

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

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.:       RULE TITLE:  
64D-2.002       Definitions

PURPOSE AND EFFECT: This rule is being amended to conform to legislative changes to section 381.004, Florida Statutes, eliminating licensing requirements for clinical laboratories. Clinical laboratories in Florida will be federally CLIA-certified instead of licensed by the Agency for Health Care Administration.

SUBJECT AREA TO BE ADDRESSED: Definition of “laboratory” as used in regulations for HIV testing.

RULEMAKING AUTHORITY: 381.003(2), 381.004(9), 381.0041(10), FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.004, 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: Mara Michniewicz at mara.michniewicz@flhealth.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-2.002 Definitions.

Unless defined below, words and phrases used in this chapter have the same meaning as in Section 381.004(1), F.S.

(1) through (5) No change.

(6) “Laboratory” – Any facility appropriately certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder, licensed under Chapter 483, F.S., where HIV tests are performed. This definition does not include blood establishments.

(7) through (9) No change.

Rulemaking Authority 381.003(2), 381.004(9), 381.0041(10) FS. Law Implemented 381.0011, 381.003, 381.004 FS. History—New 11-6-85, Formerly 10D-93.62, Amended 7-12-89, 5-30-90, 1-20-92, 5-1-96, Formerly 10D-93.062, Amended 8-24-99, 1-3-13, 9-5-16,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.:       RULE TITLE:

64D-3.042       STD Testing Related to Pregnancy

PURPOSE AND EFFECT: This rule is being amended to conform to legislative changes to section 381.004, Florida Statutes, eliminating licensing requirements for clinical laboratories. Clinical laboratories in Florida will be federally CLIA-certified instead of licensed by the Agency for Health Care Administration.

SUBJECT AREA TO BE ADDRESSED: Laboratory requirements for STD testing related to pregnancy.

RULEMAKING AUTHORITY: 381.0011, 381.003(2), 382.003(7), 384.25, 384.33 FS.

LAW IMPLEMENTED: 381.0011, 381.003(1)(c), 381.004(3), 382.008(6), 382.013(5), 384.26, 384.31 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: Mara Michniewicz at mara.michniewicz@flhealth.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-3.042 STD Testing Related to Pregnancy.

(1) through (6) No change.

(7)(a) Specimens shall be submitted to a laboratory appropriately certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder, licensed under Part I, Chapter 483, F.S., to perform tests for chlamydia, gonorrhea, hepatitis B surface antigen (HBsAg), HIV and syphilis.

(b) The practitioner submitting the specimens for testing to a licensed laboratory shall state that these specimens are from a pregnant or postpartum woman.

(8) through (9) No change.

Rulemaking Authority 381.0011, 381.003(2), 382.003(7), 384.25, 384.33 FS. Law Implemented 381.0011, 381.003(1)(c), 381.004(3), 382.008(6), 382.013(5), 384.26, 384.31 FS. History—New 11-20-06, Amended\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NOS.:      RULE TITLES:  
 64D-4.002      Definitions  
 64D-4.003      Eligibility and Documentation Requirements  
 64D-4.007      AIDS Drug Assistance Program (ADAP)

PURPOSE AND EFFECT: This rule change is to update the referenced federal poverty level and streamline the eligibility process for patient care services by standardizing eligibility criteria across all covered programs and eliminating some program-specific eligibility criteria.

SUBJECT AREA TO BE ADDRESSED: Definitions, eligibility and documentation requirements for HIV/AIDS patient care programs, and the AIDS Drug Assistance Program (ADAP).

RULEMAKING AUTHORITY: 381.0011(2), 381.003(2) FS.  
 LAW IMPLEMENTED: 381.011, 381.003(1)(b) 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: Joseph May, ph. (850)245-4421, email Joe.May@FLhealth.gov.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NOS.:      RULE TITLES:  
 65A-1.205      Eligibility Determination Process  
 65A-1.701      Definitions  
 65A-1.702      Special Provisions  
 65A-1.703      Family-Related Medicaid Coverage Groups  
 65A-1.704      Family-Related Medicaid Eligibility Determination Process  
 65A-1.705      Family-Related Medicaid General Eligibility Criteria  
 65A-1.707      Family-Related Medicaid Income and Resource Criteria  
 65A-1.708      Family-Related Medicaid Budgeting Criteria  
 65A-1.716      Income and Resource Criteria

PURPOSE AND EFFECT: The Department intends to amend Rules 65A-1.205, .701-.705, .707-.708, and .716, F.A.C., to revise the Family-Related Medicaid eligibility policies and procedures used to implement the Florida Family-Related Medicaid Program so that the requirements of the Affordable Care Act that govern the Florida Family-Related Medicaid coverage groups are met.

SUBJECT AREA TO BE ADDRESSED: Medicaid  
 RULEMAKING AUTHORITY: 409.1451, 409.919, 414.095, 414.45, FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919, 414.045, 414.095, 414.31, 414.41, FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 3, 2019; 10:00 a.m. – 11:30 a.m.  
 PLACE: Department of Children and Families, 1317 Winewood Blvd., Building 3, Room 454-A Tallahassee, FL 32399-0700

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: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4470. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4470.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.:      RULE TITLE:  
 65A-1.713      SSI-Related Medicaid Income Eligibility Criteria

PURPOSE AND EFFECT: The Department intends to amend Rule 65A-1.713, F.A.C., to add provisions regarding the determination of SSI-related Medicaid payments for veterans.

SUBJECT AREA TO BE ADDRESSED: SSI-Related Medicaid Income Eligibility Criteria

RULEMAKING AUTHORITY: 409.919, FS.  
 LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919, FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 3, 2019; 11:30 a.m. – 12:00 p.m.  
 PLACE: Department of Children and Families, 1317 Winewood Blvd., Building 3, Room 454-A Tallahassee, FL 32399-0700

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: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4470. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4470.

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

- |            |  |
|------------|--|
| RULE NOS.: | RULE TITLES:   |
| 68A-6.001  | Captive Wildlife Definitions   |
| 68A-6.0011 | Possession of Wildlife in Captivity; Permit Requirements   |
| 68A-6.002  | Categories of Captive Wildlife   |
| 68A-6.0021 | Possession or Transfer of Class I Wildlife as Personal Use Wildlife  |
| 68A-6.0022 | Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements   |
| 68A-6.0023 | General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements |
| 68A-6.0024 | Commercialization of Wildlife; Bonding or Financial Responsibility Guarantee   |
| 68A-6.0025 | Sanctuaries; Retired Performing Wildlife and Identification  |
| 68A-6.003  | Facility and Structural Caging Requirement for Class I, II and III Wildlife  |
| 68A-6.004  | Standard Caging Requirements for Captive Wildlife  |
| 68A-6.0041 | Exceptions to Standard Caging Requirements for Captive Wildlife  |
| 68A-6.0042 | Elephant Rides   |
| 68A-6.005  | Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals                            |
| 68A-6.006  | Dealing in Exotic or Pet Birds: Records  |
| 68A-6.007  | Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern  |
| 68A-6.0071 | Record Keeping and Reporting Requirements  |
| 68A-6.0072 | Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape   |

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to analyze the current rules during calendar year 2019 to determine if adjustments are needed to ensure the safety of the general public and the possessors of wildlife, and to ensure the welfare of the wildlife.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in the proposed rules includes the regulations governing captive wildlife.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution. 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: Jake Whealdon, Assistant General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

- |            |                                |
|------------|--------------------------------|
| RULE NOS.: | RULE TITLES:                   |
| 68A-9.005  | Falconry                       |
| 68A-9.006  | Wildlife Rehabilitation Permit |
- PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to analyze the current rules during calendar year 2019 to determine if adjustments are needed to ensure the safety of the general public and the possessors of wildlife, and to ensure the welfare of the wildlife.
- SUBJECT AREA TO BE ADDRESSED: Subject area covered in the proposed rules includes the regulations governing captive wildlife.
- RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
- LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution. 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: Jake

Whealdon, Assistant General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

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

## Section II Proposed Rules

### DEPARTMENT OF LEGAL AFFAIRS

**RULE NO.:** 2-40.007  
**RULE TITLE:** Rescheduling of a Drug Product in Finished Dosage Formulation That Has Been Approved by the U.S. Food and Drug Administration That Contains Cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) Derived from Cannabis and No More Than 0.1 Percent (w/w) Residual Tetrahydrocannabinols

**PURPOSE AND EFFECT:** The proposed rule is intended to reschedule a drug product in finished dosage formulation that has been approved by the Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1, 3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols, from a Schedule I to a Schedule V controlled substance.

**SUMMARY:** The above substance is being rescheduled from a Schedule I to a Schedule V controlled substance.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the agency has concluded that the rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the agency determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature.

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:** 893.0355, FS.

**LAW IMPLEMENTED:** 893.0355, 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: Edward A. Tellechea, Chief Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

THE FULL TEXT OF THE PROPOSED RULE IS:

2-40.007 Rescheduling of a Drug Product in Finished Dosage Formulation That Has Been Approved by the U.S. Food and Drug Administration That Contains Cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) Derived from Cannabis and No More Than 0.1 Percent (w/w) Residual Tetrahydrocannabinols. Under the authority of Section 893.0355, Florida Statutes, a drug product in finished dosage formulation that has been approved by the U. S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual Tetrahydrocannabinols, is hereby rescheduled from a Schedule I to a Schedule V controlled substance.

Rulemaking Authority: 893.0355 FS. Law Implemented: 893.0355 FS. History–New\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Pam Bondi, Attorney General

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Pam Bondi, Attorney General

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 31, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 27, 2018

### DEPARTMENT OF ENVIRONMENTAL PROTECTION Beaches and Coastal Systems

**RULE NOS.:** 62B-41.005 Policy and Eligibility Criteria for Coastal Construction Permits  
 62B-41.008 Information Regarding Permit Application Requirements and Procedures

**PURPOSE AND EFFECT:** To establish, in response to a November 16, 2018, Notice of Unadopted Rule from David H. Sherry, Rebecca R. Sherry, and John S. Donovan, regarding the

Department's East Pass Inlet Management plan (July 24, 2013), that consistency with an inlet management plan developed by the Department is no longer required under the provisions of the rule chapter. Instead, applicants seeking a Joint Coastal Permit will need to provide information that, for activities to be conducted that are associated with an inlet, including management activities, demonstrates that the proposed project or activity will comply with the requirements of Section 161.142, Florida Statutes. The application form adopted by reference in subsection 62B-49.005(1), F.A.C., is by separate Notice of Rule Development, proposed to be amended to be consistent with rule amendments being developed for certain provisions of Rule Chapter 62B-41, F.A.C.

SUMMARY: The subject matter addressed is an existing rule requirement regarding the use of a Department approved Inlet Management Plan by applicants for Joint Coastal Permits.

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.

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: 20.255, 161.041(1), 161.055(1), (2), 161.085(5) FS.

LAW IMPLEMENTED: 161.041(1), (2), (3), (4), (5), (7)(b), (8), 20.255, 161.021(1), (6), (7), (9), 161.042, 161.142, 161.142(1), (2), (4), (5), (6), (7), 161.144, 161.051, 161.055(1), (2), 161.161, 161.061, 161.161(1), 161.082, 161.085(1), (2), 161.091, 161.151(3), 161.0535, 161.163, 379.243(1), 161.101(15) 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: Greg Garis, Program Administrator, Beaches, Inlets and Ports Program, 2600 Blair Stone Road, MS 3544, Tallahassee, Florida 32399, (850)245-8280, or email Gregory.Garis@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-41.005 Policy and Eligibility Criteria for Coastal Construction Permits.

- (1) through (6) No change.

(7) In the review of applications for armoring, Department staff shall consider the following:

- (a) through (b) No change.

(c) The geomorphology of the coastline and active coastal processes, including historic erosion rates and sea level rise; and,

(d) Whether a permit for a beach restoration or nourishment project or other erosion prevention project has been applied for, which may reduce the vulnerability of the structure to be protected by the armoring; and,

~~(e) Consistency with the statewide strategic beach management plan or an inlet management plan adopted by the Department.~~

- (8) through (10) No change.

(11) In addition to the other requirements of this chapter, opening of previously existing inlets that have been recently closed due to human activity, alteration or maintenance of natural inlets, intermittent inlets and flushing outlets and stabilization of natural shorelines of existing unstabilized altered inlets will be approved upon a showing that:

- (a) No change.

(b) After avoidance and minimization, any adverse impacts that are reasonably likely to occur will be offset by a proposed mitigation plan. When evaluating the mitigation plan, the Department will consider the benefits of the long term sand management plan and the overall public benefit of the inlet activity including:

- 1. through 4. No change.

5. Being consistent with ~~an adopted inlet management plan~~ and the statewide strategic beach management plan, where applicable.

- (c) No change.

- (12) through (13) No change.

(14) All sandy sediment excavated from the coastal system shall be deposited on the adjacent eroding beach in a location ~~designated in the adopted inlet management plan, the adopted statewide strategic beach management plan where applicable, or in a nearshore littoral zone location~~ approved by the Department.

(15) Any permit application for construction, excavation or maintenance of a coastal inlet and related shoals shall be consistent with the statewide strategic beach management plan for long term management of the inlet pursuant to sections 161.142 and 161.161, F.S. ~~Where such a plan is not available the applicant shall provide the information required in paragraph 62B-41.008(1)(b), F.A.C., and shall, as a condition of the permit, be required to provide a complete inlet management plan within a period of not less than two years from the date of issuance of the permit. Any permit issued The plan shall be conditioned on provide for~~ continued bypassing of the sand in sufficient quantity to insure that net long term

erosion or accretion rates on both sides of the inlet remain equal except in cases where unequal erosion and accretion rates can be shown to be a result of natural processes and not caused by human activities. In all cases, mitigation shall be provided for any erosion effects to the adjacent coastal system attributable to alteration of the inlet. The mitigation shall include the placement of supplemental beach compatible material as needed.

(16) through (18) No change.

Rulemaking Authority 161.041(1), 161.055(1), (2), 161.085(5) FS. Law Implemented 161.041, 161.042, 161.051, 161.055(1), (2), 161.061(1), (2), 161.085(1), (2), 161.091, 161.142(1), (2), (4), (5), (6), (7), 161.144, 161.163, 379.2431(1) FS. History—New 8-23-92, Formerly 16B-41.005, Amended 10-23-01, 11-17-11, 1-11-17, \_\_\_\_\_.

**62B-41.008 Information Regarding Permit Application Requirements and Procedures.**

(1) A Joint Coastal Permit, pursuant to subsection 62B-49.005(1), F.A.C., is required in order to conduct any coastal construction activities in Florida. All information in conjunction with an application shall only be submitted by the applicant or the duly authorized agent. The information listed below provides specific details for application requirements related to this chapter:

(a) No change.

(b) Demonstration of consistency with the adopted statewide strategic beach management plan, ~~an inlet management plan, or a proposed draft inlet management plan in accordance with subsection 62B-41.005(16), F.A.C. or if the proposed work is associated with an inlet, if not included in the inlet management plan~~ the applicant will provide the following information in order to demonstrate that the proposed activity will not have a significant adverse impact on adjacent beaches or the inlet system:

1. through 10. No change.

(c) No change.

(2) through (3) No change.

Rulemaking Authority 20.255, 161.041(1), 161.055(1), (2) FS. Law Implemented 20.255, 161.041(1), (2), (3), (4), (7)(b), 161.042, 161.051, 161.055(1), (2), 161.142, 379.2431(1) FS. History—New 8-23-92, Formerly 16B-41.008, Amended 10-23-01, 1-11-17, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Greg Garis, Program Administrator, Beaches Inlets and Ports Program.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Noah Valenstein, Secretary

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 11, 2018

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** December 11, 2018

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Beaches and Coastal Systems**

**RULE NO.:** 62B-49.005  
**RULE TITLE:** Application Requirements and Processing Procedures.

**PURPOSE AND EFFECT:** To establish, in response to a November 16, 2018, Notice of Unadopted Rule from David H. Sherry, Rebecca R. Sherry, and John S. Donovan, regarding the Department’s East Pass Inlet Management Plan (July 24, 2013), that consistency with an inlet management plan developed by the Department is no longer required under Rule Chapter 62B-41, F.A.C., and as reflected in the application for a Joint Coastal Permit adopted by reference in Rule 62B-49.005, F.A.C.

The application form adopted by reference in Rule 62B-49.005(1), F.A.C., is proposed to be amended to be consistent with rule amendments being developed for certain provisions of Rule Chapter 62B-41, F.A.C., that will delete references to Department approved inlet management plans.

**SUMMARY:** The subject matter addressed is an existing rule requirement regarding consistency with an inlet management plan developed by the Department by applicants for Joint Coastal Permits. The application form adopted by reference in subsection 62B-49.005(1), F.A.C., is being amended consistent with rule amendments being developed for Rule Chapter 62B-41, F.A.C., regarding inlet management plans. Chapter 62B-41, F.A.C., is proposed to be amended to no longer require consistency with an inlet management plan developed by the Department in order to obtain a Joint Coastal Permit.

**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.

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:** 20.255(8), 161.055(1), (2), 373.427(1) FS.

**LAW IMPLEMENTED:** 20.255(8), 161.041, 161.0535, 161.055(1), (2), 373.427(1), (2), (3), (4), (5), (6), 403.061(44) 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:** Greg Garis, Program Administrator, Beaches, Inlets and Ports Program, 2600 Blair Stone Road, MS

3544, Tallahassee, Florida 32399, (850)245-8280, or email Gregory.Garis@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-49.005 Application Requirements and Processing Procedures.

(1) To apply for a joint coastal permit, the applicant shall submit the Joint Application for Joint Coastal Permit/Authorization to Use Sovereignty Submerged Lands/Federal Dredge and Fill Permit (DEP Form 73-500, Effective ~~XX/XX 11/15~~) (“JCP Application Form”), which is hereby incorporated by reference, along with supporting documents, all in searchable electronic format. Copies of the form may be obtained by downloading from the Department’s web page at: <http://www.dep.state.fl.us/beaches/publications/forms/enabled/73-500-JCPApplication.pdf> or from the Department of State’s webpage at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. When submitting the digital information, the applicant shall use the following standards:

- (a) through (h) No change.
- (2) through (11) No change.

Rulemaking Authority 20.255(8), 161.055(1), (2), 373.427(1) FS. Law Implemented 20.255(8), 161.041, 161.0535, 161.055(1), (2), 373.427(1), (2), (3), (4), (5), (6), 403.061(44) FS. History—New 10-12-95, Amended 2-19-98, 5-17-07, 11-19-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Garis, Program Administrator, Beaches Inlets and Ports Program.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Noah Valenstein, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/11/18

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 11, 2018

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-31.001	Definitions
65C-31.004	Road to Independence Scholarship
65C-31.006	Young Adult Services Documentation Requirements
65C-31.007	High School Needs Assessment
65C-31.008	Post Secondary Needs Assessment
65C-31.009	Independent Living Benefits Due Process Notification
65C-31.010	Jurisdictional and Service Requirements for Young Adults Formerly in the Custody of the Department
65C-31.011	Independent Living Program Budget Management

PURPOSE AND EFFECT: The Department intends to repeal the following obsolete rules: 65C-31.001, .004, and .006-.011, F.A.C.

SUMMARY: Rules 65C-31.001, .004, and .006-.011, F.A.C., will be repealed.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

**RULEMAKING AUTHORITY:** 39.012, 39.0121(13), 39.5075(8), 409.1451(10), F.S.

**LAW IMPLEMENTED:** 39.013, 39.5075, 39.701(6)(a), 409.1451, F.S.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Jodi Abramowitz. Jodi can be reached at 850-717-4470 or Jodi.abramowitz@myflfamilies.com.

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

**65C-31.001 Definitions.**

Rulemaking Authority 39.5075(8), 409.1451(10) FS. Law Implemented 39.5075, 409.1451 FS. History–New 7-27-06. Repealed.

**65C-31.004 Road to Independence Scholarship.**

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(b) FS. History–New 7-27-06. Repealed.

**65C-31.006 Young Adult Services Documentation Requirements.**

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(a), (c) FS. History–New 7-27-06. Repealed.

**65C-31.007 High School Needs Assessment.**

Rulemaking Authority 409.1451(10) F.S. Law Implemented 409.1451(5)(b)4. F.S. History–New 7-27-06. Repealed.

**65C-31.008 Post Secondary Needs Assessment.**

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451(1), (2), (3)(a), (c), (d), (5)(b) FS. History–New 7-27-06. Repealed.

**65C-31.009 Independent Living Benefits Due Process Notification.**

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451(5)(e) FS. History–New 7-27-06. Repealed.

**65C-31.010 Jurisdictional and Service Requirements for Young Adults Formerly in the Custody of the Department.**

Rulemaking Authority 39.012, 39.0121(13), 39.5075(8), 409.1451(10) FS. Law Implemented 39.013, 39.5075, 39.701(6)(a), 409.1451(5)(d) FS. History–New 7-27-06. Repealed.

**65C-31.011 Independent Living Program Budget Management.**

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451(5) FS. History–New 7-27-06. Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Brandie McCabe

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Rebecca Kapusta

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 11, 2018

**Section III  
Notice of Changes, Corrections and  
Withdrawals**

**LAND AND WATER ADJUDICATORY COMMISSION**

**Big Island Community Development District**

**RULE NOS.:** **RULE TITLES:**

42RRR-1.001 District

42RRR-1.002 Boundary

42RRR-1.003 Supervisors

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 235, December 5, 2018 issue of the Florida Administrative Register.

The notice should have stated the Rule Title as:

42RRR-1.001 District.

**AGENCY FOR STATE TECHNOLOGY**

**RULE NO.:** **RULE TITLE:**

74-2.002 Identify

**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. 183, September 19, 2018 issue of the Florida Administrative Register.

74-2.002 Identify.

(1) through (3), No change.

(4) Risk Assessment.

(a) Approach. Each agency shall identify and manage the cybersecurity risk to agency operations (including mission, functions, image, or reputation), agency assets, and individuals using the following approach, that derives from the NIST Risk Management Framework (RMF) which is hereby incorporated by ~~reference~~ and may be found at: <http://csrc.nist.gov/groups/SMA/fisma/framework.html> (~~rev. 9/11/2018~~). The Risk Assessment steps provided in the table below must be followed; however, agencies may identify and, based on the risk to be managed, consider other risk assessment

security control requirements and frequency of activities necessary to manage the risk at issue.

In accordance with section 282.318(4)(d), F.S., each agency shall complete and submit to AST no later than July 31, 2017, and every three years thereafter, a comprehensive risk assessment. In completing the risk assessment, agencies shall follow the six-step process (“Conducting the Risk Assessment”) outlined in Section 3.2 of NIST Special Publication 800-30, utilizing the exemplary tables provided therein as applicable to address that particular agency’s threat situation. NIST Special Publication 800-30, Guide for Conducting Risk Assessments, Revision 1 (September 2012) is hereby incorporated by reference and may be found at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-06499>. When establishing risk management processes, it may be helpful for agencies to review NIST Risk Management Framework Special Publications – they can be downloaded from the following website: <http://csrc.nist.gov/publications/PubsSPs.html>. When assessing risk, agencies shall estimate the magnitude of harm resulting from unauthorized access, unauthorized modification or destruction, or loss of availability of a resource. Estimates shall be documented as low-impact, moderate-impact, or high-impact relative to the security objectives of confidentiality, integrity, and availability.

(b) No change.

(5) through (6) No change.

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**Section IV  
Emergency Rules**

NONE

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Lake Talquin Water Company’s petition for waiver variance from Rule 25-30.120, Florida Administrative Code, filed June 4, 2018, in Docket No. 20170253-WU - Application for grandfather water certificate in Leon County by Lake Talquin Water Company, Inc., was approved by the Commission by Order No. PSC-2018-0441-PAA-WU, issued August 29, 2018, consummated by Order No. PSC-2018-0493-CO-WU, issued October 5, 2018. The rules addresses the

timing of the assessment of regulatory assessment fees. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAR on June 8, 2018. A copy of the Order can be obtained from the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on December 10, 2018, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: Palisades at Palmer Ranch Condominium Association, Inc.

Rule No.: 40D-22.201

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

The Petition has been assigned tracking No. 19-4295.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, [water.variances@watermatters.org](mailto:water.variances@watermatters.org). Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (T2019003).

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Katane LLC located in Coral Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Key Largo Hospitality Group LLC located in Key Largo. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

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

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

DEPARTMENT OF HEALTH

Board of Medicine

NOTICE OF DISPOSITION FOR WAIVER OR VARIANCE

The Board of Medicine hereby gives notice: that the Petition for Waiver or Variance filed on behalf Courtney Richard Morgan, M.D. on August 27, 2018, is moot. Dr. Morgan’s probation with the Board of Medicine has been terminated and his request to have a supervisor approved who is not in the same practice area as Dr. Morgan is unnecessary and therefore renders his Petition moot. The Notice of Petition for Waiver or Variance was published in Volume 44, No. 169, of the Florida Administrative Register, on August 29, 2018. The person to be contacted regarding this Petition is: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-18.003 Concurrent Internships.

The Division of Funeral, Cemetery, and Consumer Services hereby gives notice: that the request for waiver, by Delores Brown, that another internship be granted. was granted at the December 6, 2018 Board Meeting.

A copy of the Order or additional information may be obtained by contacting: Jasmin Richardson at (850)413-3039.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-18.004 Intern Training Agencies.

NOTICE IS HEREBY GIVEN that on November 27, 2018, the Division of Funeral, Cemetery, and Consumer Services, received a petition for waiver of certain requirements of subsection 69K-18.004(3), FAC. The petition was filed on behalf of Foundation Partners of Florida, LLC (FPG), which is acquiring certain funeral establishments that are currently training agencies. FPG seeks a waiver such that the number of cases done by the prior owner of the funeral establishment should count against the requirement of the cited rule, so that the training agency status of the funeral establishments may be continued, thus preventing the imposition of serious hardship to the interns currently training at the said funeral establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jasmin Richardson at (850)413-3039.

Section VI

Notice of Meetings, Workshops and Public Hearings

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, January 9, 2019, 9:00 a.m.; Thursday January 10, 2019, 9:00 a.m.; Wednesday, January 23, 2019, 9:00 a.m.; Thursday, January 24, 2019, 9:00 a.m.; Wednesday, January 30, 2019 & Thursday, January 31, 2019, 9:00 a.m.

PLACE: Betty Easley Conference Center, Room #152, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Commission on Offender Review at

ada@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The Correctional Medical Authority announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 27, 2018, 12:00 Noon – 12:30 p.m.

PLACE: The Capitol, Room 705, 400 South Monroe St., Tallahassee, FL 32399, Telephone conference: 1(888)670-3525 (toll-free), Participant code: 4107102753#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of annual and aging reports.

A copy of the agenda may be obtained by contacting: Executive Director, Correctional Medical Authority, 400 South Monroe St., Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)717-9500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: December 18, 2018, 11:00 a.m. ET

PLACE: 4050 Esplanade Way, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with section 120.525, Florida Statutes, a non-mandatory pre-proposal conference/MFMP training event is hereby noticed for the following Request for Proposals (RFP) Number: 03-90121702-R Language Interpretation and Translation Services. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu)

A copy of the agenda may be obtained by contacting: Frank Dichio at (850)487-4196 or frank.dichio@dms.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 48 hours before the workshop/meeting by contacting: Frank Dichio at (850)487-4196 or frank.dichio@dms.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: Frank Dichio at (850)487-4196 or frank.dichio@dms.myflorida.com.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: January 28, 2019, 10:00 a.m. or soon thereafter

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

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

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

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

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

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

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#### DEPARTMENT OF HEALTH

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

DATE AND TIME: January 10, 2019, 10:00 a.m. ET

PLACE: Toll-free (in the United States): 1-888)585-9008, Conference room number: 844-494-458

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The BRAC will meet via conference call to confirm the peer review panels for the FY 2018-2019 Bankhead-Coley, James and Esther King, and Live Like Bella research grant applications. A copy of the agenda may be obtained by contacting: Teresa Mathew at [Teresa.Mathew@flhealth.gov](mailto:Teresa.Mathew@flhealth.gov).

**DEPARTMENT OF HEALTH**

Board of Dentistry

**NOTICE OF CORRECTION AS TO DATE OF MEETING**

The Department of Health, Board of Dentistry, announces a notice of correction as to date of a meeting via telephone conference call which was published in the Florida Administrative Register on December 10, 2018 in volume 44/238. All interested parties are invited to attend with the information listed below and is open to the public.

**DATE AND TIME: CORRECTION AS TO DATE:** January 11, 2019, 9:00 a.m. ET

**PHONE NUMBER:** 1(888)585-9008 when prompted, enter conference room number 599196982#

**PURPOSE:** Probable Cause Panel with reconsiderations.

A copy of the agenda may be obtained by visiting [www.floridasdentistry.gov](http://www.floridasdentistry.gov). If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474 at least one week prior to meeting date.

**FLORIDA HOUSING FINANCE CORPORATION**

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

**DATE AND TIME:** January 8, 2019, 10:00 a.m., Eastern Time.

**PLACE:** The workshop will be available by telephone or interested parties may attend in person at Florida Housing's offices located at 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing's proposed RFA 2019-104 SAIL Financing for Smaller Permanent Supportive Housing Developments for Persons with Special Needs.

The agenda and call-in information for the workshop will be posted to the website prior to the workshop. A Listserv notice will be issued when this information is available.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA HOUSING FINANCE CORPORATION**

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

**DATE AND TIME:** January 8, 2019, 2:00 p.m., Eastern Time.

**PLACE:** The workshop will be available by telephone or interested parties may attend in person at Florida Housing's offices located at 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing's proposed RFA 2019-107 Financing to Develop Housing for Persons with Disabling Conditions or Developmental Disabilities.

The agenda and call-in information for the workshop will be posted to the website prior to the workshop. A Listserv notice will be issued when this information is available.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA ASSOCIATION OF CENTERS FOR INDEPENDENT LIVING**

The Florida Association of Centers for Independent Living announces a public meeting to which all persons are invited.

**DATE AND TIME:** December 19, 2018, 11:00 a.m.

**PLACE:** Teleconference 1(888)853-9372 Code:267511

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Proposed changes to the State Plan for Independent Living. A copy of the agenda may be obtained by contacting: Kristen Herron at (850)575-6004.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kristen Herron at (850)575-6004. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA ASSOCIATION OF CENTERS FOR INDEPENDENT LIVING**

The Florida Association of Centers for Independent Living announces a public meeting to which all persons are invited.

DATE AND TIME: January 24, 2019, 11:00 a.m. – 3:00 p.m.  
PLACE: Betty Easley Conference Center 4075 Esplanade Way, Conference Room 171 Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters related to the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program.

A copy of the agenda may be obtained by contacting: Kristen Herron at (850)575-6004.

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: Kristen Herron at (850)575-6004. 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).

**REGION VII TRAINING COUNCIL**

The CJSTC Region VII Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2019, 10:00 a.m.  
PLACE: Valencia College School of Public Safety, 8600 Valencia College Lane, Orlando, Florida 32825

GENERAL SUBJECT MATTER TO BE CONSIDERED: Trust Fund Budgets, CJSTC Rules, Criminal Justice Training.

A copy of the agenda may be obtained by contacting: Director James Lee, leejm@seminolestate.edu, (407)708-2316.

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

contacting: Director James Lee, leejm@seminolestate.edu, (407)708-2316. 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).

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

DEPARTMENT OF FINANCIAL SERVICES  
Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Dolarex LLC dba DLX Financial. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

12/11/2018 - Petition was WITHDRAWN. On 12/5/2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Dolarex LLC dba DLX Financial. The petition sought a declaratory statement from the Office on whether its proposed business model (to offer a foreign exchange processing service to business customers) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. \*\*\*\*\* On 12/11/2018 the Petition was WITHDRAWN. "

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.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**

HILLSBOROUGH COUNTY AVIATION AUTHORITY  
 Hillsborough County Aviation Authority  
 HILLSBOROUGH COUNTY AVIATION AUTHORITY  
 (AUTHORITY)  
 ITN No. 19-534-003, for Distributed Antenna System (DAS)  
 Sealed responses for Distributed Antenna System (DAS) will  
 be received from firms by the Authority at Tampa International  
 Airport Offices located at 4160 George J. Bean Parkway, Suite  
 2400, Administration Building, Tampa, Florida 33607.  
 Solicitation documents and detailed requirements will be  
 available on the Tampa International Airport website at  
[www.tampaairport.com](http://www.tampaairport.com) > Learn about TPA > Airport Business  
 > Procurement > Current Solicitation Opportunities on  
 December 13, 2018.

**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., Thursday, December 6, 2018 and 3:00 p.m.,  
 Wednesday, December 12, 2018.

Rule No.	File Date	Effective Date
20ER18-1	12/7/2018	12/7/2018
59A-9.025	12/7/2018	12/27/2018

61G15-35.003	12/7/2018	12/27/2018
61J2-3.009	12/7/2018	12/27/2018
64B-9.001	12/12/2018	1/1/2019
64B2-18.002	12/10/2018	12/30/2018
64B13-3.100	12/12/2018	1/1/2019
64B15-14.005	12/12/2018	1/1/2019
64B32-4.001	12/12/2018	1/1/2019
68-5.001	12/7/2018	12/27/2018
68-5.002	12/7/2018	12/27/2018
68-5.003	12/7/2018	12/27/2018
68-5.004	12/7/2018	12/27/2018
68-5.005	12/7/2018	12/27/2018
68-5.006	12/7/2018	12/27/2018
68-5.007	12/7/2018	12/27/2018
68-5.008	12/7/2018	12/27/2018
68-5.009	12/7/2018	12/27/2018
68A-6.007	12/7/2018	1/1/2019
69A-37.039	12/12/2018	1/1/2019
69A-37.058	12/12/2018	1/1/2019
69K-1.001	12/7/2018	12/27/2018
73B-6.001	12/10/2018	12/30/2018

**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	**/**/****
69L-3.009	12/5/2018	**/**/****

DEPARTMENT OF FINANCIAL SERVICES  
 FSC - Financial Institution Regulation  
 Office of Financial Regulation  
 NOTICE OF FILINGS  
 Financial Services Commission

Office of Financial Regulation  
December 13, 2018

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 118
Phone: (850)410-9889		101 East Gaines Street
Fax: (850)410-9663		Tallahassee, Florida 32399-0379
		Phone: (850)410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 118, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850)410-9889, or by Email: [agency.clerk@flofr.com](mailto:agency.clerk@flofr.com).

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., January 2, 2019):

**APPLICATION TO MERGE**

Constituent Institutions: Salem Trust Company, Tampa, Florida and TMI Trust Company, Fort Worth, Texas  
 Resulting Institution: Salem Trust Company, Tampa, Florida  
 With Title: Salem Trust Company  
 Received: December 11, 2018  
 Distribution: (Publication Not Required)  
 Federal Deposit Insurance Corporation, Atlanta, GA  
 Federal Reserve Bank of Atlanta, Atlanta, GA  
 Comptroller of the Currency, Atlanta, GA  
 Jonathan Hightower

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

Final Order No. DEO-18-068

In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY CITY OF MARATHON  
 ORDINANCE NO. 2018-05

**FINAL ORDER**

APPROVING CITY OF MARATHON ORDINANCE NO. 2018-05

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. 2018-05 (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 August 14, 2018, and rendered to the Department on November 5, 2018.
3. The Ordinance strikes Article 12, Floodplain Management, in Chapter 107 of the City of Marathon Code of Ordinances (the “Code”), and creates a new Article 12 intended to be administered and enforced in conjunction with the *Florida Building Code* and implement the National Flood Insurance Program.
4. The Ordinance amends Article 3, Defined Terms, in Chapter 110 of the Code to modify terms related to floodplain management, development, and public safety and nuisances.
5. The Ordinance amends Section 108.08, Nonconforming Structures, in Chapter 108 of the Code to reference the new Article 12 of the Code.
6. The Ordinance amends Sections 6-25, 6-26, 6-27, and 6-52 in Chapter 6 of the Code to adopt administrative and technical amendments to the *Florida Building Code*.

**CONCLUSIONS OF LAW**

7. 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. §§ 380.05(6), and 380.0552(9), Fla. Stat.
8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.
9. The Ordinance is consistent with the City of Marathon Comprehensive Plan, generally, as required by section 163.3177(1), Florida Statutes, and specifically Policy 4-1.3.3, Surface Water Management and Flood Damage Prevention, of the City of Marathon Comprehensive Plan.
10. 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. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in subsection 380.0552(7), Florida Statutes.
11. The Ordinance is consistent with the Principles for Guiding Development in section 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. 2018-05 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

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 12<sup>th</sup> day of December, 2018.

/s/Stephanie Webster

Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110

By U.S. Mail:

The Honorable Michelle Coldiron, Mayor, City of Marathon, City Council, 9805 Overseas Highway, Marathon, FL 33050

Diane Clavier, City Clerk, City of Marathon, City Clerk, 9805 Overseas Highway, Marathon, FL 33050

George Garrett, Planning 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.