

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-8.041 Minimum Flows

PURPOSE AND EFFECT: The amendments establish minimum flows pursuant to Section 373.042, F.S., for the Rainbow River System. This water body is listed on the District's minimum flow and levels priority list for establishment of minimum flows. The minimum flows will be used in the District's permitting and resource management and development programs.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum flows for the Rainbow River System located within Marion County, Florida.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 FS.

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: SWFWMD Human Resources Director, (352)796-7211, ext. 4703; 1-(800)423-1476 (FL only), ext. 4703, or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Melissa Gulvin, Government Affairs Program Manager, 2379 Broad Street, Brooksville, FL 34604, melissa.gulvin@watermatters.org, (352)796-7211 or 1(800)423-1476 (FL Only) ext. 4419. A2017012-3

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

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

RULE NOS.: RULE TITLES:

5I-5.001	Purpose
5I-5.002	Definitions
5I-5.003	Use of Plant A Tree Trust Fund Monies
5I-5.004	Grant Application Process
5I-5.005	Reviewing and Processing of Grants
5I-5.006	Maintenance of Grant Award Projects
5I-5.007	Prioritization of Grant Applications
5I-5.008	Award of Grants
5I-5.009	Execution of Agreements and Documents
5I-5.010	Review of Projects in Progress and Upon Completion

PURPOSE AND EFFECT: The purpose and effect is to provide guidance to the public and to the Florida Forest Service staff regarding tree planting and tree enhancement programs. This rule was created for the Plant a Tree Trust Fund in 1993 and last updated in 1995. Many of the provisions are obsolete and need to be updated to increase efficiency.

SUMMARY: To provide guidance to the public and to the Florida Forest Service staff regarding tree planting and tree enhancement programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's 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. As part of this analysis, the Department relied upon the fact that participation in the program is voluntary and there are no fees associated with Rule Chapter 5I-5, F.A.C., or with the proposed changes. Additionally, no interested party submitted additional information regarding the economic impact.

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: 570.07(23), 589.277(3), F.S.
LAW IMPLEMENTED: 589.077, 589.30, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steve Bohl, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850) 681-5871

THE FULL TEXT OF THE PROPOSED RULE IS:

TREE ENHANCEMENT PROGRAMS PLANT A TREE TRUST FUND

5I-5.001 Purpose.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Repealed,_____.

5I-5.002 Purpose and Definitions.

The purpose of this chapter is to administer the Florida Forest Service Tree Enhancement Programs. The following words have the meaning indicated:

For the purpose of these rules:

(1) “Applicant” means a Local Government, Not for Profit Nonprofit Organization, or Private Landowner applying making application to the Plant A Tree Trust Fund for cost-share assistance.

(2) “Board” or “Board of Trustees” means the six member committee whose role is to provide guidance to the Department of Agriculture and Consumer Services on Plant A Tree Trust fund activities. The Board of Trustees shall consist of five members appointed by the Commissioner of Agriculture; one arborist or private consulting forester, one private landowner, one representative of a nonprofit organization, one representative of forest industry and one representative of an incorporated town, city or village. The Director of the Division of Forestry shall serve as the Chairman and sixth member of the Board. Board members shall be appointed for three year staggered terms, and may be reappointed for an unlimited number of terms. Appointed board members shall serve on a voluntary basis and shall receive no monetary compensation for their services.

(3) “Chairman” means the Director of the Florida Division of Forestry serving as the head of the Board of Trustees.

(2)(4) “District/Center” means the administrative field unit of the Florida Forest Service Division of Forestry.

(3)(5) “District/Center Manager” means the chief administrative employee of the District as defined in subsection (2)(4) above.

(4)(6) “Fiscal Year” means the program year for the Plant A Tree Trust Fund, which is the period of time extending from July 1 to June 30.

(7) “Grant Application” means the official Plant A Tree Trust Fund Application and supporting documentation.

(8) “Grant Review Team” means the five person advisory committee whose role is to review grant applications for rural and urban tree planting and recommend grant awards and funding levels to the Board of Trustees. The Grant Review Team will be appointed by the Chairman at the beginning of each fiscal year for terms of one year and will consist of individuals with expertise in rural and urban forestry. Appointed Grant Review Team members shall receive no monetary compensation from the Plant A Tree Trust Fund for their services, however, the Division of Forestry may reimburse those individuals for their travel expenses at the official state rate.

(5) “Tree Enhancement Programs” means the tree planting programs authorized by Section 589.277, Florida Statutes, and includes programs related to maintaining native plant species including those providing for prescribed burning, treating non-native invasive plant species, site preparation, timber stand improvement, and other related practices.

(6)(9) “Local Government” means any county or incorporated municipality within this state a county government or a municipality (an incorporated city, town, or village).

(7)(10) “Not for Profit Nonprofit Organization” means an organization which has an active record filed an application with the Florida Secretary of State for not for profit corporation nonprofit corporate status pursuant to Chapter 617, F.S., and has been issued a federal employer identification number by the Internal Revenue Service.

(11) “Plant A Tree Trust Fund” means the trust fund established by Section 589.277, F.S., and administered by the Florida Department of Agriculture and Consumer Services, Division of Forestry.

(8)(12) “Private Landowner” means a private individuals, groups, Indian tribes or and other native groups, associations, corporations, or other non-governmental legal entity owning or controlling a contiguous parcel of at least one acre ten acres of land and no more than twenty-five one thousand acres of land in any one county of the State, unless the acreage threshold within this range is otherwise specified by the Florida Forest Service under which financial resources are allocated.

(13) “Trust Administrator” means the Division of Forestry staff member assigned by the Chairman to coordinate administrative support for The Plant A Tree Trust Fund and the Board.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 570.0705, 589.277, 589.30 FS. History—New 3-8-93, Amended 4-17-95,_____.

5I-5.003 Allocation of Funds Use of Plant A Tree Trust Fund Monies.

(1) A notice of funding availability shall be published on the Florida Forest Service website.

~~(2)(1) The Florida Forest Service Board shall determine the amount of funds to be distributed through awards grants, the financial range of grant awards, and the distribution of funds into the urban, and rural, or tree enhancement program grant categories, based upon the availability of federal, state, or donated funds.~~

~~(3)(2) During any fiscal year, the Florida Forest Service Board may designate the use of up to ten percent (10%) of the program funds for administration and management. July 1st balance in the Plant A Tree Trust Fund for fund raising and advertisement.~~

~~(3) Except as provided for in subsection (2) above, all Plant A Tree Trust Fund Monies are to be expended as 50:50 matching grant awards for tree planting, including those reasonable costs for planting materials, irrigation equipment and site preparation established by the Division of Forestry.~~

(4) Contributors of donated funds to the Florida Forest Service trust fund Plant A Tree Trust Fund may designate the county or counties where their donated funds will be used and for which whether they will be used for urban, or rural tree planting tree enhancement program.

(5) All trees and/or seedlings planted as a part of the Plant A Tree Trust Fund program must be of a species native to the State of Florida, and must meet the Florida Division of Plant Industry's requirements a Florida Grade Number 1 or better specimen.

(6) For questions about Tree Enhancement Programs contact: Forest Management Bureau, Florida Forest Service, 3125 Conner Boulevard, M.S. C25, Tallahassee, Florida 32399-1650, phone (850)681-5880.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 4-3-94, 4-17-95, _____.

5I-5.004 Grant Application Process.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 4-17-95, Repealed

5I-5.005 Reviewing and Processing of Grants.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 4-17-95, Repealed

5I-5.006 Maintenance Responsibility of Grant Award Projects.

~~(1) All grant applications must include provisions for the care and maintenance of the trees or seedlings planted under the project for a minimum of two years.~~

~~(2) After funding is provided by the Florida Forest Service for a Tree Enhancement Projects, the long-term cCosts for the care and maintenance of trees or seedlings planted as a part of a Plant A Tree Trust Fund project are the responsibility of the applicant.~~

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 4-17-95, _____.

5I-5.007 Prioritization of Grant Applications.

(1) Potential projects submitted for Tree Enhancement Programs, urban tree planting shall be evaluated based upon the following criteria:

(a) through (c) No change.

(d) Number of acres to be planted, nNumber, and size of trees to be planted.

(e) The acres to be treated under any Tree Enhancement Programs.

~~(f)(e) Evidence of local government and community support for urban plantings.~~

~~(f) Use of a landscape plan.~~

~~(g) Use of imaginative design concepts.~~

~~(h) Provision for minimal impacts on traffic safety during maintenance operations.~~

~~(i) Contribution to local or regional environmental or beautification plans.~~

~~(g)(j) Cost effectiveness.~~

~~(h)(k) Demonstration of an amount of applicant match supplemental as a source of funding.~~

~~(i)(l) Educational benefit of the project. Rural Tree Enhancement Programs must follow Best Management Practices for Silviculture (2008), adopted and incorporated by reference in Rule 5I-6.002, F.A.C.~~

~~(m) Care and maintenance plan.~~

~~(2) Applications for rural tree planting shall be evaluated based upon the following criteria:~~

~~(a) Contribution to an existing forest management plan.~~

~~(b) Number and size of trees.~~

~~(c) Cost effectiveness.~~

~~(d) Provisions for wildlife habitat improvements.~~

~~(e) Environmental enhancement.~~

~~(f) Care and maintenance plan.~~

~~(g) Number of acres to be planted.~~

~~(2)(3) The Forest Management Bureau Chief Grant Review Team will provide the Director of the Florida Forest Service Board with a recommended prioritized list of grant projects, and including partial funding of projects.~~

~~(4) The Grant Review Team may recommend partial funding of grant applications.~~

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 4-17-95, _____.

5I-5.008 Award of Grants.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 8-19-93, 4-17-95, Repealed.

5I-5.009 Execution of Agreements and Documents.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277 FS. History—New 3-8-93, Amended 4-17-95, Repealed.

5I-5.010 Review of Projects ~~in Progress and Upon Completion.~~

The District/Center Managers, or their representative, shall verify that the applicants adhere to all tree planting or tree enhancement program activities terms and conditions of the agreements executed under Rule 5I-5.009, F.A.C. are complied with, and:

(1) Prior to final project acceptance, a ~~sixty-day~~ grow-in period is required on all planted trees and seedlings.

~~(2) Upon notification of project completion and submittal of all receipts, invoices and required documentation, the Trust Administrator will arrange for a final inspection of the planting site and payment of the grant award.~~

~~(2)(3)~~ The District/Center Managers, or their ~~his~~ representative, shall review and approve tree enhancement projects prior to final acceptance, and shall notify the Forest Management Bureau of their final acceptance.

~~(4) The Board reserves the right to inspect and/or review the projects prior to final acceptance.~~

(3) The District/Center Managers, or their representative, shall ensure that Best Management Practices for Silviculture (2008), adopted and incorporated by reference in Rule 5I-6.002, F.A.C., were followed for rural Tree Enhancement Programs.

Rulemaking Authority 570.07(23), 589.277(3) FS. Law Implemented 589.277, 589.30 FS. History—New 3-8-93, Amended 4-17-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James R. Karels, Director, Florida Forest Service

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 3/14/2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 3/21/2017

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NOS.: RULE TITLES:

64B4-4.016 Registered Intern Biennial Renewal Fee

64B4-4.018 Registered Intern Delinquency Fee

PURPOSE AND EFFECT: The Board proposes the repeal of the rules due to the rules no longer being necessary.

SUMMARY: Due that the rules are no longer necessary, the rules will be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.36(7), 491.004, 491.004(5), 491.007(3) FS.

LAW IMPLEMENTED: 456.36(7), 491.007(3) 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-4.016 Registered Intern Biennial Renewal Fee.
Rulemaking Authority 491.004(5), 491.007(3) FS. Law Implemented 491.007(3) FS. History—New 12-21-97, Amended 10-9-00, Repealed.

64B4-4.018 Registered Intern Delinquency Fee.
Rulemaking Specific Authority 456.36(7), 491.004 FS. Law Implemented 456.36(7), 491.007(3) FS. History–New 10-18-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2017

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-5.001 RULE TITLE: Disciplinary Guidelines
 PURPOSE AND EFFECT: The Board proposes the rule amendment for needed updates and to implement the legislative changes made by 2016-222, Laws of Florida.
 SUMMARY: Legislative changes made by 2016-222, Laws of Florida will be implemented in the rule.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
 The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
 RULEMAKING AUTHORITY: 456.079, 491.004(5) FS.
 LAW IMPLEMENTED: 456.079, 491.009 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-5.001 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, registered intern, provisional licensee, or certificate holder whom it regulates under Chapter 491, F.S., has committed any of the acts set forth in Section 456.072(1) or 491.009(12) (2), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.

(a) Attempting to obtain, obtaining, or renewing a license under Chapter 491, F.S., by bribery or fraudulent misrepresentation or through an error of the Board or the Department.

(Sections 456.072(1)(h) & 491.009(1)(a), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	denial or \$1,000 fine and permanent revocation
SECOND OFFENSE:	\$1,000 fine and probation	permanent denial and \$1,000 fine and permanent revocation
THIRD OFFENSE:	<u>\$2,500 fine, 1 year suspension then probation</u>	<u>\$2,500 fine and permanent revocation</u>
FRAUD First Offense	\$10,000 fine	\$10,000 fine and/or reprimand; probation; suspension then probation; permanent revocation
FRAUD Second Offense	\$10,000 fine	\$10,000 fine and/or probation; suspension then probation; permanent revocation
FRAUD Third Offense	\$10,000 fine	\$10,000 fine and/or 1 year suspension then probation; permanent

		revocation
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(b) Having a license or certificate to practice a comparable profession or any regulated profession revoked, suspended, or otherwise acted against, including the denial of certification or licensure by another state, territory, or country.

(Sections 456.072(1)(f) & 491.009(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	denial or \$1,000 fine and permanent revocation
SECOND OFFENSE:	\$1,000 fine and probation	permanent denial or \$1,000 fine and permanent revocation
THIRD OFFENSE:	\$1,000 fine, 1 year suspension then followed by probation	\$1,000 fine and permanent revocation

(c) Being convicted or found guilty, regardless of adjudication, or having entered a plea of nolo contendere to, a crime in any jurisdiction which directly relates to the practice of the licensee's profession or the licensee's ability to practice that profession.

(Sections 456.072(1)(c) & 491.009(1)(c), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and probation	denial or \$1,000 fine and permanent revocation
SECOND OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation;	permanent denial or \$1,000 fine and permanent revocation
THIRD OFFENSE:	<u>\$2,500 fine, 2 year suspension then probation</u>	<u>\$2,500 fine and permanent revocation</u>

(d) False, deceptive, or misleading advertising or obtaining a fee or other thing of value on the representation that beneficial results from any treatment will be guaranteed.

(Section 491.009(1)(d), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine	\$1,000 fine and reprimand
SECOND OFFENSE:	\$500 fine	\$1,000 fine and probation
THIRD OFFENSE:	\$1,000 fine	\$1,000 fine and 1 year suspension then followed by

		probation
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(e) Advertising, practicing, or attempting to practice under a name other than one's own.

(Section 491.009(1)(e), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine	\$1,000 fine and reprimand
SECOND OFFENSE:	\$500 fine	\$1,000 fine and probation
THIRD OFFENSE:	\$1,000 fine	\$1,000 fine and 1 year suspension then followed by probation

(f) Maintaining a professional association with any person whom the applicant or licensee knows, or has reason to believe, is in violation of Chapter 491, F.S., or of a rule of the Department or this Board.

(Section 491.009(1)(f), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine	\$1,000 fine and reprimand
SECOND OFFENSE:	\$500 fine	\$1,000 fine and probation
THIRD OFFENSE:	\$1,000 fine	\$1,000 fine and 1 year suspension then followed by probation

(g) Knowingly aiding, assisting, procuring, or advising a non-licensed person to hold oneself out as licensed under Chapter 491, F.S.

(Sections 456.072(1)(j) & 491.009(1)(g), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and/or probation, 1 year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and permanent revocation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	\$1,000 fine and permanent revocation

(h) Failing to perform any statutory or legal obligation placed upon a person licensed under Chapter 491, F.S.

(Sections 456.072(1)(k) & 491.009(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST	reprimand	\$1,000 fine and 1

OFFENSE:		year probation
SECOND OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and 6 month suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine and probation	\$1,000 fine and permanent revocation

2. ~~In the case of noncompliance with a continuing education requirement, the following guidelines apply:~~
(Rule 64B-6.003, F.A.C.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension followed by probation

(i) No change.

(j) Paying or receiving a kickback, rebate, bonus, or other remuneration for receiving a patient or client or referring a patient or client to another provider of mental health care services or to a provider of health care services or goods; referring a patient or client to oneself for services on a fee-paid basis when those services are already being paid for by some other public or private entity; or entering into a reciprocal referral agreement.
(Section 491.009(1)(j), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and permanent revocation

(k) Committing any act upon a patient or client, which would constitute sexual battery or which would constitute sexual misconduct.
(Sections 456.072(1)(v) & 491.009(1)(k), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and revocation
SECOND OFFENSE:	\$1,000 fine and 2 years suspension	denial or \$1,000 fine and

	then followed by probation	permanent revocation
THIRD OFFENSE:	\$5,000 fine, 2 year suspension then probation	\$10,000 fine and/or permanent revocation

(l) Making misleading, deceptive, untrue, or fraudulent misrepresentations in the practice of any profession licensed under Chapter 491, F.S., or employing a trick or scheme in or related to the practice of a profession.
(Sections 456.072(1)(a), (m) & 491.009(1)(l), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine	\$1,000 fine and reprimand
SECOND OFFENSE:	\$500 fine	\$1,000 fine and probation
THIRD OFFENSE:	\$1,000 fine	\$1,000 fine and 1 year suspension followed by probation
FRAUD First Offense	\$10,000 fine	\$10,000 fine and/or reprimand; probation; suspension then probation; permanent revocation
FRAUD Second Offense	\$10,000 fine	\$10,000 fine and/or probation; suspension then probation; permanent revocation
FRAUD Third Offense	\$10,000 fine	\$10,000 fine and/or 1 year suspension then probation; permanent revocation

(m) Soliciting patients or clients personally, or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct.
(Section 491.009(1)(m), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and/or 6 month suspension then followed by probation, permanent revocation

SECOND OFFENSE:	\$1,000 and reprimand	\$1,000 fine and/or 1 year suspension then followed by probation, permanent revocation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	\$1,000 fine and/or permanent revocation
FRAUD First Offense	\$10,000 fine and reprimand	\$10,000 fine and/or 6 month suspension then probation; permanent revocation
FRAUD Second Offense	\$10,000 fine and reprimand	\$10,000 fine and/or 1 year suspension then probation; permanent revocation
FRAUD Third Offense	\$10,000 fine and 1 year suspension then followed by probation	\$10,000 fine and/or permanent revocation

(n) Failing to make available to a patient or client, upon written request, copies of tests, reports, or documents in the possession or under the control of the licensee which have been prepared for and paid for by the patient or client.
(Section 491.009(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension then followed by probation
THIRD OFFENSE:	<u>\$2,500 fine, 1 year suspension then probation</u>	<u>\$2,500 fine and/or permanent revocation</u>

(o) Failing to respond within thirty (30) days to a written communication from the Department or the Board concerning any investigation by the Department or the Board, or failing to make available any relevant records with respect to the investigation about the licensee's conduct or background.
(Section 491.009(1)(o), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation

SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and permanent revocation

(p) Being unable to practice the profession for which one is licensed under Chapter 491, F.S., with reasonable skill and competence as a result of any mental or physical condition or by reason of illness; drunkenness; or excessive use of drugs, narcotics, chemicals, or any other substance.
(Sections 456.072(1)(z) & 491.009(1)(p), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and probation	\$1,000 fine and suspension until the licensee is able to appear before the Board and demonstrate that he or she is able to practice with reasonable skill and competence, then followed by probation
SECOND OFFENSE:	<u>suspension until the licensee is able to appear before the Board and demonstrate his or her ability to practice with reasonable skill and competence, then probation</u>	<u>\$1,000 fine and permanent revocation</u>
THIRD OFFENSE:	<u>suspension until the licensee is able to appear before the Board and demonstrate his or her ability to practice with reasonable skill and competence, then probation</u>	<u>\$2,500 fine and/or permanent revocation</u>

(q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.
(Sections 456.072(1)(dd) & 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine and reprimand	\$1,000 fine and/or probation; 1 year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000 fine and 1 year probation	\$5,000 fine and 2 years suspension then followed by probation; permanent revocation
THIRD OFFENSE:	\$1,000 fine and 1 year Suspension then followed by probation	denial or \$5,000 fine and/or permanent revocation

(r) Performing any treatment or prescribing any therapy which, by the prevailing standards of the mental health professions in the community would constitute experimentation on human subjects, without first obtaining full, informed, and written consent.

(Section 491.009(1)(q), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and permanent revocation

(s) Failing to meet the MINIMUM standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

(Section 491.009(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine and reprimand	\$5,000 fine and/or probation, 1 year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and/or 1 year suspension

		followed by probation, permanent revocation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and permanent revocation

(t) Delegating professional responsibilities to a person whom the licensee knows or has reason to know is not qualified by training or experience to perform such responsibilities.

(Sections 456.072(1)(p) & 491.009(1)(s), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and permanent revocation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	\$1,000 fine and permanent revocation

(u) Violating a rule relating to the regulation of the profession or a lawful order of the Department or the Board previously entered in a disciplinary hearing.

(Section 491.009(1)(t), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine and reprimand	\$1,000 fine and/or 6 month suspension then followed by probation, permanent revocation
SECOND OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and permanent revocation
THIRD OFFENSE:	\$2,000 fine and 2 year suspension then probation	\$2,000 fine and/or permanent revocation

(v) Failure of a licensee to maintain in confidence any communication made by a patient or client in the context of services, except by written permission or in the face of clear and immediate probability of bodily harm to the patient or client or to others.

(Section 491.009(1)(u), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation

SECOND OFFENSE:	\$1,000 fine and probation	Denial or \$1,000 fine and permanent revocation
<u>THIRD OFFENSE:</u>	<u>\$1,000 fine and 1 year suspension then probation</u>	<u>\$1,000 fine and/or permanent revocation</u>

(w) Making public statements which are derived from test data, client contacts, or behavioral research and which identify or damage research subjects or clients.
(Section 491.009(1)(v), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	denial or \$1,000 fine and permanent revocation
<u>THIRD OFFENSE:</u>	<u>\$2,000 fine 1 year suspension then probation</u>	<u>\$2,000 fine and/or permanent revocation</u>

(x) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department or the agency against another licensee.
(Section 456.072(1)(g), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension followed by probation
THIRD OFFENSE:	\$1,000 fine and 1 year s suspension <u>then followed by</u> probation	denial or \$1,000 fine and permanent revocation

(y) Except as provided in Section 465.016, F.S., failing to report to the department any person whom the licensee knows is in violation of Chapter 456, Part II, Chapter 491, F.S., or the rules of the Department or the Board.
(Section 456.072(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine	\$1,000 fine and reprimand
SECOND OFFENSE:	\$500 fine	\$1,000 fine and probation
THIRD OFFENSE:	\$1,000 fine	\$1,000 fine and 1 year s suspension <u>then followed by</u>

		probation
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(z) Exercising influence on the client for the purpose of financial gain of the licensee or a third party.
(Section 456.072(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and probation	denial or \$1,000 fine and revocation
SECOND OFFENSE:	\$1,000 fine and 1 year suspension then to be followed by probation	permanent denial or \$1,000 fine and permanent revocation
<u>THIRD OFFENSE:</u>	<u>\$2,000 fine, 2 years suspension then probation</u>	<u>\$2,000 fine and/or permanent revocation</u>

(aa) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.
(Section 456.072(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and 6 months suspension then followed by probation
SECOND OFFENSE:	\$1,000 fine and 1 year suspension then followed by probation	denial or \$1,000 fine and permanent revocation
<u>THIRD OFFENSE:</u>	<u>\$2,000 fine, 2 years suspension then probation</u>	<u>\$2,000 fine and/or permanent revocation</u>

(bb) Intentionally violating any rule adopted by the Board or the department, as appropriate.
(Section 456.072(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and/or 6 months suspension then followed by probation, permanent revocation
SECOND OFFENSE:	\$1,000 fine and 1 year s suspension <u>then followed by</u> probation	denial or \$1,000 fine and permanent revocation
<u>THIRD OFFENSE:</u>	<u>\$2,000 fine, 2 years suspension</u>	<u>\$2,000 fine and/or permanent</u>

	<u>then probation</u>	<u>revocation</u>
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~~(cc)~~ Failing to comply with the educational course requirements for domestic violence.
(Section 456.072(1)(s), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	reprimand	\$1,000 fine and 1 year probation
SECOND OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and 6 month suspension followed by probation
THIRD OFFENSE:	\$1,000 fine and probation	\$1,000 fine and permanent revocation

~~(cc)~~~~(dd)~~ Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.
(Section 456.072(1)(o), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and probation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and revocation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension <u>then followed by</u> probation	\$1,000 fine and permanent revocation

~~(dd)~~~~(ee)~~ Violating any provision of this part, the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.
(Sections 456.072(1)(q) & 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine and reprimand	\$1,000 fine and/or probation; 1 year suspension then probation; permanent revocation
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and/or 1 year suspension <u>then followed by</u> probation, or permanent revocation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension	denial or \$1,000 fine and

	<u>then followed by probation</u>	permanent revocation
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~~(ee)~~~~(ff)~~ Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.
(Section 456.072(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	<u>denial</u> , \$500 fine and reprimand	\$1,000 fine and/or reprimand; 1 year suspension then probation; permanent revocation
SECOND OFFENSE:	<u>denial</u> , \$1,000 fine and probation	\$1,000 fine and/or 3 month suspension <u>then followed by</u> probation, permanent revocation
THIRD OFFENSE:	<u>denial</u> , \$1,000 fine and 1 year <u>suspension then followed by</u> probation	denial or \$1,000 fine and permanent revocation
FRAUD First Offense	<u>denial</u> , \$10,000 fine and reprimand	\$10,000 fine and/or reprimand; 1 year suspension then probation; permanent revocation
FRAUD Second Offense	<u>denial</u> , \$10,000 fine and probation	\$10,000 fine and/or 3 month suspension then probation; permanent revocation
FRAUD Third Offense	<u>denial</u> , \$10,000 fine and 1 year <u>suspension then followed by</u> probation	\$10,000 fine and/or permanent revocation

~~(ff)~~~~(gg)~~ Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents.
(Section 456.072(1)(y), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and 6 month suspension then followed by probation
SECOND OFFENSE:	\$1,000 and reprimand	\$1,000 fine and 1 year suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine 1 year suspension then followed by probation	\$1,000 fine and permanent revocation

(~~gg~~)(~~hh~~) Failing to report to the Board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

(Section 456.072(1)(x), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine	\$1,000 fine and reprimand
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 6 month suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine and 1 year s suspension then followed by probation	denial or \$1,000 fine and permanent revocation

(~~hh~~)(~~ii~~) Testing positive for any drug on any confirmed preemployment or employer-ordered drug screening.

(Section 456.072(1)(aa), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	probation and \$500 fine and probation	\$750 fine and <u>substance abuse evaluation,</u> suspension then to be followed by probation and \$750 fine
SECOND OFFENSE:	\$750 fine suspension then to be followed by probation	\$1,000 fine and/or permanent revocation and \$1,000 fine

(~~ii~~)(~~jj~~) Failing to inform the department, within 30 days, of any change of address of either the place of practice or current mailing address of any applicant or licensee.

(Section 456.035, F.S.)

	MINIMUM	MAXIMUM
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FIRST OFFENSE:	\$250 fine	\$500 fine and reprimand
SECOND OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and 6 month suspension then followed by probation
THIRD OFFENSE:	\$1,000 fine and 1 year suspension then probation	\$1,000 fine and permanent revocation

(~~jj~~)(~~kk~~) Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, F.S., for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program.

(Section 456.072(1)(hh), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	Suspension until compliant with contract	\$1,000 fine, permanent revocation
SECOND OFFENSE:	Suspension until compliant with contract	\$10,000 fine, permanent revocation
THIRD OFFENSE:	<u>Permanent Revocation</u>	

(~~kk~~)(~~ll~~) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.

(Section 456.072(1)(ii), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$10,000 fine, permanent revocation	\$10,000 fine, permanent revocation
SECOND OFFENSE:	\$10,000 fine, permanent revocation	\$10,000 fine, permanent revocation
THIRD OFFENSE:	<u>Permanent Revocation</u>	

(~~ll~~)(~~mm~~) Failing to remit the sum owed to the state for any overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement.

(Section 456.072(1)(jj), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine, Letter of concern	\$5,000 fine, suspension
SECOND OFFENSE:	\$10,000 fine,	\$10,000 fine,

OFFENSE:	reprimand	permanent revocation
<u>THIRD OFFENSE:</u>	<u>Permanent Revocation</u>	

~~(mm)(nn)~~ Being terminated from the state Medicaid program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored.
(Section 456.072(1)(kk), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine, Letter of concern	\$5,000 fine, suspension
SECOND OFFENSE:	\$10,000 fine, reprimand	\$10,000 fine, permanent revocation
<u>THIRD OFFENSE:</u>	<u>Permanent Revocation</u>	

~~(nn)(oo)~~ Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.
(Section 456.072(1)(ll), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$10,000 fine, permanent revocation	\$10,000 fine, permanent revocation
SECOND OFFENSE:	\$10,000 fine, permanent revocation	\$10,000 fine, permanent revocation
<u>THIRD OFFENSE:</u>	<u>Revocation</u>	

(oo) Violating any provision of Section 790.338, F.S., relating to medical privacy concerning firearms.
(Section 456.072(1)(nn), F.S.)

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	<u>\$250 fine, Letter of concern</u>	<u>\$500 fine and reprimand</u>
<u>SECOND OFFENSE:</u>	<u>\$500 fine and reprimand</u>	<u>\$750 fine and probation</u>
<u>THIRD OFFENSE:</u>	<u>\$750 fine, suspension then probation</u>	<u>\$1,000 fine and/or permanent revocation</u>

(pp) Willfully failing to comply with Sections 627.64194 or 641.513, F.S., with such frequency as to indicate a general business practice – regarding emergency services and insurance billing.
(Section 456.072(1)(oo), F.S.)

	MINIMUM	MAXIMUM
<u>FIRST OFFENSE:</u>	<u>\$250 fine, reprimand</u>	<u>\$500 fine, reprimand</u>
<u>SECOND OFFENSE:</u>	<u>\$500 fine and probation</u>	<u>\$500 fine, suspension then probation</u>
<u>THIRD OFFENSE:</u>	<u>\$750 fine, suspension then probation</u>	<u>\$1,000 fine and/or permanent revocation</u>

(2) through (4) No change.

Rulemaking Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History–New 3-5-89, Amended 1-3-91, 6-1-92, Formerly 21CC-5.001, Amended 1-9-94, Formerly 61F4-5.001, Amended 12-22-94, Formerly 59P-5.001, Amended 12-11-97, 10-1-00, 2-5-01, 10-15-02, 3-27-05, 1-16-06, 4-6-10, 5-22-12, .

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 12, 2016

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-2.0020
RULE TITLE: Charter School Capital Outlay.
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 40, February 28, 2017 issue of the Florida Administrative Register. Some references were inadvertently omitted from the proposed notice. The Rulemaking Authority should read as follows:
Rulemaking Authority 1001.02(1), (2)(n), 1002.33(19), (28), 1013.02(2)(a), 1013.62(5) F.S.

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: 6M-9.115
RULE TITLE: Procedures and Criteria for Approval of School Readiness Plans
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. 42, March 2, 2017 issue of the Florida Administrative Register.

6M-9.115 Procedures and Criteria for Approval of School Readiness Plans

No change.

Form OEL-SR 115 EARLY LEARNING COALITION SCHOOL READINESS PLAN GUIDE

Throughout the form, correct the phrase “An SR Program plan” to “A SR Program Plan”.

Table of Contents, page 2: Minimum Children to be Served by Care Level, page number 243.

Table of Contents, page 2: Section II, B and C were combined.

Re-lettered D through H to C through G.

Section I through Section II, pages 3-17: No change.

Section III. B. Infant and Toddler Early Learning Programs, Item 1., Page 18: Other infant and toddler quality initiatives identified and approved in the early learning coalition’s school readiness program plan.

Section III. C through D, pages 18-19: No change.

Section IV through Section VI, pages 20-22: No change.

School Readiness Plan Template, pages 23 – 30: No change.

School Readiness Plan Template, page 31: Removed blacked out spaces in table.

School Readiness Plan Template, pages 32-40: No change.

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO.: RULE TITLE:

15A-10.014 Cost Standards and Allocations

The Department of Highway Safety and Motor Vehicles hereby gives notice:

This matter came before the Department of Highway Safety and Motor Vehicles (Department) upon the Petition for Variance or Waiver from paragraph 15A-10.014(2)(d), Florida Administrative Code, filed by Petitioner, West Central Florida Driver Improvement, Inc., on January 10, 2017, and published in the Florida Administrative Register on January 24, 2017, Vol. 43, No. 15. The Department has carefully considered the Petition and finds that the Petition should be granted, as set forth below.

Paragraph 15A-10.014(2)(d), Fla. Admin. Code, provides that “Contributions to retirement cannot exceed the percentage of gross compensation contributed by the employer of members of the Regular Class of the Florida Retirement System pursuant to Section 121.071, Florida Statutes.”

The Department finds that the Petition demonstrates that the underlying purpose of the statute has or will be achieved by the Petitioner and that the application of the rule creates a substantial hardship or violates principles of fairness. Petitioner is granted a variance from the rule in order to continue contributing 3% with up to an additional 1.5% match to its employees’ 403(b) retirement plan.

ACCORDINGLY, it is hereby ORDERED that the Petition for Variance From or Waiver of paragraph 15A-10.014(2)(d) is GRANTED.

DONE AND ORDERED this 3rd day of April, 2017, in Tallahassee, Leon County, Florida.

A copy of the Order or additional information may be obtained by contacting: Division of Administrative Hearings.

DEPARTMENT OF HEALTH

School Psychology

The Department of Health hereby gives notice that on April 3, 2017, the Department of Health received correspondence from Danielle Nahas withdrawing the petition for a variance or waiver she filed. The Notice of Petition was published in Vol. 43, No. 57, the March 23, 2017 issue of the Florida Administrative Register. The petition requested a permanent waiver or variance from the examination score reporting requirement of Rule 64B21-500.011, F.A.C., that documentation of a passing score be submitted directly to the Department by the test administration agency allowing the Department to accept proof of the passing score from an alternate source.

The petition for variance or waiver has been officially withdrawn, and the matter is now deemed both concluded and closed.

A copy of the withdrawal or additional information may be obtained by contacting: Allen Hall, Executive Director, Office of School Psychology/MQA, 4052 Bald Cypress Way, Bin #C-05, Tallahassee, FL 32399, (850)245-4374 or Allen.Hall@Flhealth.gov.

DEPARTMENT OF HEALTH

School Psychology

NOTICE IS HEREBY GIVEN that on April 3, 2017, the Department of Health received a petition for from Danielle Nahas seeking a permanent variance from the examination score reporting requirement of Rule 64B21-500.011, F.A.C. that documentation of a passing score be submitted directly to the Department by the test administration agency, allowing the Department to accept proof of the passing score from the State of Texas.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Office of School Psychology/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399, (850)245-4374 or Allen.Hall@FlHealth.gov.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice to: Office of School Psychology/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Tuesday, April 18, 2017, 10:00 a.m.

PLACE: Florida Agricultural Museum, 7900 Old Kings Road North, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Board of Trustees to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick, (386)446-7630, kara.hoblick@floridaagmuseum.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: Kara Hoblick, (386)446-7630, kara.hoblick@floridaagmuseum.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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Constitution Revision Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2017, 4:00 p.m. – 7:00 p.m., Central Time

PLACE: University of West Florida (UWF), Center for Fine and Performing Arts, 82 Service Rd., Pensacola, Fla. 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: Once every twenty years, Florida's Constitution provides for the creation of a thirty-seven member revision commission for the purpose of reviewing Florida's Constitution and proposing changes for voter consideration. The Commission meets for approximately one year, traveling the State of Florida to speak with citizens, identifying issues, performing research, and possibly recommending changes to the Constitution. Any amendments proposed by the Commission would be placed on the 2018 General Election ballot.

A copy of the agenda may be obtained by contacting: Meredith Beatrice, Director of External Affairs: Meredith.Beatrice@flrc.gov, (850)717-9242.

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: Meredith Beatrice, Director of External Affairs, Meredith.Beatrice@flrc.gov, (850)717-9242. 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: Meredith Beatrice, Director of External Affairs: Meredith.Beatrice@flrc.gov, (850)717-9242.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

The Northwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2017, 11:35 a.m., Administration, Budget and Finance Committee; 11:45 a.m., Asset Management Committee; 1:00 p.m., Governing Board Meeting; 1:05 p.m., Public Hearing on Consideration of Regulatory Matters

PLACE: District Headquarters, 81 Water Management Drive, Havana, Florida 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: District business. Amendments No. 1 through 8 to the FY 2016-2017 budget. They include \$31,900 for longleaf trees, \$6,500 toward an all-terrain vehicle purchase, \$66,000 for regulatory division legal expenses, \$250,083 for hydrologic and water quality monitoring activities, \$35,000 for springs-related restoration work, \$462,017 for conservation easement

acquisition, \$13,964 for legal support services relating to the Apalachicola-Chattahoochee-Flint River litigation, and transfers across projects that total \$915,313. Amendments No. 1 through 7 are contingent upon approval by the Executive Office of the Governor. Commitment of fund balances for Fiscal Year ending September 30, 2016, as required by the Governmental Accounting Standards Board (GASB) Statement No. 54. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: Savannah White, (850)539-5999 or online at <http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Wendy Dugan, (850)539-2600. 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.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI) Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, and the Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Water Initiative. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 14, 2017, 9:30 a.m.

PLACE: TOHO Water Authority, 951 Martin Luther King Blvd., Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the CFWI Steering Committee that was previously noticed and described above has been CANCELLED.

For more information, you may contact: Mike Register, Director, Division of Water Supply Planning and Assessment, St. Johns River Water Management District, P.O. Box 1429, Palatka, FL 32178-1429, (386)329-4212, mregister@sjrwmd.com; Mark Elsner Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6156, melsner@sfwmd.gov; Jason Mickel, Water Supply Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, jason.mickel@watermatters.org or Craig Varn, Manson Bolves and Donaldson, 204 South Monroe Street, Suite 201, Tallahassee, FL 32301, (850)583-0007, CVarn@mansonbolves.com.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 13, 2017, 11:00 a.m.

PLACE: Tampa Office, 7601 US Hwy 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: District's Governing Board Finance, Outreach & Planning Committee to evaluate request for proposals for independent auditing services. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.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).

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: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0552).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 17, 2017, 12:00 Noon, Loxahatchee River Preservation Initiative Meeting

PLACE: Jupiter Emergency Operations Center, 3133 Washington Street, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: Rod Braun, rbraun@sfwmd.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 5 days before the workshop/meeting by contacting: District Clerk, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rod Braun, (561)682-2925, rbraun@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting.

DATE AND TIME: Thursday, April 13, 2017, 9:00 a.m., Governing Board Meeting

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

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meetings on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Brenda Low, (561)682-6805 or at <https://www.sfwmd.gov>, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the

Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at these meetings or hearings, 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: Brenda Low at (561)682-6805 or BLow@sfwmd.gov.

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

The Withlacoochee Regional Water Supply Authority (WRWSA) announces a public meeting to which all persons are invited.

DATE AND TIME: Cancellation of a Board meeting scheduled for April 19, 2017, 3:30 p.m.

PLACE: 3600 W Sovereign Path, Room 166, Lecanto, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRWSA regular Board Meeting scheduled for Wednesday, April 19, 2017 has been canceled. The next regularly scheduled meeting will be held on Wednesday, May 17, 2017 at 3:30 p.m. at the Lecanto Government Center, Room 166, 3600 W Sovereign Path, Lecanto, Florida.

A copy of the agenda may be obtained by contacting: LuAnne Stout, WRWSA, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, lstout@wrwsa.org or by calling (352)527-5795.

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: LuAnne Stout, WRWSA, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, lstout@wrwsa.org or by calling (352)527-5795. 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: LuAnne Stout, WRWSA, 3600 W Sovereign Path, Suite 228, Lecanto, FL 34461, lstout@wrwsa.org or by calling (352)527-5795.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

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

DATE AND TIME: April 18, 2017, 10:00 a.m.

PLACE: Department of Elder Affairs, 2295 Victoria Avenue, Ste. 153, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Fort Myers Task Force to discuss the Department's Dementia Care and Cure Initiative.

A copy of the agenda may be obtained by contacting: Korinna MacNeill, (850)414-2341, macneillk@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Korinna MacNeill, (850)414-2341, macneillk@elderaffairs.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: Korinna MacNeill, (850)414-2341, macneillk@elderaffairs.org.

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

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

DATE AND TIME: May 1, 2017, 10:00 a.m.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Dementia Care and Cure Initiative's Tallahassee/Leon County Advisory Council.

A copy of the agenda may be obtained by contacting: Korinna MacNeill, (850)414-2341, macneillk@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Korinna MacNeill, (850)414-2341, macneillk@elderaffairs.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: Korinna MacNeill, (850)414-2341, macneillk@elderaffairs.org.

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

The JTF Technical Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 11, 2017 meeting has been cancelled

PLACE: Meeting has been cancelled

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting has been cancelled.

A copy of the agenda may be obtained by contacting: meeting has been cancelled.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2017, 8:30 a.m. – 3:00 p.m.

PLACE: Marathon City Hall (Council Chambers), 9805 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to update the members of the WQPP Steering Committee on the progress of ongoing water quality protection projects and to discuss future actions.

A copy of the agenda may be obtained by contacting: Steven Blackburn, USEPA Region 4, Wetlands, Coastal and Ocean Branch, Atlanta, at (404)562-9397, Blackburn.steven@epa.gov or Gus Rios, Program Administrator, South District Marathon Office, (305)289-7081, Gus.Rios@dep.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 5 days before the workshop/meeting by contacting: Gus Rios. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: April 13, 2017, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida 32399

Interested parties may participate via conference call by dialing toll-free: 1(888)670-3525 and entering participant code: 2255967442, then #.

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

A copy of the agenda may be obtained by contacting: Linda Reeves, Florida Department of Environmental Protection, Office of Operations, Land and Recreation Grant Programs, 3900 Commonwealth Blvd., Mail Station 103, Tallahassee, Florida 32399, (850)245-2702, Linda.Reeves@dep.state.fl.us or at http://www.dep.state.fl.us/lands/FL_Communities_Trust/. 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: Linda Reeves using the contact information provided above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: April 26, 2017, 3:15 p.m., ET

PLACE: Meet Me number: 1(888)670-3525, participant code: 2597709961

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review of cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: the Board office at (850)245-4161 or on the Board website at www.floridasmassagetherapy.gov/meeting-information.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The SWFL Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 26, 2017, 1:30 p.m. – 3:30 p.m.

PLACE: Florida Department of Health in Sarasota, Conference Room 2063, 2200 Ringling Blvd., Sarasota, FL 34237

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Southwest Florida Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about

upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

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: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335. 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: Janet Blair at (813)545-1716 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Miami-Dade Refugee Task Force announces a public meeting to which all persons are invited.

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

PLACE: Rhode State Building, 401 NW 2nd Avenue, South Tower 10th Floor, Brickell Conference Room, Miami, FL 33128

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The purpose of the Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Lourdes Dysna-Leconte at (786)257-5173 or Taddese Fessehaye at (407)317-7335.

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: Lourdes Dysna-Leconte at (786)257-5173 or Taddese Fessehaye at (407)317-7335. 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: Lourdes Dysna-Leconte at (786)257-5173 or Taddese Fessehaye at (407)317-7335.

FISH AND WILDLIFE CONSERVATION COMMISSION
 Freshwater Fish and Wildlife
 The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.
DATE AND TIME: April 13, 2017, 3:30 p.m., ET
PLACE: Teleconference only, dial: (605)475-3220, enter participant code: 588858#
GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Freshwater Goal Team for planning and discussion of FY 17-18 Florida’s Wildlife Legacy Initiative’s State Wildlife Grants freshwater projects.
 For a copy of the agenda or more information, contact: Thomas Kuhn, Florida Fish and Wildlife Conservation Commission, NW Wildlife Legacy Biologist at (850)767-3617.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 For more information, you may contact: Thomas Kuhn, Florida Fish and Wildlife Conservation Commission, NW Wildlife Legacy Biologist at (850)767-3617.

JACKSONVILLE SHERIFF’S OFFICE
 The Jacksonville Sheriff’s Office announces a public meeting to which all persons are invited.
DATE AND TIME: May 15, 2017, 2:00 p.m.
PLACE: FSCJ North Campus - Northeast Florida Criminal Justice Center, 4715 Capper Road, Jacksonville, FL 32218
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regional V Training Council.

SUNSHINE STATE ONE CALL OF FLORIDA
 The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a telephone conference call to which all persons are invited.
DATE AND TIME: Thursday, April 13, 2017, 10:00 a.m. – 12:00 Noon
PLACE: This meeting will be held by teleconference call: 1(888)670-3525, enter participant code: 8567463178 then #
GENERAL SUBJECT MATTER TO BE CONSIDERED: To develop the agenda for the May 17 & 18, 2017 Committee, Annual and Board of Directors meetings.
 For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

Section VII

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

NONE

Section VIII

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

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

NONE

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

NONE

Section IX

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

NONE

Section X

**Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF MANAGEMENT SERVICES
Division of Building Construction
Central Continuing Contracts (CM’s)
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT
PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES
FOR CONTINUING CONTRACTS - CENTRAL FLORIDA REGION
April 5, 2017

Project Number: NA
Project Name: Continuing Contracts for Construction Management Services
Project Location: Central Florida
The State of Florida, Department of Management Services (DMS) Division of Real Estate Development and Management requests qualifications from Construction Management (CM) at Risk firms located in Central Florida. These contracts may be used for projects anywhere in the State of Florida; however, it is anticipated that the firms selected during this process will be activated for projects in the central part of Florida. The Central Region is defined as all counties south of Levy, Marion, and Volusia and all counties north of Charlotte, Glades, and St. Lucie. The Department of Management Services may enter into a contract with no less than three (3) construction management firms with responsibility for performance of construction contracts not to exceed \$2,000,000.00 per activation. 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Rainbow Springs State Park – Picnic Area Restroom
NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC57-16/17, Rainbow Springs State Park – Picnic Area Restroom. More info @ http://tinyurl.com/BDC57-16-17.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL
Transportation Mobility Manager Infrastructure
REQUEST FOR PROPOSALS (FDDC RFP #2017-TRP-14800)
TRANSPORTATION MOBILITY MANAGER
INFRASTRUCTURE

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2017-TRP-14800) is released to (1) research the current infrastructure in place within each of the 67 separately operating public transit systems across Florida; (2) collaborate with representatives of key State agencies, organizations, and community stakeholders to develop and agreed upon framework of roles and responsibilities for local mobility managers; (3) complete a needs assessment including a gaps analysis based on the framework above to determine resources needed to achieve more effective outcomes; and (4) work with transportation stakeholders to identify region(s) to implement recommendations and next steps as identified by the needs assessment.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$120,000 federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations. Copies of this RFP can be downloaded from the FDDC website (www.fddc.org), requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, or requested at (850)488-4180, toll-free 1(800)580-7801 or TDD toll-free, 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is April 19, 2017 by 4:00 p.m. (EDT) Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of April 24, 2017. The deadline for submitting proposals for this RFP to FDDC is May 18, 2017 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE REGISTER AND ON THE FDDC WEB PAGE (fddc.org) ON APRIL 5, 2017. PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

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 29, 2017 and 3:00 p.m., Tuesday, April 4, 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
40D-8.624	3/31/2017	4/20/2017
40D-8.624	3/31/2017	4/20/2017
53ER17-16	3/30/2017	3/30/2017
53ER17-17	3/30/2017	4/3/2017
53ER17-18	3/30/2017	4/3/2017
53ER17-19	3/30/2017	4/3/2017
53ER17-20	3/30/2017	4/3/2017
61B-33.0015	4/4/2017	4/24/2017
64B11-5.001	4/4/2017	4/24/2017
64B16-32.021	3/30/2017	4/19/2017
64B18-14.002	3/30/2017	4/19/2017
65A-1.206	4/3/2017	4/23/2017
65C-35.002	3/31/2017	4/20/2017
65C-35.003	3/31/2017	4/20/2017
65C-35.004	3/31/2017	4/20/2017
65C-35.005	3/31/2017	4/20/2017
65C-35.006	3/31/2017	4/20/2017

65C-35.007	3/31/2017	4/20/2017
65C-35.008	3/31/2017	4/20/2017
65C-35.009	3/31/2017	4/20/2017
65C-35.010	3/31/2017	4/20/2017
65C-35.011	3/31/2017	4/20/2017
65C-35.012	3/31/2017	4/20/2017
65C-35.013	3/31/2017	4/20/2017
65C-35.014	3/31/2017	4/20/2017
68-1.003	4/3/2017	4/23/2017
69G-20.0030	4/3/2017	4/23/2017
69I-31.805	4/3/2017	4/23/2017
69P-5.002	3/29/2017	4/18/2017
69P-5.004	3/29/2017	4/18/2017
69P-5.005	3/29/2017	4/18/2017
69P-5.006	3/29/2017	4/18/2017
69P-5.008	3/29/2017	4/18/2017
69P-5.012	3/29/2017	4/18/2017
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****

40B-9.123	12/9/2016	**/**/****
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

JM Motorsports, LLC d/b/a JM Motorsports for the establishment of HONDA motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that American Honda Motor Co., Inc., intends to allow the establishment of JM Motorsports, LLC d/b/a JM Motorsports as a dealership for the sale of motorcycles manufactured by Honda (line-make HOND) at 16900 South Dixie Highway, Miami, (Miami-Dade County), Florida, 33157, on or after May 4, 2017.

The name and address of the dealer operator(s) and principal investor(s) of JM Motorsports, LLC d/b/a JM Motorsports are dealer operator(s): Jose M. Padron, Sr., 17600 Collins Avenue, Sunny Isles Beach, Florida 33160, Jose M. Padron, Jr., 17600 Collins Avenue, Sunny Isles Beach, Florida 33160, Gisela V. Padron, 17600 Collins Avenue, Sunny Isles Beach, Florida 33160; principal investor(s): Jose M. Padron, Sr., 17600 Collins Avenue, Sunny Isles Beach, Florida 33160, Jose M. Padron, Jr., 17600 Collins Avenue, Sunny Isles Beach, Florida 33160, Gisela V. Padron, 17600 Collins Avenue, Sunny Isles Beach, Florida 33160.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Lance Ball, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles,

Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Charles Boderman, American Honda Motor Co. Inc., 1919 Torrance Boulevard, Torrance, California 90501.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Siting Coordination Office

NOTICE OF INTENT TO ISSUE PROPOSED

MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Cape Canaveral Energy Center, Power Plant Siting Application No. PA 08-53B, OGC Case No. 16-1426. On August 1, 2016, the Department received a petition to modify the Conditions of Certification for Cape Canaveral Energy Center from Florida Power & Light Company pursuant to Section 403.516(1)(c), Florida Statutes, for relocation of the manatee heater enclosure and associated dredging, construction of a dredged material management area (DMMA) and the installation of a new horseshoe crab deterrent wall. The Department is also modifying the Conditions of Certification to incorporate a uniform set of general conditions consistent with recent site certifications. A copy of the proposed modification may be obtained by contacting: Ann Seiler, Department of Environmental Protection, 2600 Blair Stone Rd., MS 5500, Tallahassee, Florida 32399-2400, (850)717-9000. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, (850)245-2242, fax (850)245-2298, agency_clerk@dep.state.fl.us. If no objections are received, then a Final Order approving the modification shall be issued by the Department.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-17-102

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS, FLORIDA, ORDINANCE NO. 17-02

FINAL ORDER

APPROVING ISLAMORADA ORDINANCE NO. 17-02

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 17-02 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Islamorada, Village of Islands, on January 5, 2017, and rendered to the Department on February 6, 2017.

3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances to extend the time period for using the 2007 Monroe County Property Appraiser assessed values through the year 2018 for vacation rentals.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See sections 380.05(6) and 380.0552(9), Florida Statutes.

5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. See section 380.0552, Fla. Stat.

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

7. The Ordinance is consistent with the Islamorada, Village of Islands, Comprehensive Plan generally, and specifically Policy 1-2.4.7, as required by section 163.3177(1), Florida Statutes.

8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.

9. The Ordinance is consistent with the Principles for Guiding Development, as a whole, and is specifically consistent with the following Principles:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

(l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands, Ordinance No. 17-02 is consistent with the Islamorada, Village of Islands, Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____

James D. Stansbury, Bureau Chief
Bureau of Community Planning and Growth
Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk

Department of Economic Opportunity
Office of the general Counsel
107 East Madison St., MSC 110
Tallahassee, Florida 32399-4128
Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21

calendar days of the final order being published in the florida administrative register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 3rd day of April, 2017.

/s/ _____

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

By Certified U.S. Mail:
The Honorable Deb Gillis, Mayor
Islamorada, Village of Islands Council
86800 Overseas Highway
Islamorada, FL 33036

Kelly Toth, Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Cheryl Cioffari
Director of Planning
86800 Overseas Highway
Islamorada, FL 33036

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.
