda and materials for the workshop will be posted on the Commission’s website: www.floridapsc.com, on April 5, 2017. One or more Commissioners may be in attendance and participate in the workshop.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. 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: Kathryn G.W. Cowdery, (850)413-6216, kcowdery@psc.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

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

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

DATES AND TIMES: April 11, 2017, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

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

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its

agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

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

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

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

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

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including

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

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting: the Governor's Cabinet Affairs Office, (850)488-5152.

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

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Councils Executive Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2017, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Ste. 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Budget Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.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: Wren Krahl, Wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

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

PLACE: 4000 Gateway Centre Blvd., Ste. 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.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: Wren Krahl, Wren@tbrpc.org.

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority

The Peace River/Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 12, 2017, 9:30 a.m.

PLACE: DeSoto County Administration Building, Commission Chambers, First Floor 201 East Oak Street, Arcadia, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River/Manasota Regional Water Supply Authority, 9415 Town Center Parkway, Lakewood Ranch, Florida 34202, (941)316-1776, peaceriver@regionalwater.org or at www.regionalwater.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 2 days before the workshop/meeting by contacting: (941)316-1776. 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 ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 4, 2017, 2:00 p.m. – 2:30 p.m.

PLACE: The Department of Elder Affairs

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Alzheimer’s Disease Advisory Committee will use this allotted time to review and vote on the approval of several key documents developed by the committee. Copies of these documents may be obtained by contacting: Evan Barksdale at the Department of Elder Affairs.

A copy of the agenda may be obtained by contacting: Evan Barksdale, Department of Elder Affairs, (850)414-2349, barksdalej@elderaffairs.org.

For more information, you may contact: Evan Barksdale, Department of Elder Affairs, (850)414-2349, barksdalej@elderaffairs.org.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

The Board of Nursing Home Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 28, 2017, 9:00 a.m.

PLACE: Telephone conference number: 1(888)670-3525, participant code: 3019979494

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained at <http://floridasnursinghomeadmin.gov/>.

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

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Bureau of Emergency Medical Oversight, Emergency Medical Services Section announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 7, 2017, 4:00 p.m. – 5:00 p.m., ET

PLACE: Conference call: (toll-free) 1(866)899-4679 or 1(224)501-3318, access code: 260-731-901

Join from your computer:
<https://global.gotomeeting.com/join/260731901>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Emergency Medical Services Advisory Council's Medical Care Committee's Trauma Subcommittee.

A copy of the agenda may be obtained by contacting: Josh Sturms, Joshua.Sturms@flhealth.gov, (850)245-4440, ext. 2836.

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: Josh Sturms, Joshua.Sturms@flhealth.gov, (850)245-4440, ext. 2836. 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: Josh Sturms, Joshua.Sturms@flhealth.gov, (850)245-4440, ext. 2836.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Tuesday, April 18, 2017, 5:00 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Bldg. 6, Refugee Services Lobby, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting #2.

Title: Reply Opening and Review of Mandatory Requirements for Citizenship and Immigration Related Employability Services for Refugees and Entrants in Hillsborough and Pinellas Counties (ITN# SNR1718RS001).

Description: As provided for in Sections 2.5 and 2.9 of this ITN which was published to the Vendor Bid System (VBS) on January 24, 2017. The VBS can be accessed at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

The purpose of the Reply Opening and Review of Mandatory Requirements is to ensure prospective Vendors have complied with all Mandatory Requirements as required in Section 5.2 in order to be considered for selection under this ITN.

A copy of the agenda may be obtained by contacting: David.Draper@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Lisa Stephany, email: Lisa_Stephany@myflfamilies.com or (850)717-4557. 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: David.Draper@myflfamilies.com.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: April 25, 2017, 2:00 p.m., ET

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee Meeting will be to give the scores for the Applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2016-113 Housing Credit Financing for Affordable Housing Developments Located in Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

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

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

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee Meeting will be to give the scores for the Applications submitted in response to Florida Housing Finance Corporation’s Request for Applications No. 2017-102 Housing Credit and SAIL Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives and to submit a recommendation to Florida Housing’s Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: April 26, 2017, 10:00 a.m., Eastern Time

PLACE: Sixth Floor Seltzer Conference Room, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee Meeting will be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the Applications submitted in response to Florida Housing Finance Corporation’s Request for Applications No. 2016-116 for Housing Credit Financing for the Preservation of Existing Affordable Multifamily Housing Developments.

A copy of the agenda may be obtained by contacting: Jean Salmonsens at (850)488-4197.

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: Jean Salmonsens at (850)488-4197. 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.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: June 7, 2017 10:00 a.m. (Eastern)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the responses submitted for Florida Housing Finance Corporation’s Request For Applications (RFA) 2017-101 Financing To Build Or Rehabilitate Smaller Permanent Supportive Housing Properties For Persons With Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Jean Salmonsens (850)488-4197.

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: Jean Salmonsens, (850)488-4197. 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.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: June 7, 2017, 2:00 p.m., Eastern

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors regarding the responses submitted for Florida Housing Finance Corporation’s Request For Applications (RFA) RFA 2017-103 Housing Credit and SAIL Financing for Homeless Persons and Persons with Disabling Conditions.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

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: Jean Salmonsens, (850)488-4197. 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.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: June 6, 2017, 2:00 p.m., Eastern

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to give the scores and to submit a recommendation to Florida Housing's Board of Directors regarding the responses submitted for Florida Housing Finance Corporation's Request For Applications (RFA) 2017-105 HOME Financing to be used for Rental Developments Located in Rural Areas.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

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: Jean Salmonsens, (850)488-4197. 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.

FLORIDA ASSOCIATION OF COURT CLERKS

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

DATE AND TIME: March 24, 2017, 2:00 p.m., ET

PLACE: WebEx

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adjustment to Custodian Services; approval of RFP for Audit

Services. This is strictly an online meeting; please contact: Bryant Gries at bgries@flclerks.com for the WebEx info.

A copy of the agenda may be obtained by contacting: Bryant Gries at bgries@flclerks.com.

For more information, you may contact: bgries@flclerks.com.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H. Lee Moffitt Cancer Center & Research Institute, announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2017, 3:00 p.m.

PLACE: Moffitt Cancer Center, Stabile Research Building, Trustees Board Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance & Planning Committee.

A copy of the agenda may be obtained by contacting: Kathy McKinley, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

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: Kathy McKinley. 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).

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces public meetings to which all persons are invited.

DATES AND TIMES: March 30, 2017, 3:30 p.m.; June 22, 2017, 3:30 p.m.; September 28, 2017, 3:30 p.m.; December 14, 2017, 3:30 p.m.

PLACE: South Florida Community Care Network, LLC d/b/a Community Care Plan, 1643 NW 136th Avenue, Bldg. H, 2nd Floor, Sunrise, Florida 33323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Member Compliance/Audit Committee to discuss general matters.

A copy of the agenda may be obtained by contacting: Crystal Quirin at cquirin@ccpcare.org or (954)622-3224.

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: Susan Mansolillo at SMansolillo@ccpcare.org or (954)622-3232. 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: D. Ty Jackson, Esq., counsel for South Florida Community Care Network, LLC, at ty.jackson@gray-robinson.com or (850)577-9090.

KEITH AND SCHNARS, P.A.

The Florida Department of Transportation, District Four announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, April 6, 2017, 5:30 p.m. – 7:30 p.m.

PLACE: The Peter and Julie Cummings Library, 2551 SW Matheson Avenue, Palm City, FL 34990

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation has scheduled an Alternatives Public Workshop for the SR 714/SW Martin Highway Project Development and Environment (PD&E) Study. The limits of the Study are from Citrus Boulevard on the west, to SW Martin Downs Boulevard on the east. The purpose of the project is to provide additional capacity on SR 714, as well as improve the signalized intersections at Citrus Boulevard and SW 42nd Avenue within the study limits. The workshop will be conducted as an informal open house. No formal presentation will be made. Drawings and other pertinent information will be available for public review. Project staff will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Ms. Auraliz Benitez, PE, Project Manager, at (954)777-4346 toll-free at 1(866)336-8435, ext. 4346, auraliz.benitez@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Auraliz Benitez, PE, at her contact information shown above. Persons who require translation services (free of charge) should also contact Ms. Auraliz Benitez, PE, at least 7 days prior to the Public Workshop. 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. Auraliz Benitez, PE, Project Manager, at (954)777-4346, toll-free at 1(866)336-8435, ext. 4346, auraliz.benitez@dot.state.fl.us.

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

THE VALERIN GROUP, INC.

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

DATE AND TIME: Thursday, April 6, 2017, 5:30 p.m.

PLACE: Doubletree by Hilton Hotel, 100 Fairway Drive, Deerfield Beach, FL 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 436964-1-22-01 and ETDM Number: 14244.

Project Description: I-95 from SW 10th Street to Hillsboro Boulevard Project Development and Environment (PD&E) Study, in Broward County.

The purpose of this PD&E Study is to improve operations and safety along I-95 between and including the interchanges at SW 10th Street and Hillsboro Boulevard, and also on SW 10th Street and Hillsboro Boulevard in the vicinity of I-95 within the study limits.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration and FDOT.

The additional Kick-Off Meeting will start at 5:30 p.m. as an informal open house. A formal presentation will begin at 6:00 p.m. Drawings and other pertinent information will be available for public review. FDOT staff and consultant staff members will be available to discuss the project and answer questions. This Kick-Off Meeting will present the same information as the meeting that was held on March 14, 2017, and is intended to provide another opportunity for the public to participate.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Humberto Arrieta at (954)777-4152 or by email at humberto.arrieta@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: There is no agenda.

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: Humberto Arrieta, PE, FDOT Project Manager, at (954)777-4152 or by email at humberto.arrieta@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Humberto Arrieta, PE, FDOT Project Manager, at (954)777-4152 or by email at humberto.arrieta@dot.state.fl.us.

ANN POPE CONSULTING

The Florida Department of Transportation (FDOT), District Six announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, April 6, 2017, 6:00 p.m.

PLACE: North Dade Regional Library, 2455 NW 183rd Street, Miami Gardens, FL 33056

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, has scheduled a Public Information Workshop to discuss the NW 27th Avenue Rapid Transit Project Development and Environmental (PD&E) Study along SR 9/SR 817/NW 27th Avenue from approximately NW 38th Street to approximately NW 215th Street (at Unity Station) and from the Miami Intermodal Center (MIC) (at Miami International Airport) to NW 27th Avenue via SR 112. The Public Workshop will be held on Thursday, April 6, 2017, at the North Dade Regional Library, located at 2455 NW 183rd Street, Miami Gardens, FL 33056. This workshop will be held at 6:00 p.m. in an informal, open house format.

The PD&E study will focus on the implementation of a Rapid Transit service and infrastructure along SR 9/SR 817/NW 27th Avenue. The study will also include public on-street transit stations/stops as well as public and/or private facilities located adjacent to or off-corridor where potential park-and-ride and/or transit terminals (including the Miami Dade College North Campus) will be considered.

This workshop will provide an opportunity for the public to learn about the project, become familiar with the study process, and provide initial feedback.

A copy of the agenda may be obtained by contacting: Ms. Teresita Alvarez, P.E., Project Manager, at (305)640-7557 or by email at teresita.alvarez@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 seven (7) days before the workshop/meeting by contacting: Hong Benitez, P.E. at (305)470-5219, in writing at 1000 NW 111th Avenue, Miami, Florida 33172 or via email at Hong.Benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice). Any persons who require translation services (free of charge) should also contact Hong Benitez at least seven (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).

For more information, you may contact: Ann Pope, Public Information Specialist, at (305)321-6011 or by email at nw27studyinfo@gmail.com.

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

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Chelsea Adelle Tucker on May 5, 2016. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 42, No. 91, of the May 10, 2016 Florida Administrative Register. Petitioner asks whether it is within the scope of practice as defined in Section 464.003(20), F.S., to perform laser hair removal under a physician’s (Dermatologist) supervision with an Apogee elite laser. The Board’s Order, filed on November 2, 2016, states that laser hair removal procedures are not within the scope of practice of a professional nurse in Florida.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF MANAGEMENT SERVICES
 Division of Building Construction
 MSFM-16006030-CM
 STATE OF FLORIDA DEPARTMENT OF MANAGEMENT
 SERVICES
 DIVISION OF REAL ESTATE DEVELOPMENT AND
 MANAGEMENT
 PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
 CONTRACTORS
 TO PROVIDE CONSTRUCTION MANAGEMENT AT
 RISK SERVICES
 March 29, 2017

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: MSFM-16006030
 PROJECT NAME: Rohde Regional Service Center, Parking Garage #62 North/South, Fire Alarm and Security Camera System Replacement and Fire Pump Bypass Line
 LOCATION: Miami, Florida

ESTIMATED CONSTRUCTION BUDGET: Current funding is approximately \$1,100,000.00, Estimated Project Budget \$2,300,000.00, with additional funding contingent upon future appropriation by the Legislature.

For details please visit the Department’s website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on “Search Advertisements – Division of Real Estate Development and Management” Look for “Opportunities for Design and Construction Firms” and click on link.

The award will be made in accordance with Section 255.29, Florida Statutes, and the procedures and criteria of the Departments Division of Real Estate Development and Management.

TAMPA INTERNATIONAL AIRPORT

HILLSBOROUGH COUNTY AVIATION AUTHORITY
 (AUTHORITY)

RFI No. 17-411-801, for Peter O. Knight Airport Hangar
 Development

Sealed RFIs for Hangar Development at Peter O. Knight Airport will be received from firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administration Building, 2nd Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampairport.com > Airport Business > Procurement Department > Current Opportunities on March 29, 2017.

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules
 Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Wednesday March 22, 2017 and 3:00 p.m., Tuesday, March 28, 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
19-11.001	3/23/2017	4/12/2017
19-11.003	3/23/2017	4/12/2017
19-11.004	3/23/2017	4/12/2017
19-11.005	3/23/2017	4/12/2017
19-11.006	3/23/2017	4/12/2017
19-11.007	3/23/2017	4/12/2017
19-11.008	3/23/2017	4/12/2017
19-11.009	3/23/2017	4/12/2017
19-11.010	3/23/2017	4/12/2017
19-11.011	3/23/2017	4/12/2017

19-11.012	3/23/2017	4/12/2017
19-11.013	3/23/2017	4/12/2017
59G-6.090	3/23/2017	4/12/2017
60S-11.004	3/28/2017	4/17/2017
61DER17-1	3/24/2017	3/24/2017
61K1-3.016	3/28/2017	4/17/2017
61G1-13.001	3/22/2017	4/11/2017
61G1-14.001	3/22/2017	4/12/2017
62-660.400	3/22/2017	3/22/2017
64B5-7.003	3/22/2017	4/13/2017
64B5-9.011	3/22/2017	4/14/2017
64B7-29.002	3/22/2017	4/15/2017
64B16-32.007	3/23/2017	4/12/2017
64B16-32.009	3/23/2017	4/12/2017
65A-1.602	3/22/2017	4/12/2017
69B-228.010	3/23/2017	4/12/2017
69B-228.020	3/23/2017	4/12/2017
69B-228.030	3/23/2017	4/12/2017
69B-228.040	3/23/2017	4/12/2017
69B-228.050	3/23/2017	4/12/2017
69B-228.060	3/23/2017	4/12/2017
69B-228.080	3/23/2017	4/12/2017
69B-228.090	3/23/2017	4/12/2017
69B-228.110	3/23/2017	4/12/2017
69B-228.120	3/23/2017	4/12/2017
69B-228.130	3/23/2017	4/12/2017

69B-228.150	3/23/2017	4/12/2017
69B-228.160	3/23/2017	4/12/2017
69B-228.180	3/23/2017	4/12/2017
69B-228.190	3/23/2017	4/12/2017
69B-228.210	3/23/2017	4/12/2017
69B-228.220	3/23/2017	4/12/2017
69B-228.230	3/23/2017	4/12/2017
69B-228.240	3/23/2017	4/12/2017
69B-228.250	3/23/2017	4/12/2017
69B-228.260	3/23/2017	4/12/2017
69B-228.270	3/23/2017	4/12/2017
69B-228.280	3/23/2017	4/12/2017i
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	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

EXEMPTION

The Agency for Health Care Administration approved the following exemption on March 27, 2017 pursuant to Section 408.036(3), Florida Statutes:

ID # E170007 District: 8 (Sarasota County)
Facility/Project: Sarasota Doctors Hospital, Inc.
Applicant: Doctors Hospital of Sarasota
Project Description: Add 10 adult psychiatric beds through the conversion of 10 acute care beds
Proposed Project Cost: \$2,500,000

DEPARTMENT OF ENVIRONMENTAL PROTECTION
RULE NOS.:RULE TITLES:

- 62-716.300 General Grant Application Requirements
- 62-716.310 Disbursement of Funds
- 62-716.450 Solid Waste Annual Reports
- 62-716.460 Annual Recycling Reports
- 62-716.470 Voluntary Certification Program for Materials Recovery Facilities
- 62-716.480 Methods and Criteria for Calculating County Recycling Rates
- 62-716.500 Specific Small County Grant Application Requirements

NOTICE OF EXTENSION UNDER SECTION 120.74(6),
FLORIDA STATUTES

In accordance with Section 120.74(5), F.S., the Department extends the April 1 deadline to publish Notice of Proposed Rule for Chapter 62-716, Solid Waste Grants Annual Reports, and Recycling. The Department is drafting rule language to incorporate the necessary revisions to the rule. Revisions are anticipated to be limited to clarifying rule language, deleting redundant language, and updating the rule to conform to changes in statute.

DEPARTMENT OF HEALTH

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of Edgar Fajardo, L.M.T., License # MA 43850. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was

fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the certification of Victoria M. Altman, C.N.A., Certificate # CNA 310249. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of Kimberly Ann Davis Palazzolo, R.N., License # RN 1216932. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of Rene Lynn Freshwater Shireman, R.N., License # RN 9283630. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of Jennifer Elaine Zahoranski, L.P.N., License # PN 5191409. This Emergency Suspension Order was predicated upon the

State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of Lorelei Hokulani McAnany, L.P.N., License # PN 5197933. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 28, 2017, the State Surgeon General issued an Emergency Restriction Order with regard to the license of Marius Talos Prodan, R.N., License # RN 9255440. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF CHILDREN AND FAMILIES

RULE NOS.:RULE TITLES:

- 65C-20.009 Staffing Requirements
- 65C-20.013 Large Family Child Care Homes (LFCCH)
- 65C-22.006 Record Keeping
- 65E-4.014 Standards for Client Records, Treatment and Quality Assurance
- 65E-5.1303 Discharge from Receiving and Treatment Facilities
- 65E-5.170 Right to Express and Informed Consent
- 65E-5.2801 Minimum Standards for Involuntary Examination
- 65E-5.285 Involuntary Outpatient Placement
- 65E-5.290 Involuntary Inpatient Placement

Notice of Extension of Regulatory Plan Deadlines

The Department of Children and Families (Department) hereby provides notice of extension of the deadline set forth in subsection 120.74(5), Fla. Stat., requiring publication of a

Notice of Proposed Rule by April 1 for certain rules listed on the Department’s 2016/2017 Regulatory Plan. More specifically, the deadline for publication of a Notice of Proposed Rule is extended for the following rulemaking efforts: Rules 65C-20.009, 65C-20.013, 65C-22.006, 65E-4.014, 65E-5.1303, 65E-5.170, 65E-5.2801, 65E-5.285 and 65E-5.290, F.A.C.

a) Concise statement identifying issues causing the delay in rulemaking:

Chapters 2016-98 and 2016-238, Laws of Florida, affected the description of background screening requirements in Rules 65C-20.009, 65C-20.013, 65C-22.006 and 65C-22.008. Those rules are part of a comprehensive rewrite of all of the Department’s child care rules, which are found in Rules 65C-20.008 through 65C-20.014 and Rules 65C-22.001 through 65C-22.010. Those rules affect three main categories of child care providers: 1) family child care homes and large family child care homes; 2) child care facilities; and 3) school aged child care. It was necessary to divide up the comprehensive rulemaking affecting these three categories in order to properly address each category and avoid confusion. Rule development commenced first for school-age child care, which is reflected in Rule 65C-22.008. Notice of Rule Development to amend that rule was published in February 2016 (Vol. 42, No. 22). The Notice of Proposed Rule was published in November 2016 (Vol. 42, No. 225), and included language to implement Chapters 2016-98 and 2016-238, Laws of Florida. Separate Notices of Rule Development to amend Rules 65C-20.008 through 65C-20.014 and Rules 65C-22.001 through 65C-22.006, 65C-22.009, and 65C-22.010 were published in January 2017. After extensive workshops, separate Notices of Proposed Rule for those sets of rules should be published in April 2017.

Chapter 2016-241, Laws of Florida, amended provisions of chapters 394 and 397, Florida Statutes, affecting numerous provisions of rule chapters 65D-30, 65E-4, 65E-5, 65E-9, 65E-12, and 65E-16, but rulemaking to implement the law was only required or otherwise necessary for rules 65E-4.014, 65E-5.1303, 65E-5.170, 65E-5.2801, 65E-5.285 and 65E-5.290, F.A.C. The Department anticipates that legislation will likely be enacted during the 2017 session that also necessitates rulemaking as a result of amendments to Chapters 394 and 397, Florida Statutes. In order to best serve the public more efficiently and economically, a delay in rulemaking is warranted. After these rules are revised to meet legislative intent, the Department will utilize the extended time to seek more input through public workshops and hearings.

b) Applicable notice as published in the Florida Administrative Register:

Notice of Rule Development for Rule 65C-22.008 was published in the FAR on February 3, 2016 (Vol. 42, No. 22).

Notice of Rule Development for Rules 65C-22.001 through 65C-22.006, 65C-22.009, and 65C-22.010 was published in FAR on January 12, 2017 (Vol. 43, No. 8). Notice of Rule Development for Rules 65C-20.008 through 65C-20.014 was published in FAR on January 12, 2017 (Vol. 43, No. 8). Notices of Rule Development for Rules 65E-4.014, 65E-4.016, 65E-5.1303, 65E-5.170, 65E-5.2801, 65E-5.285, 65E-5.290, 65E-9.003 and 65E-9.005, F.A.C., were published in FAR on November 1, 2016, (Vol. 42, No. 213).

Expiration

Pursuant to subsection 120.74(5), Fla. Stat., this extension expires on October 1, 2017.

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.
