

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-602.201 Inmate Property

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to add authorization language and conditions related to inmates' possession of multimedia tablets.

SUBJECT AREA TO BE ADDRESSED: Authorizing inmate possession of multimedia tablets.

RULEMAKING AUTHORITY: 944.09, FS.

LAW IMPLEMENTED: 944.09, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Vazquez, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.201 Inmate Property.

(1) through (3) No change.

(4) Authorized Property.

(a) The property reflected on the Approved Property List (Appendix One), in the indicated quantities, is authorized within the department once an inmate is permanently assigned, provided the inmate has sufficient storage space. An inmate may not use other inmates' storage space or other non-authorized storage containers or store property in locations other than his assigned housing unit.

(b) Wardens are authorized to establish local clothing storage procedures based upon confinement or other high security status when possession of multiple items presents a security risk for inmates in that status. Local clothing storage procedures shall comply with the following:

1. Clothing shall be exchanged on a one-for-one basis;

2. Inmates must have the opportunity for at least three exchanges per week or the same opportunity for exchange as provided to other inmates at the institution, whichever is greater;

3. Local clothing storage procedures must be consistently applied for all inmates of a particular security or housing status.

Additional restrictions or removal of clothing items for individual inmates for safety or security reasons shall be handled and documented in accordance with rules applicable to the particular confinement status.

4. Inmates on work release shall be allowed to have an expanded inventory of clothing or supplies for their work requirements as approved by the warden.

(c) Wardens shall establish local procedures whereby a married inmate can receive his or her wedding band if the wedding band was not brought with the inmate at the time of reception into the department.

(d) Inmates are authorized to possess one (1) multimedia tablet, subject to any prohibition, restriction, or limitation as provided by law or departmental rules. Possession of a multimedia tablet by inmates receiving inpatient mental health services will be in accordance with Rule 33-404.102(9), F.A.C. ~~Inmates on work release shall be allowed to have an expanded inventory of clothing or supplies for their work requirements as approved by the warden.~~

1. Inmates shall be responsible for insuring that their multimedia tablet is registered with the institution upon receipt by notifying the designated property room staff member. Failure to register their tablet with the institutions shall result in the tablet being designated as unauthorized and subject to confiscation. The designated staff member will add the multimedia tablet to the inmate's Inmate Property List, DC6-224, recording the make, model, and serial number.

2. Inmates are solely responsible for the care, use, misuse, and security of their multimedia tablet. In the event that a multimedia tablet is damaged or destroyed by Department and/or contract facility staff during a routine search, emergency search or while impounded, the Warden or her/his designee shall cause an investigation to be made and action taken in accordance with "Control of Contraband", Rule 33-602.203, F.A.C.

3. All multimedia tablets on the property of the facility or in an inmate's possession are subject to search at any time or for any reason in accordance with Rules 33-602.203 (Control of Contraband) and Rule 33-602.204, F.A.C (Searches of Inmates). Inmates shall provide their current tablet password when directed by staff for purposes of an investigation or authorized search.

4. Tablets will be permitted to be used in the housing unit and program areas.

(e) Inmates shall be required to maintain receipts for items purchased from an authorized source for as long as they possess the items. An authorized source includes the canteen, the friends and family program, and any vendor authorized to conduct business with the department that has been approved to make items available for purchase to the inmates. In instances where items purchased from an authorized source are added to

Form DC6-224, Inmate Personal Property List, by the property officer, the inmate will not be required to maintain the original receipt from the authorized source. Perishable food and beverage items purchased from an authorized source are intended for immediate consumption and may not be stored in an inmate's housing area. Perishable food and beverage items are those that are unsealed or that require refrigeration. Nonperishable food or beverage items may not be kept longer than 30 days, as evidenced by the receipt from an authorized source, and shall be considered contraband if found in the possession of an inmate more than 30 days after purchase.

(f) An inmate transferred from a jail or private prison to a Department of Corrections facility shall be permitted to retain only that property that is authorized by the department in Appendix One. Any unauthorized item will be confiscated and held by the institution for 30 days. During this 30 day period, the inmate shall be given an opportunity to have the items picked up by an approved visitor, relative, or friend or to mail the items to persons of their choice at no expense to the Department of Corrections. The 30 day time period will not include any time during which a grievance or appeal pertaining to the disposition of the property is pending.

(5) Unauthorized Property (Also see Control of Contraband, Rule 33-602.203, F.A.C.).

(a) Property that is contraband pursuant to Rule 33-602.203, F.A.C., shall be handled as provided in that rule.

1. If an inmate receives postage stamps in the mail that, added to the number already in his possession, place him over the maximum allowed, he shall be allowed to send the excess stamps out at his own expense. It is the inmate's responsibility to make arrangements with staff to send out the extra stamps as soon as they are received. The stamps must be sent out; the institution will not store excess stamps for inmates. Excess stamps found in an inmate's property will be considered contraband.

2. If an inmate receives photographs in the mail or has them printed from the photo album in his/her media account that, added to the number already in his possession, place him over the maximum allowed, he shall be allowed to send the excess photographs out at his own expense. It is the inmate's responsibility to make arrangements with staff to send out the extra photographs as soon as they are received. Excess photographs found in an inmate's property will be considered contraband.

3. An inmate who is in possession of the maximum number of articles allowed by this rule and who wishes to replace a worn item must contact the property officer to arrange to discard or send the worn item out at his own expense before purchasing a replacement item.

(b) Property that is authorized for inmates in general population such as shaving powders, oils, and lotions shall be unauthorized or restricted based upon an inmate's confinement or other high security status when that item presents a security risk. Further limits on personal items for inmates in confinement or other high security statuses are authorized as referenced in Rules 33-602.220, 33-602.221, 33-602.222, 33-601.800, 33-601.820, and 33-601.830, F.A.C.

(c) During the initial reception period, inmates awaiting transfer to their permanent facility shall not be permitted to possess a multimedia tablet.

(d) Youthful Offenders participating in the Basic Training Program under Rule 33-601.237, F.A.C. shall not be allowed to possess a multimedia tablet.

(6) through (8) No change.

(9) Any inmate being released by parole or expiration of sentence shall take all personal property with him and sign Form DC6-227, Receipt for Personal Property, at the time of release. Upon being released, the inmate is responsible for fully complying with any and all provisions governing their release, including any restriction or prohibition on the possession of, use of, or access to a computer or tablet, and access to or use of any internet services.

(10) through (16) No change.

APPENDIX ONE PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all department institutions and facilities except community correctional centers. Except for items specified below as "exemptions," property received must be in compliance with this list. Inmates in possession of property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold by an authorized source, items purchased in canteens at private facilities will not always be admissible in department facilities.

Definitions.

The "quantity" establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. All items from authorized source are subject to availability and may not be available for purchase. Items found in the possession of an inmate that are in excess of the established "quantity" shall be treated as contraband in accordance with

Rule 33-602.203, F.A.C. Where there is a “value” indicated, the authorized item shall not exceed that value. The terms “authorized source” and “state issue” refer to the sources from which property can be obtained after January 1, 1996. All items with the “authorized source” designation shall be available in all institutional canteens or through orders from an authorized source. All authorized source items are transferable between department institutions. “State issue” means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
1	each		Athletic Bra (authorized source – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or authorized source – female only)
1	each		Coat (state issue)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (authorized source)
1	each		Hats (state issue)
2	pair		Pajamas – long (state issue or authorized source)
			Light blue or white – female only
			Light blue – male
7	each		Panties (state issue or authorized source – female only)
3	each		Pants (state issue)
1	each		Raincoat or Poncho – clear (state issue or authorized source)
1	each		Robe (state issue – female only)
3	each		Shirt, outer (state issue)

4	each	Shirt, T-Shirt (state issue or authorized source – gray for female, white for male) *inmates may possess both state-issue and authorized source – purchased shirts, but the total combined number cannot exceed 4.
1	pair	Shoes, Athletic (authorized source)
1	pair	Shoes, Boots (authorized source or state issue)
2	each	Shorts, athletic (navy blue) (authorized source)
1	each	Shower cap, clear only (female only) (authorized source)
1	pair	Shower slides (authorized source)
6	pair	Socks (state issue or authorized source)
1	each	Supporter, athletic (male only) (authorized source)
2	each	Sweatshirts (gray only) (authorized source order)
4	each	Undershorts (male only) (state issue or authorized source)
2	each	Underwear, thermal (state issue or authorized source)

PERSONAL ARTICLES

Quantity	Unit	Value	Articles
			Batteries (authorized source)
			Batteries (authorized source)
25	each		Roller clips – plastic only (females only), (authorized source)
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
1	each		Bowl – plastic (authorized source)
1	package		Breath tablets (authorized source)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases – *limited by approved storage space;
1	each		Canteen bag (authorized source)
1	set		Checkers (light wood or plastic, standard checkers only) (authorized source order)
1	set		Chess (light wood or plastic, 2 inches max. height) (authorized source order)
1	each		Coffee mug – plastic (authorized source)

1	each	Comb-pocket type, no handles (non-metal) (state issue or authorized source)	1	each	be provided if medically indicated
*		Correspondence – *limited by storage space limitations			Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (authorized source)
1	pack	Cotton swabs (plastic or paper stems only) (authorized source)	1	box	Feminine hygiene products (internal and external) (female only)
2	each	Crème rinse and conditioner (authorized source)			(state issue or authorized source)
1	each	Cup, drinking – plastic (authorized source)	*		File folders (*limited by storage space)
1	package	Dental floss, (floss loops only), unwaxed (authorized source)	20		Greeting cards and accompanying envelopes
1	each	Denture adhesive (state issue or authorized source)	1	each	Hairbrush – nonmetal, handles for females only (authorized source)
1	each	Denture cup (authorized source order)	2	each	Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (authorized source)
2	each	Deodorant and antiperspirant (no aerosols) (authorized source)	1	each	Hair net (female only) (authorized source)
1	set	Domino (light wood or plastic, standard size) (authorized source order)	25	each	Hair rollers (female only) (authorized source)
1	Set	Earbuds (authorized source)	2	each	Handballs or racketballs (authorized source)
1	pair	Earphone pads (replacement) (authorized source order)	1	each	Headphones for use with radio (authorized source)
1	pair	Ear rings, post type (female only) (authorized source order)	Maximum		Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (authorized source – as approved by health services)
*		Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)	weekly dosage		Hearing aid (state issue or personal)
1	pack	Emery board – cardboard (authorized source)			Hobby craft – at locations where program exists and subject to storage space limitations
25	each	Envelopes – legal (#10 size) (authorized source)			Insect repellent (authorized source)
5	each	Envelopes – oversized (10" x 13") (authorized source)	2	each	Jigsaw puzzle (authorized source order)
*		Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack	*		Keyboard (authorized source)
2	each	Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.)	1	each	Laundry bag (state issue or authorized source)
		Contact lenses will only	1	each	Lip balm (authorized source)
			1	each	Locks, combination (V68 series) (authorized source)

1	each	Make-up bag, clear only (female only) (authorized source)	1	each	100.00	Ring, engagement (personal, female only)
1	each	Mirror – plastic, nonbreakable, 5" × 7" max. (authorized source)	1	each	100.00	Ring, wedding (personal)
1	each	Moisturizer – (authorized source)	1	each		Roller cap, clear only (female only) (authorized source)
1	each	Mouthwash (authorized source)	1	set		Scrabble (authorized source order)
4	each	MP3 Player (authorized source)	1	each		Screen protector (authorized source)
1	each	<u>Multimedia tablet MP3 Player arm band holder (authorized source)</u>	2	each		Shampoo (authorized source)
<u>1</u>	<u>each</u>	<u>Multimedia Tablet (authorized source)</u>	1	each		Shaving cream (authorized source)
1	each	Nail clippers, not to exceed 2 1/2" (authorized source)	1	each		Shaving powder (authorized source)
2	pack	Notebook paper (authorized source)	1	pair		Shoe laces (authorized source)
4	each	Pens, ballpoint, flair-type, pencils with erasers, or security pens, no markers (authorized source)	1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; authorized source)
*		Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations	2	each		Soap, bath (state issue or authorized source)
1	each	Photo album, non-metal (authorized source)	1	each		Soap dish (authorized source)
50	each	Photographs (personal)	1	each		Soap, laundry (female only) (authorized source)
2	decks	Playing cards (standard) (authorized source)	1	each		Special needs – *special devices as approved for compliance with medical needs
5	each	Pony tail holder (fabric) or hair claws (plastic) (female only)	40	each		Spoon, plastic (authorized source)
1	each	P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)	1	each		Stamps (the equivalent of 40 1-ounce 1st class) (authorized source)
*		<u>Prosthesis or Health Care Appliance – as defined in Rule 33-210.201(2), F.A.C., (ADA Provisions for Inmates) *as approved by health services</u>	1	each		Sunglasses, no mirror type (authorized source)
1	each	50.00 Radio, DC/AM/FM only, "Walkman" type, maximum 4" × 5" (authorized source)	1	each		Sunscreen lotion (authorized source)
1	each	Razor, disposable (state issue) (female inmates only)	1	each		Talcum powder (authorized source)
1	each	50.00 Razor, battery operated, non-rechargeable (authorized source order)	1	each		Toilet Paper (state issue or authorized source)
*		Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)	1	each		Toothbrush (state issue or authorized source)
1	each	50.00 Religious medallion with chain (personal or provided by Chaplain)	1	each		Toothbrush holder (authorized source)
			2	each		Toothpaste and Toothpaste with mouthwash (state issue or authorized source)
			1	each		Towels (state issue)
			1	each		Wallet (authorized source)
			1	each	50.00	Watch (personal or authorized source)
			1	each		Watch band (nylon and Velcro only) (authorized source)
			2	each		Washcloths (state issue or authorized source)

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08, 1-25-10, 7-4-10, 10-26-11, 8-19-12, 11-20-12, 3-3-13, 6-8-14, 8-17-16,

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: Erica Field, Assistant Division Director

THE FULL TEXT OF THE PROPOSED RULE IS:

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: RULE TITLE:
5C-28.001 Dogs and Cats - Intrastate Transfer of Ownership

PURPOSE AND EFFECT: The Department is initiating rulemaking to repeal Rule 5C-28.001, F.A.C. Rule 5C-27.001 now contains the intrastate transfer of ownership requirements for dogs and cats.

SUMMARY: The requirements in Rule 5C-28.001, F.A.C. were adopted in Rule 5C-27.001, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The 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 historical purchases of the official certificate of veterinary inspection from the Department and is now allowing accredited veterinarians to use an approved electronic versions. The cost of this rule implementation would not be expected to exceed \$200,000. 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: 585.002(4) FS.

LAW IMPLEMENTED: 585.145(2) FS.

5C-28.001 Dogs and Cats – Intrastate Transfer of Ownership

Specific Authority 585.002(4) FS. Law Implemented 585.145(2) FS. History--New 8-31-08, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Michael Short, State Veterinarian, Division Director

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2018

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

RULE NOS.: RULE TITLES:

5P-1.001 Definitions
5P-1.002 Appeals
5P-1.004 Penalties and Sanctions

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify current appeals procedures and penalties for violations of Chapter 595, F.S., the rules adopted under Chapter 595, F.S., and any federal regulations incorporated by reference relative to all programs administered by the division.

SUMMARY: The proposed rulemaking amends the definition of School Nutrition Programs to include the Fresh Fruit and Vegetable Program; clarifies appealable agency actions for the type of appellant; reduces the time to complete corrective action after a determination of Seriously Deficient status to 30 days; and clarifies eligibility for participation in other division administered programs after suspension or termination.

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: There are no costs associated with the establishment of this rule as participation in the program is voluntary.

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), 595.404(4), 595.404(10), 595.404(11), FS.

LAW IMPLEMENTED: 595.404, 595.501, 570.971, 1001.42(16), 1006.06, 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: S. Quinn Skinner, 600 S. Calhoun Street, Tallahassee, FL 32399, (850)617-7400

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 5P-1

~~SCHOOL~~ FOOD SERVICE PROGRAMS

5P-1.001 Definitions.

For the purposes of this chapter, the definitions in section 595.402, F.S., and Sections 7 CFR 210.2, 7 CFR 215.2, 7 CFR 220.2, 7 CFR 225.2, 7 CFR 245.2, 7 CFR 247.1, 7 CFR 248.2, 7 CFR 250.2, 7 CFR 251.3, 7 CFR 252.2, all revised as of January 1, 2018, and hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09512>, and the following shall apply:

(1) "School Nutrition Programs" mean the National School Lunch Program, School Breakfast Program, ~~and~~ Afterschool Snack Program, and Fresh Fruit and Vegetable Program.

(2) through (44) No change.

Rulemaking Authority 570.07(23), 595.404(4), (10), (11) FS. Law Implemented 595.402, 595.404 FS. History—New 4-19-73, Repromulgated 12-5-74, Formerly 6A-7.40, Amended 5-3-88, Formerly 6A-7.040, Amended 6-21-18, _____.

5P-1.002 Appeals.

(1) through (2) No change.

(3) The following agency actions to be taken against the Appellant are appealable:

- (a) A denial of an application for participation;
- (b) A denial of a Sponsor's request for an advance payment;
- (c) A denial of a Sponsor's claim for reimbursement (except for late submission under 7 CFR 225.9(d)(6));

(d) The department's State agency's refusal to forward to FNS an exception request by the Sponsor for payment of a late claim or a request for an upward adjustment to a claim;

(e) A claim against a Sponsor or Recipient Agency for remittance of a payment;

(f) The termination of the Sponsor, Recipient Agency, or a Site;

(g) A denial of a Sponsor's application for a Site;

(h) The suspension of a Sponsor or Recipient Agency, or

(i) The imposition of an administrative fine.

(4) through (16) No change.

Rulemaking Authority 570.07(23), 595.404(4), (10), (11) FS. Law Implemented 595.404 FS. History—New 3-22-66, 4-11-70, 4-19-73, Repromulgated 12-5-74, Amended 6-28-83, Formerly 6A-7.41, 6A-7.040, Amended 6-21-18, _____.

5P-1.004 Penalties and Sanctions.

(1) Child Nutrition Programs and Food Distribution Programs.

(a) Seriously Deficient.

1. A Sponsor or Recipient Agency, and the officials identified on the Sponsor or Recipient Agency's application, may be declared by the department as Seriously Deficient if:

a. through h. No change.

i. The Sponsor or Recipient Agency has misused, at a minimum, ten percent (10%) or \$10,000, whichever is greater, of USDA Foods including improper distribution or foods lost, spoiled, stolen, or damaged as a result of improper storage, care, or handling.

j. The Recipient Agency failed to publicly notice dates of distribution at ten percent (10%) or ten (10), whichever is greater, sites as required in FNS Instruction 113-1 Form FNS-620 (1-99), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09518>.

k. The Sponsor's tax exempt status is revoked by the Internal Revenue Service pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 also resulting in immediate termination per subparagraph 5P-1.004(1)(c)4., F.A.C.

2. The department will notify the Sponsor or Recipient Agency in a Notice of Action, via email and certified mail, return receipt requested, that the Sponsor or Recipient Agency has been declared Seriously Deficient, the causes for Seriously Deficient status, and the required Corrective Actions to bring the Sponsor back into compliance with Chapter 595, F.S., and the rules adopted thereunder. The Sponsor or Recipient Agency will have thirty (30) days from the date it receives the Notice of Action to submit a corrective action plan with supporting documentation to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399.

a. The corrective action plan must include:

I. Each identified program deficiency;

II. The corrective action required;

III. The timeframe by which the corrective action will be, or was completed; and

IV. Documentation to demonstrate corrective action was completed as prescribed in the Administrative Review Report.

b. Upon receipt of the Sponsor or Recipient Agency's corrective action plan, the department shall determine if the corrective action plan permanently corrects all causes for being declared Seriously Deficient and implements the required Corrective Actions. If the corrective action plan permanently corrects all causes for being declared Seriously Deficient and implements the required Corrective Actions, the department will rescind the Sponsor's Seriously Deficient status and the Sponsor may continue to operate the program.

c. If after thirty (30) days from the date of receipt for the Notice of Action, the Sponsor or Recipient Agency fails to respond to the Notice of Action or the corrective action plan does not permanently correct all causes for being declared Seriously Deficient and implement the required Corrective Actions, the department shall move to suspend the Sponsor or Recipient Agency under paragraph (b) of this rule.

(b) Suspension.

~~1. The department will notify the Sponsor or Recipient Agency in a Notice of Action, via email and certified mail, return receipt requested, that the Sponsor or Recipient Agency has been declared Seriously Deficient, the causes for Seriously Deficient status, and the required Corrective Actions. The Sponsor or Recipient Agency will have thirty (30) days from the date it receives, via email, the Notice of Action to complete the Corrective Actions. If after thirty (30) calendar days from the date of receipt for the Notice of Action, the Sponsor or Recipient Agency fails to complete the required Corrective Actions, a second written notification will be sent via certified mail, return receipt requested.~~

~~a. If after sixty (60) calendar days from the date of receipt for the Notice of Action, the Sponsor or Recipient Agency fails to complete the required Corrective Actions, a third written notification will be sent via certified mail, return receipt requested. This third demand will contain a due date of ninety (90) calendar days from the date of the Notice of Action.~~

1.b. If after thirty (30) ~~ninety (90)~~ calendar days from the date of receipt for the Notice of Action, the Sponsor or Recipient Agency fails to submit a corrective action plan with supporting documentation that permanently corrects all causes for being declared Seriously Deficient and implements the required Corrective Actions or fails to respond to the Notice of Action, ~~complete the required Corrective Actions~~, the Sponsor or Recipient Agency will be suspended from program operations for one (1) calendar year from the original date of receipt of the Notice of Action ~~email notification~~.

2. While suspended, Sponsors or Recipient Agencies shall not participate in any Child Nutrition ~~Program~~ or Food Distribution Program from which they were suspended to include receiving USDA Foods or obtaining related funds;

~~operations may continue outside of these programs. The department shall consider non-program operations during the application process identified in subparagraph 3.~~

3. After ~~If the Sponsor or Recipient Agency completes all required Corrective Action during the~~ one (1) year suspension, and, if applicable, the Sponsor or Recipient Agency has met all requirements in a written settlement agreement, ~~or has complied with all requirements in a written settlement agreement~~, the Sponsor or Recipient Agency may reapply for the Child Nutrition or Food Distribution Program from which they were suspended, ~~at the end of the suspension period, or once all requirements in a written settlement agreement are met~~, subject to ~~any~~ the deadlines for submitting applications. If applicable deadlines have already occurred at the time suspension is removed, the Sponsor or Recipient Agency must reapply for program participation the following year. When reapplying, the Sponsor or Recipient Agency must meet all federal and state requirements of a School Food Authority or organization that did not operate the program in the year prior to the current year, in the respective programs for which they are applying.

4. Sponsors or Recipient Agencies that are declared Seriously Deficient twice in one year of operation, or in two consecutive years of operation, regardless of any subsequent actions taken by the department, will be immediately suspended.

(c) Termination.

1. If after a one (1) year suspension, the Sponsor or Recipient Agency is declared Seriously Deficient within the first year of operation since returning to the program, ~~has failed to complete Corrective Actions~~, the Sponsor or Recipient Agency will be terminated from the program for seven (7) years.

2. If any Sponsor or Recipient Agency commits a Child Nutrition Programs and Food Distribution Programs violation involving fraud, the Sponsor or Recipient Agency will be immediately terminated for seven (7) years. For purposes of this rule, fraud includes:

a. Intentionally making false or misleading statements, orally or in writing or the intentional submission of false or misleading information to the department;

b. Intentionally withholding information pertaining to eligibility or ineligibility; or

c. Selling commodities obtained in Food Distribution Programs, or exchanging them for non-food items.

3. After ~~if after~~ seven (7) years, the Sponsor or Recipient Agency ~~completes the Corrective Action~~, they may reapply for any Child Nutrition ~~Program~~ or Food Distribution Program. When reapplying, the Sponsor or Recipient Agency must meet all federal and state requirements of a School Food Authority or organization that did not operated the program in the year

prior to the current year, in the respective programs for which they are applying.

4. A Sponsor whose tax-exempt status is revoked by the Internal Revenue Service (IRS) pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986 shall be terminated from a Child Nutrition Program without first being suspended until such time the Sponsor's tax-exempt status is reinstated by the IRS.

(2) No change.

Rulemaking Authority 570.07(23), 595.404(4), (10), (11) FS. Law Implemented 595.404, 595.501, 590.971, 1001.42(16) FS. History—New 9-5-77, Amended 9-6-78, 10-17-78, 10-23-79, 1-7-81, 8-12-81, 4-27-82, 6-28-83, Formerly 6A-7.421, 6A-7.0421, Amended 6-21-18,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lakeisha Hood, Director, Division of Food, Nutrition and Wellness

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 20, 2018

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: RULE TITLE:
1B-26.0021 Microfilm Standards
 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. 44 No. 121, June 21, 2018 issue of the Florida Administrative Register.

1B-26.0021 Microfilm Standards.

(1) No change.

(2) Definitions. When used in this section, the following terms and definitions apply:

(a) through (d) No change.

(e) Silver original microfilm – Camera microfilm meeting the requirements of the following standards, hereby incorporated by reference and available to view at the Division of Library and Information Services located at 500 S. Bronough St., Tallahassee, FL 32399 available for purchase at webstore.ansi.org or www.iso.org/store.html.

1. ANSI/IT9.6-1991 – American National Standard for photography photographic films – specifications for safety film **OR** International Organization for Standardization (ISO), ISO 18906:2000, Imaging materials Photographic films Specifications for safety film.

2. ANSI/NAPM IT9.1-1992 – American National Standard for Imaging Media (Film) –Silver-Gelatin Type Specifications for Stability **OR** International Organization for Standardization (ISO), ISO 18901:2010 – Imaging materials – Processed silver-gelatin-type black-and-white films – Specifications for stability.

3. ANSI/IT9.10-1991 – American National Standard for Imaging Media –Determination of the Curl of Photographic Film **OR** International Organization for Standardization (ISO), ISO 18910:2000 – Imaging materials – Photographic film and paper –Determination of curl.

4. ANSI/NAPM IT9.7-1993 – American National Standard method for determining the brittleness of photographic films and papers **OR** International Organization for Standardization (ISO), ISO 18907:2013 – Imaging materials – Photographic films and papers –Wedge test for brittleness.

f) Duplicate microfilm – Second-generation negative or positive microfilm meeting the requirements standards referenced in paragraph (2)(e) above, or:

1. ANSI/IT9.5 -1992 – American National Standard for Imaging Media (Film) – Ammonia-Processed Diazo Films – Specifications for Stability **OR** International Organization for Standardization (ISO), ISO 18905:2002 – Imaging materials – Ammonia-processed diazo photographic film – Specifications for stability, hereby incorporated by reference and available to view at the Division of Library and Information Services for purchase at webstore.ansi.org or www.iso.org/store.html.

2. ANSI/IT9.12 -1991 – American National Standard for Photography Processed Vesicular Photographic Film Specifications for sStability **OR** International Organization for Standardization (ISO), ISO 18912:2002 – Imaging materials – Processed vesicular photographic film – Specifications for stability, hereby incorporated by reference and available to view at the Division of Library and Information Services for purchase at webstore.ansi.org or www.iso.org/store.html.

(3) Standards for microfilming permanent and long-term public records:

(a) No change.

(b) Roll microfilm identification and arrangement.

1. No change.

2. If the microfilm is to be used as legal evidence, appropriate certifications are required at the beginning and end of each roll and identification targets shall adhere to ANSI/AIIM MS19-1993 – American National Standard for Information and Image Management – Standard Recommended Practice – Identification of Microforms, hereby incorporated by

reference and available to view at the Division of Library and Information Services for purchase at webstore.ansi.org.

(c) through (e) No change.

(f) Film processing – Film used for microphotographic copies of permanent records shall be processed so that the residual thiosulfate concentration will not exceed 0.14 micrograms per square centimeter. The test used for determining the concentration of residual thiosulfate on processed film shall be one of those specified in ANSI/NAPM IT9.17 – American National Standard for Photography–Determination of Residual Thiosulfate and Other Related Chemicals in Processed Photographic Materials – Methods Using Iodine-Amylose, Methylene Blue and Silver Sulfide **OR** International Organization for Standardization (ISO), ISO 18917:1999 – Photography – Determination of residual thiosulfate and other related chemicals in processed photographic materials – Methods using iodine-amylose, methylene blue and silver sulfide, hereby incorporated by reference and available to view at the Division of Library and Information Services for purchase at webstore.ansi.org or www.iso.org/store.html.

(g) No change.

(h) Standards for reels and containers – The following standards are to be observed in packaging silver original microfilm copies of permanent and long-term records. The standards shall also be applied to silver duplicate microfilm to assure maximum protection against deterioration:

1. Microfilm stored in roll form shall be wound on cores or on reels of a type specified by ANSI/AIIM MS34-1990 – American National Standard for Information and Image Management – Dimensions for Reels Used for 16mm and 35mm Microfilm, hereby incorporated and available to view at the Division of Library and Information Services. The materials used for the cores and reels shall be non-corroding such as plastic compounds or non-ferrous metals. Steel reels shall be used only if the reels are well protected by lacquer, enamel, tinning, or other corrosion-resistant finish. Plastics and lacquer that might give off reactive fumes or exudations during storage shall not be used. If plastic materials are used, they shall be free of peroxides.

2. through 3. No change.

(i) Permanent and long-term storage standards – The following standards are applicable to the storage of microfilm copies of permanent and long-term records:

1. The microfilm is to be kept in a fire resistant vault or room. The storage area is not to be used as an office or working area. No flammable materials shall be stored in the storage area. For full protection against exposure to fire and associated hazards, fire resistive safes or insulated containers shall be placed within fire resistive vaults or rooms constructed in accordance with recommendations of the National Fire

Protection Association standard NFPA 232-2017, hereby incorporated by reference and available to view at no cost at the Division of Library and Information Services. A copy of the standard may be obtained by writing to NFPA, 1 Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101.

2. The relative humidity and temperature of the storage vault or room shall be maintained at a constant level. Optimum levels are below 21 degrees Celsius (69.8 degrees Fahrenheit) for temperature and between 20% and 50% for humidity according to ANSI/NAPM IT9.11-1993 – American National Standard for Imaging Media – Processed Safety Photographic Films – Storage **OR** International Organization for Standardization (ISO), ISO 18911:2010 – Imaging materials – Processed safety photographic films – Storage practices, hereby incorporated by reference and available to view at the Division of Library and Information Services for purchase at webstore.ansi.org/ or www.iso.org/store.html. Rapid cycling and wide ranges of humidity or temperature shall be avoided and shall in no instance exceed plus or minus 5 percent humidity or plus or minus 5 degrees Fahrenheit temperature in a 24-hour period. Where inactivity of the film permits, protection may be increased by conditioning and sealing the film at a lower temperature. Moreover, a lower temperature can compensate for a higher humidity, but the maximum humidity shall not exceed 50%. Film stored at humidity levels below 20 percent and temperatures below 21 degrees Celsius (69.8 degrees Fahrenheit) shall be sufficiently warmed and reconditioned before using to avoid damage in handling.

3. through 4. No change.

(j) Microfilm inspection – A number of different representative samples of film shall be inspected at 2 year intervals. If deviation from recommended temperature and humidity has occurred, inspection shall be made at 1 year intervals. For each biennial inspection, a different lot sample shall be chosen, allowing some overlapping of inspection to note any changes in previously inspected samples. Inspection shall be in accordance with guidelines set forth in the National Bureau of Standards Handbook 96, Inspection of Processed Photographic Record Films for Aging Blemishes, 1964, hereby incorporated by reference. If such inspections indicate the presence of blemishes, such findings shall be documented, including at minimum the following information:

1. through 4. No change.

(4) Standards for filming medium-term public records.

(a) No change.

(b) Storage standards for medium-term microfilm – Temperature and humidity of medium-term storage areas shall be maintained in accordance with ANSI/NAPM IT9.11-1993 – American National Standard for Imaging Media – Processed Safety Photographic Films – Storage **OR** International Organization for Standardization (ISO), ISO 18911:2010 –

Imaging materials – Processed safety photographic films – Storage practices, hereby incorporated by reference and available to view at the Division of Library and Information Services for purchase at webstore.ansi.org or www.iso.org/store.html. Walls and enclosures shall be so designed to prevent moisture from condensing on surfaces when exterior temperatures are below the dew point. Inspection and viewing of medium-term film may be done in the same area – separate work and storage areas need not be maintained, but good housekeeping practices shall be followed. Separate storage rooms shall be maintained for films that release acid fumes.

(c) Cost benefit analysis – Before records with a retention period of 10 years or less are committed to microfilm, the custodial agency shall prepare a cost benefit analysis to ensure that the project or system contemplated is cost-effective. Rulemaking Authority 257.14, 257.36(6) FS. Law Implemented 257.36(1) FS. History–New 12-22-86, Amended 2-7-96,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-25.001 Federal Regulations Adopted by Reference
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 156, August 10, 2018 issue of the Florida Administrative Register has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:
68D-24.004 Guidelines for the Establishment of Boating Restricted Areas for Seagrass and Seagrass Habitat Protection
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. 44 No. 154, August 8, 2018 issue of the Florida Administrative Register.

Proposed amendment to Rule 68D-24.004 has been changed to include the following:

(1) through (10) No change.

(11) Following the Commission’s adoption of a boating restricted area pursuant to this rule, the area shall not be enforced until the owner applies to the Commission for a permit pursuant to Rule 68D-23.104 F.A.C. and posts uniform waterway markers delineating the boating restricted area established by the Commission consistent with the

requirements of the permit and Chapter 68D-23 F.A.C. The owner shall have a continuing obligation to comply with the requirements of Rule 68D-23.110 F.A.C., as long as the boating restricted area exists.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on May 14, 2018 by Diana Delino. The Notice of Petition for Waiver or Variance was published in Vol. 44, No. 96, of the May 16, 2018 Florida Administrative Register. Petitioner sought a variance or waiver of Rule 64B7-32.002, F.A.C., regarding proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on May 18, 2018, by telephone conference call.

The Board’s Order, filed on August 9, 2018, found that the petition was in substantial compliance with the provisions of Section 120.542, F.S. and Chapter 28-104, F.A.C., and Petitioner has met the purpose of the underlying statute. The board approved the petition for waiver or variance of Rule 64B7-32.002, F.A.C.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-8.0011 Standard Terms Applicable to Orders

NOTICE IS HEREBY GIVEN that on August 27, 2018, the Board of Medicine, received a petition for waiver or variance filed on behalf of Courtney Richard Morgan, M.D., from subparagraph 64B8-8.0011(7)(a)1., F.A.C, regarding the requirement for supervising physicians to be board-certified in the same practice area as the physician being supervised.

Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address, or telephone: (850)245-4131.

Section VI
Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE
Division of Elections

The Elections Canvassing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 6, 2018, 9:00 a.m.
PLACE: Cabinet Meeting Room, LL03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elections Canvassing Commission will meet to certify the official results for the August 28, 2018 Primary Election and Special Primary Elections for State Senate Districts 23 and 25 per sections 100.191 and 102.111, Florida Statutes.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Kristi Willis at (850)245-6240 or Kristi.Willis@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stacy Bagley at (850)245-6286 or Stacy.Bagley@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kristi Willis at (850)245-6240 or Kristi.Willis@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

The Division of Plant Industry announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 18, 2018, 9:00 a.m.
PLACE: Straughn IFAS Extension Professional Development Center, 2142 Shealy Drive, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: Welcome, Roll call, Approval of minutes, Honey bee shipments to California, Red Imported Fire Ant-Panel discussion, Review of current research projects / Bee Lab.

A copy of the agenda may be obtained by contacting: Dave Westervelt, (352)395-4636.

DEPARTMENT OF LAW ENFORCEMENT

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

DATES AND TIMES: Wednesday, September 5, 2018, 8:30 a.m. – 5:15 p.m.; Thursday, September 6, 2018, 8:30 a.m. – 10:40 a.m.

PLACE: BB&T Center, Chairman’s Club, 1 Panther Parkway, Sunrise, FL 33323

Use Gate 5 and park in Lot B.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting is held to convene members of the Marjory Stoneman Douglas High School Public Safety Commission.

A copy of the Commission meeting agenda will be posted when available on the following website: <http://www.fdle.state.fl.us/MSDHS/Meetings>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Office of Policy Development and Planning, Jennifer Miller at (850)410-8321 or e-mail at JenniferMiller2@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The Florida State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 10, 2018, 3:30 p.m. until conclusion of agenda

PLACE: Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The IAC Compensation Subcommittee will discuss its evaluation of the Executive Director & CIO’s performance for the fiscal year ended June 30, 2018, his compensation and other matters that may come before the Subcommittee.

A copy of the agenda may be obtained by contacting: Amy Walker, State Board of Administration, (850)413-1253 or amy.walker@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The Florida State Board of Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 17, 2018, 1:00 p.m. until completion of agenda

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, attendees should check in at reception desk, on-site parking available

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under s. 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Pam Noda, State Board of Administration, (850)413-1381 or pam.noda@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Pam Noda, State Board of Administration, (850)413-1381 or pam.noda@sbafla.com.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a hearing in the following docket to which all persons are invited.

DOCKET NO. AND TITLE: Docket No. 20180044-GU – Consideration of tax impacts associated with Tax Cuts and Jobs Act for Peoples Gas System.

HEARING DATE AND TIME: Wednesday, September 12, 2018, 1:00 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits and to take final action relative to the Commission's shall be to receive testimony and exhibits regarding the tax impacts on Peoples Gas System resulting from the passage of the Tax Cuts and Jobs Act of 2017 and to take action on any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and

testimony in support of their positions; (2) allow for such other purposes as the Commission may deem appropriate.

PUBLIC TESTIMONY: Any member of the public who wishes to offer testimony should be present at the beginning of the hearing on September 12, 2018. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code (F.A.C.). All witnesses shall be subject to cross-examination at the conclusion of their testimony. The hearing will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD) or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Pensacola and Perdido Bays Estuary Program (BARC) Policy Board meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 5, 2018, 3:30 p.m.

PLACE: Escambia County Governmental Complex, 221 Palafox Place, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda will include updates on the EPA cooperative agreement, the Pensacola and Perdido Bays Estuary Program (PPBEP) interlocal agreement, and regular business.

A copy of the agenda may be obtained by contacting: Katie Wilhelm, (850)332-7976, ext. 280 or katie.wilhelm@wfprc.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 48 hours before the workshop/meeting by contacting: Title VI Coordinator, (850)332-7976, ext. 220 or TitleVI@wfrpc.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: Katie Wilhelm, (850)332-7976, ext. 280 or katie.whilhelm@wfrpc.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

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

DATE AND TIME: September 10, 2018, 10:00 a.m.

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

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

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council’s Sea Level Rise and Climate Resiliency Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2018, 11:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council’s Sea Level Rise and Climate Resiliency Steering Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl, wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida

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

For more information, you may contact: Wren Krahl, wren@tbrpc.org.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: September 11, 2018, 3:00 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting to consider District business.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website: www.mysuwanneeriver.com, when published.

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: Robin Lamm at (386)362-1001 or 1(800)226-1066. 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

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: September 11, 2018, 5:05 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Public Hearing on FY 2019 Proposed Millage Rate and Tentative Budget and opportunity to receive public comment prior to consideration and adoption by the Governing Board.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District’s website: www.mysuwanneeriver.com, when published.

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: Robin Lamm at (386)362-1001 or 1(800)226-1066

(Florida only). 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 Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 14, 2018, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. Johns River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL32177, sdavis@sjrwm.com, (407)659-4838 or by visiting the Council’s website at harrischainoflakescouncil.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The District Clerk at (386)329-4500. 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: sdavis@sjrwm.com (407)659-4838 or by visiting the Council’s website at harrischainoflakescouncil.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATE AND TIME: October 19, 2018, 9:00 a.m.

PLACE: Hyatt Place Ft. Lauderdale, 17th Street Convention Center, 1851 SE 10th Avenue, Ft. Lauderdale, Florida 33316, Telephone: (954)763-7670

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business including disciplinary cases, application reviews, rules, reports, and discussion items.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, Telephone: (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, Telephone: (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, Telephone: (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NOS.:RULE TITLES:

61K1-3.008 Judge; License and Duties

61K1-3.033 Scoring System; Scoring, Criteria; Knockdowns, Fouls; Determination of Win or Draw; Decision Final, Exceptions

The Department of Business and Professional Regulation announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 4, 2018, 10:00 a.m., ET

PLACE: Telephone 1(888)670-3525 Pass Code: 6740308491 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting including rule review/implementation for instant replay (Rule 61K1-3.043), minimum trailing rounds for boxing and kickboxing referees, Amateur Sanctioning Organization reporting requirements, license application reviews, Amateur Sanctioning Organizations renewal review (Rule 61K1-4.030), discipline cases, request for waiver of amateur rules, fee waiver for timekeepers and announcers and approval of meeting minutes. A copy of the agenda may be obtained by contacting: patrick.cunningham@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: patrick.cunningham@myfloridalicense.com. If you are hearing or speech impaired, please contact the agency using

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

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

For more information, you may contact: patrick.cunningham@myfloridalicense.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: October 19, 2018, 10:00 a.m.

PLACE: New Smyrna Beach Library, Auditorium, 1001 S. Dixie Freeway, New Smyrna Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department's Division of Environmental Assessment and Restoration (DEAR) is holding a public hearing on the final Reasonable Assurance Plan (RAP) for the Mosquito Lagoon to address water quality impairments. A RAP has been developed to establish water quality targets and restoration activities that will address nutrient impairments in the Mosquito Lagoon. In accordance with paragraph 62-302.531(2)(a), F.A.C., the nutrient targets for Mosquito Lagoon will constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(48)(b), F.A.C., that will supersede the otherwise applicable numeric nutrient criteria in subparagraphs 62-302.532(1)(aa)(11)-(13), F.A.C., for these surface water segments.

The draft documents associated with the Mosquito Lagoon RAP will be placed on the Department's ftp site ([http://publicfiles.dep.state.fl.us/DEAR/Mosquito Lagoon RA/](http://publicfiles.dep.state.fl.us/DEAR/Mosquito_Lagoon_RA/)) by September 19, 2018 and will be provided upon request to interested parties by mail or via email distribution. Through October 19, 2018, the Department will accept written comments on the draft RAP as well as the establishment of the nutrient targets associated with the RAP as a site specific interpretation of the narrative nutrient criterion that will supersede the otherwise applicable numeric nutrient criteria in subparagraphs 62-302.532(1)(aa)(11)-(13), F.A.C., for the Mosquito Lagoon water segments. Written comments should be directed to Julie Espy, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3560, Tallahassee, Florida 32399-2400, julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Wanda Harpley, (850)245-8433 or wanda.harpley@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: Ms. Wanda Harpley, (850)245-8433 or wanda.harpley@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Julie Espy, Water Quality Assessment Program, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3560, Tallahassee, Florida, 32399-2400, julie.espy@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Recreational Trails Program announces a public meeting to which all persons are invited.

DATE AND TIME: September 6, 2018, 2:00 p.m., ET

PLACE: Florida Department of Environmental Protection, Carr Building, Room 306, 3800 Commonwealth Boulevard, Tallahassee, Florida 32399

Interested parties may participate via conference call by dialing toll-free: 1(888)670-3525 and entering participant code: 1959036437, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Recreational Trails Program Advisory Committee will discuss and vote to approve application guidelines, qualifying motorized applications, land acquisition guidelines, and any other business deemed necessary.

A copy of the agenda may be obtained by contacting: Lauren Cruz, Florida Department of Environmental Protection, Division of State Lands, Land and Recreation Grant Programs, 3800 Commonwealth Blvd., Mail Station 585, Tallahassee, Florida 32399, (850)245-2501, Lauren.Cruz@FloridaDEP.gov or at <https://floridadep.gov/ooo/land-and-recreation-grants/content/recreational-trails-program>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lauren Cruz 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

The Violence and Injury Prevention Program announces a telephone conference call to which all persons are invited. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2018, 3:30 p.m. – 4:30 p.m.

PLACE: Conference Call-In at: 1(888)670-3525, Participant Passcode: 581 63 53 384 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Violence and Injury Prevention Advisory Council (FIVPAC) conference call meeting pertaining to FIVPAC strength, weaknesses, opportunities, and threats (SWOT) analysis on injury and violence prevention in Florida conducted on June 7, 2018 at the FIVPAC Meeting, in Tampa, Florida. A copy of the agenda may be obtained by contacting: Violence and Injury Prevention Program, Bureau of Family Health Services, Division of Community Health Promotion, (850)245-4455.

DEPARTMENT OF HEALTH

The Florida Department of Health Ed and Ethel Moore Alzheimer’s Disease Research Advisory Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2018, 3:00 p.m. – 4:30 p.m.

PLACE: Conference call: 1(888)670-3525, Conference code: 5311418626

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to discuss FY 2018-19 Funding Opportunity Announcement and Research Agenda.

A copy of the agenda may be obtained by contacting: Dinithia Sampson, PhD, dinithia.sampson@flhealth.gov, (850)558-9678.

For more information, you may contact: Dinithia Sampson, PhD, dinithia.sampson@flhealth.gov, (850)558-9678.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: September 6, 2018, 10:00 a.m.

PLACE: Conference Call Number: 1(888)670-3525, PIN: 286-825-0655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN080918HSET1 - Peer Services Solicitation Conference Call.

All interested vendors are encouraged to participate. The conference is held to review the ITN with vendors so that areas of misunderstanding or ambiguity be clarified.

A copy of the agenda may be obtained by contacting: Michele.staffieri@myflfamilies.com.

For more information, you may contact: Michele.staffieri@myflfamilies.com.

NAVIGATION DISTRICTS

West Coast Inland Navigation District

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

DATE AND TIME: September 6, 2018, 4:00 p.m.

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

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

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

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

FLORIDA LEAGUE OF CITIES

The Florida Municipal Loan Council (FMLC) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2018, 10:00 a.m.

PLACE: Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Loan Council general meeting conducted through the use of communications media technology, as authorized by subsection 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, pmitchell@flcities.com.

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

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

For more information, you may contact: Penny Mitchell, pmitchell@flcities.com.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Pension Trust Fund (FMPTF) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2018, 11:00 a.m.

PLACE: Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Pension Trust Fund general meeting

conducted through the use of communications media technology, as authorized by subsection 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, pmitchell@flcities.com.

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

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

For more information, you may contact: Penny Mitchell, pmitchell@flcities.com.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Investment Trust Fund (FMIvT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2018, 1:00 p.m.

PLACE: Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Florida Municipal Investment Trust general meeting conducted through the use of communications media technology, as authorized by subsection 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649.

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: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649. 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: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Construction Insurance Trust (FMCIT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 20, 2018, 1:00 p.m. or immediately following adjournment of FMIvT

PLACE: Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Florida Municipal Construction Insurance Trust general meeting conducted through the use of communications media technology, as authorized by subsection 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000 where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649.

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: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649. 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: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Insurance Trust (FMIT) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 21, 2018, 8:00 a.m.

PLACE: Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462, (561)533-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Florida Municipal Insurance Trust general meeting conducted through the use of communications media technology, as authorized by subsection 163.01(18), Florida Statutes. Persons interested in attending may do so in person at Eau Palm Beach, 100 South Ocean Boulevard, Manalapan, FL 33462 (561)533-

6000, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649.

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: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649. 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: Penny Mitchell, email: pmitchell@flcities.com or call: (850)701-3649.

MRGMIAMI

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

DATE AND TIME: Wednesday, September 5, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: Westland Gardens Park, 13501 NW 107 Avenue, Hialeah Gardens, FL 33018

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) is developing the design for a reconstruction project along SR 25/US 27/Okeechobee Road from east of NW 107 Avenue to east of NW 116 Way, in Miami-Dade County. This hearing will begin as an open house, from 6:00 p.m. to 8:00 p.m., with a formal presentation starting at 6:30 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Ms. Elsa Riverol, P.E., Project Manager, at (305)470-5105 or by email at elsa.riverol@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Hong Benitez, P.E. at (305)470-5219, or in writing at 1000 NW 111th Avenue, Room 6111, Miami, Florida 33172, or via email at hong.benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the

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

For more information, you may contact: Ms. Elsa Riverol, P.E., Project Manager, at (305)470-5105 or by email at elsa.riverol@dot.state.fl.us.

GLOBAL 5 COMMUNICATIONS

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

DATE AND TIME: September 12, 2018, 5:00 p.m. – 8:00 p.m.

PLACE: Lake Mary Events Center, 260 N. Country Club Road, Lake Mary, FL 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District 5, is hosting an informational open house for improvements to Interstate 4 (I-4) in Seminole County as part of the I-4 Beyond the Ultimate project. These traffic operation and capacity improvement projects will help keep traffic flowing smoothly and safely in the area and will lay the groundwork for future improvements. The projects include reconstructing the E.E. Williamson Road overpass and adding a lane on eastbound I-4 from E.E. Williamson Road to Lake Mary Boulevard. It also includes resurfacing eastbound I-4 from west of Lake Mary Boulevard to County Road 46A and State Road 46 to the Volusia County line. The meeting will have an open house format, where participants can visit any time between 5:00 p.m. and 8:00 p.m. FDOT staff and others associated with the project will be available to discuss the project and answer questions. Attendees will have the opportunity to ask questions regarding the construction. There will not be a formal presentation. Participants may provide public comments directly to public communication staff at any time during the informational open house. Written comments from all interested parties will be accepted by the department at the informational open house and for a period of ten (10) days after the meeting. Comments should be addressed to: Hatem Aguib, P.E., Project Manager, by mail 719 S. Woodland Blvd., Mail Station 542, DeLand, Florida 32720, or via email at hatem.aguib@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator via email at Jennifer.Smith2@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: David Parks, Public Communication Coordinator, 1(844)858-4636, davidparks@i4ultimate.com. If you are hearing or speech impaired, please contact the agency using the

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

For more information, you may contact: Hatem Aguib, P.E., FDOT Project Manager, at (386)943-5559, Hatem.Aguib@dot.state.fl.us.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

NOTICE IS HEREBY GIVEN that the Board of Building Code Administrators and Inspectors has received the petition for declaratory statement from Amador Barzaga, on August 14, 2018. The petition seeks the agency’s opinion as to the applicability of Chapter 468 and 489, F.S., as it applies to the petitioner.

The Petitioner seeks a declaratory statement regarding the distinction, if any, between the responsibilities in Chapter 468 relating to plumbing inspectors and the responsibilities in Chapter 489, F.S. relating to plumbing contractors when performing medical gas inspections. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Building Code Administrators and Inspectors, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, N12, (850)717-1394 or by electronic mail - Robyn.Barineau@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Jeffrey Lucas, City of Fort Lauderdale Fire Marshal on June 4, 2018. The following is a summary of the agency’s disposition of the petition:

The Petition requests a determination if the provisions found in NFPA 101, 2015, section 11.7.3, underground and limited access structures, require emergency access openings in a building if a multiple-story structure (two or more-story or self-storage) with no opening in compliance with 11.7.3.4 or 11.7.3.5 above the first floor. And if the answer is yes, Petitioner is asking if the installation of a fire sprinkler system and emergency lighting wave the installation of emergency access opening. The Department concludes: 1) Yes, the FFPC, NFPA 101, section 11.7.3.1.2, requires emergency access openings in a multiple-story structure in accordance with

Section 11.7.3.2; and 2) Yes, the FFPC, NFPA 101, Section 11.7.3.1, provides a structure that does not have openings in compliance with Sections 11.7.3.1.1 and 11.7.3.1.2, shall be designated as a limited access structure and shall comply with Sections 11.7.3.4 and 11.7.3.5. The FFPC, NFPA 101, Sections 11.7.3.4 and 11.7.3.5, provides compliance requirements for a limited access structure, which include being protected by an automatic sprinkler system and emergency lighting.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Sarah Marcos Sarah.marcos@myfloridacfo.com, (850)413-4229.

Please refer all comments to: Sarah.marcos@myfloridacfo.com.

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

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

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

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, August 22, 2018 and 3:00 p.m., Tuesday, August 28, 2018.

Rule No.	File Date	Effective Date
40E-21.221	8/23/2018	9/12/2018
40E-21.251	8/23/2018	9/12/2018
40E-21.271	8/23/2018	9/12/2018
40E-21.275	8/23/2018	9/12/2018
40E-21.421	8/23/2018	9/12/2018
40E-21.551	8/23/2018	9/12/2018
61H1-23.001	8/22/2018	9/11/2018
64B3-3.003	8/23/2018	9/12/2018
64B8-51.006	8/22/2018	9/11/2018
64B9-4.011	8/24/2018	10/1/2018
64B9-7.001	8/24/2018	10/1/2018
64B12-16.003	8/22/2018	9/11/2018
64B20-5.005	8/23/2018	9/12/2018
65G-4.0215	8/23/2018	9/12/2018
69U-100.005	8/22/2018	9/11/2018
69U-100.03852	8/22/2018	9/11/2018
69U-100.045	8/22/2018	9/11/2018
69U-100.948	8/22/2018	9/11/2018
69U-110.008	8/22/2018	9/11/2018
69U-110.0211	8/22/2018	9/11/2018
69U-110.031	8/22/2018	9/11/2018

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF HEALTH

Office of Medical Marijuana Use Notice of Challenges related to the issuance of MMTC registrations

The Department of Health, Office of Medical Marijuana Use and the Office of the General Counsel, hereby provide notice that the Department of Health (Department) has received six requests for registration as a medical marijuana treatment center (MMTC), pursuant to subparagraph 381.986(8)(a)2., Florida Statutes. The Department has issued denials of all six requests and has received a Petition for Administrative Hearing in five of these denials.

Subparagraph 381.986(8)(a)2., Florida Statutes, directs the Department to license as MMTCs, applicants that meet the requirements of the section, as outlined in sub-subparagraphs a. – c., in sufficient numbers to result in 10 total licenses issued pursuant to subparagraph 2. Subsequent to this legislative directive, the Department has issued seven of these ten licenses. Of the remaining three licenses, one is reserved for an applicant who is a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011).

The citrus preference identified in subparagraph 381.986(8)(a)3., Florida Statutes, is only applicable to the same remaining licenses to be issued pursuant to subparagraph 381.986(8)(a)2., Florida Statutes, and are at issue in the pending legal challenges listed below. Anyone with a substantial interest in the remaining two licenses should take appropriate legal action. For further information, please contact Jessica Gallmon at (850)617-1427.

- Spring Oaks v. DOH, DOAH Case No. 18-004471
- Perkins v. DOH, DOAH Case No. 18-004473
- Bill’s Nursery v. DOH, DOAH Case No. 18-004474
- Dewar Nurseries v. DOH, DOAH Case No. 18-004463
- Tree King v. DOH, DOAH Case No. 18-004472

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine
Notice of Emergency Action

On August 27, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the registration of Leonie Dareus, R.C.A., Registration # RCA 15917. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections

456.073(8) and 120.60(6), Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On August 27, 2018, the State Surgeon General issued an Order of Emergency Restriction with regard to the license of Skyler Jeanne Perkins, A.R.N.P., License # ARNP 9208058. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6), Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On August 27, 2018, the State Surgeon General issued an Order of Emergency Suspension with regard to the license Sabrina Yvette Kelley, L.P.N., License # PN 5203231. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6), Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-18-046

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY CITY OF MARATHON

ORDINANCE NO. 2018-02

FINAL ORDER

APPROVING CITY OF MARATHON ORDINANCE NO. 2018-02

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2018-02 (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. The City of Marathon is a local government within the Florida Keys Area.

2. The Ordinance was adopted by the City of Marathon on April 10, 2018, and rendered to the Department on July 3, 2018.

3. The Ordinance amends the City of Marathon Code of Ordinances to further regulate Mobile Vendor Food Units (MVFUs) by establishing the number of licenses available for MVFUs, addressing MVFUs that utilize fixed locations, addressing MVFU’s use of Public Rights-Of-Way, and creating exceptions for hot dog carts.

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. Subsections 380.05(6), and 380.0552(9), Florida Statutes.

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

6. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically Future Land Use Element Objective 1-1.1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Subsections 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 subsection 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development in subsection 380.0552(7), Florida Statutes, 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.

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2018-02 is consistent with the City of Marathon 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, 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 subsections 28-106.104(2), 28-106.201(2), and Section 28-106.301, Florida administrative code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either Section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes. 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 28th day of August, 2018.

/s/Stephanie Webster

Agency Clerk

Department of Economic Opportunity

107 East Madison Street, MSC 110

Tallahassee, FL 32399-4128

By U.S. Mail: The Honorable Michelle Coldiron, Mayor

City of Marathon, City Council

9805 Overseas Highway

Marathon, FL 33050

Diane Clavier, Clerk

City of Marathon

9805 Overseas Highway

Marathon, FL 33050

George Garrett, Director

City of Marathon, Planning Department

9805 Overseas Highway

Marathon, FL 33050

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.
