

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:

5K-5.014 Grading Services for Poultry

PURPOSE AND EFFECT: This rulemaking will increase the fees for grading services for regular hours, overtime hours, holiday hours, regular shift differential, and overtime shift differential as well as adding an additional charge of \$9.00 per hour to overtime hours worked at a resident location on a shift beginning after 3:00pm.

SUBJECT AREA TO BE ADDRESSED: Hourly fees for grading services.

RULEMAKING AUTHORITY: 570.07(23), 583.04, FS.

LAW IMPLEMENTED: 583.051, 583.052, 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: Matthew Colson by email at Matthew.Colson@FDACS.gov.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:

5K-6.010 Grading Services for Shell Eggs

PURPOSE AND EFFECT: This rulemaking will increase the fees for grading services for regular hours, overtime hours, holiday hours, regular shift differential, and overtime shift differential as well as adding an additional charge of \$9.00 per hour to overtime hours worked at a resident location on a shift beginning after 3:00pm.

SUBJECT AREA TO BE ADDRESSED: Hourly fees for grading services.

RULEMAKING AUTHORITY: 570.07(23), 583.04, FS.

LAW IMPLEMENTED: 583.051, 583.052, 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: Matthew Colson by email at Matthew.Colson@FDACS.gov.

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways

PURPOSE AND EFFECT: To update Florida Greenbook incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Incorporated manual providing uniform standards for streets and highways

RULEMAKING AUTHORITY: 334.044(10)(a), 334.048(3), 336.045(1), F.S.

LAW IMPLEMENTED: 334.044(10)(a), 336.045, F.S.

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: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458, 850-414-5392, susan.schwartz@dot.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.002 Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.

(1) The *Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways*, 2018 ~~2016~~ edition, is hereby incorporated by this rule at http://www.flrules.org/Gateway/reference.asp?No=Ref_08321 and available at <http://www.fdot.gov/roadway/FloridaGreenbook/FGB.shtm>.

(2) No change.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: RULE TITLE:
5B-57.014 State Hemp Program

PURPOSE AND EFFECT: This rulemaking is to implement 2019 Senate Bill 1020, creating s. 581.217, F.S., which requires the Department to administer the state hemp program. This proposed rule will regulate the cultivation of hemp.

SUMMARY: Section 581.217, F.S., directs the Department to adopt rules for the licensure and cultivation of hemp by eligible persons in the state. This rulemaking will adopt a process by which applicants may be licensed to cultivate hemp, applicable cultivation requirements, transportation requirements, sampling and harvest procedures, and rules to address violations.

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: Section 581.217, F.S., directs the Department to adopt rules for the licensure and cultivation of hemp by eligible persons in the state. This rulemaking will adopt a process by which applicants may be licensed to cultivate hemp, applicable cultivation requirements, transportation requirements, sampling and harvest procedures, and rules to address violations.

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), 581.031(4), (5), 581.217, FS.

LAW IMPLEMENTED: 581.031, 581.083, 581.217, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 18, 2019, 9:00 a.m.

Cabinet Meeting Room, The Capitol, Lower Level, 400 South Monroe Street, Tallahassee, Florida 32399

October 21, 2019, 9:00 a.m.

PLACE: Florida State Fairgrounds, 4800 US-301, Tampa, FL 33610

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Holly Bell; Holly.Bell@Cannabis.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

Rule 5B-57.014 - State Hemp Program

(1) Pursuant to s. 581.217, F.S., and in accordance with 7 U.S.C. Section 1639p, the Department shall authorize and oversee the development of the State Hemp Program to regulate the cultivation of hemp in the state, which is a potentially invasive plant species and is a threat to the plant life of this state if not properly controlled. Hemp cultivated pursuant to this rule is considered an agricultural commodity.

(2) Definitions. The definitions provided in ss. 581.011, 581.217, F.S., and the following shall apply to this rule:

(a) "Control person" means an individual, partnership, corporation, trust, or other organization that possesses the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. The term includes:

1. A company's executive officers, including the president, chief executive officer, chief financial officer, chief operations officer, chief legal officer, chief compliance officer, director, and other individuals having similar status or functions.

2. For a corporation, a shareholder who, directly or indirectly, owns 10 percent or more or that has the power to vote 10 percent or more, of a class of voting securities unless the applicant is a publicly traded company.

3. For a partnership, all general partners and limited or special partners who have contributed 10 percent or more or that have the right to receive, upon dissolution, 10 percent or more of the partnership's capital.

4. For a trust, each trustee.

5. For a limited liability company, all elected managers and those members who have contributed 10 percent or more or that have the right to receive, upon dissolution, 10 percent or more of the partnership's capital.

(b) "Person" means individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

(c) "Plot" means a contiguous area in a field, greenhouse, or indoor growing structure used for cultivation of the same variety of hemp.

(d) "Processed hemp plant material" means plant matter, including stalks, seed hulls, woody biomass, hemp flowers, or other foliar material that has been processed in such a manner that makes it an ineffective host of plant pests or disease.

(e) “Responsible person” means a natural person who controls or manages the day to day operations of the hemp cultivation.

(f) “Total delta-9 tetrahydrocannabinol concentration” means $[\text{delta-9 tetrahydrocannabinol}] + (0.877 \times [\text{tetrahydrocannabinolic acid}])$.

(g) “Unprocessed hemp plant material” means plant matter, including stalks, seed hulls, woody biomass, hemp flowers, or other foliar material that has been harvested but has not been processed in such a manner that makes it an ineffective host of plant pests or disease.

(3) It is unlawful for any Person to introduce into this state or move through this state the propagative parts of hemp, live hemp plants, Processed hemp plant material, or Unprocessed hemp plant material unless introduced or moved in compliance with this rule. This prohibition does not apply to products containing Hemp extract purchased, sold, and transported in retail packaging.

(4) Application. It is unlawful for a Person to cultivate hemp in this state without a License to Cultivate Hemp issued by the Department. A Person seeking a license to cultivate hemp shall submit the following to the Department:

(a) A completed Application for License to Cultivate Hemp FDACS-08112, 10/19, incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) A detailed description of each Plot location intended for the cultivation of hemp, including address, legal land description, tax parcel number, and GPS coordinates.

(c) A full set of fingerprints for each Control person and the Responsible person submitted through a Livescan service provider evaluated by the Florida Department of Law Enforcement for state and national processing to Department ORI number. The Livescan service provider receipt for payment and process reference number must be provided with the Application For License to Cultivate Hemp, FDACS-08112, 10/19. If the fingerprint processing identifies criminal charges or convictions related to a controlled substance violation under state or federal law, the Department will notify the applicant that additional information is needed to complete the application. The applicant must provide to the Department a certified copy of the final disposition concerning the matter which the Department requested additional information pursuant to this section within ninety (90) days of receipt of the notification.

(d) An environmental containment plan for each Plot. An environmental containment plan must include the following:

1. A containment system of silt fences, berms, or fallow areas consisting of bare earth or ground cover to prevent the hemp from spreading beyond the Plot.

2. A plan to clean any equipment used on the Plot of all debris before it is moved from the property.

3. A transportation and movement plan that ensures that the propagative parts of hemp, live hemp plants, Processed hemp plant material, and Unprocessed hemp plant material is covered and moved in full containment during transport from noncontiguous locations.

(5) License.

(a) A License to Cultivate Hemp expires twelve months after the date of issuance.

(b) A License must be renewed by following the application procedures outlined in Rule 5B-57.014(4), F.A.C. The License must be renewed on or before the expiration date of the current license.

(c) A License to Cultivate Hemp is not transferable.

(d) A Licensee must request an amendment to the application sixty (60) days prior to planting additional cultivation locations.

(6) Cultivation requirements. The licensee must:

(a) Comply with the licensee’s environmental containment plan.

(b) Comply with the Hemp Waste Disposal Manual. The Hemp Waste Disposal Manual FDACS-08115, 10/19, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The Hemp Sample Submission Form FDACS-08113, 10/19, is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. Code of Federal Regulations Title 40 – Protection of Environment, Parts 261 and 263, revised as of July 1, 2019, is incorporated herein by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(c) Maintain documentation describing the varieties of hemp cultivated for three (3) years from the date of harvest. These documents must be provided to the Department upon request.

(d) Maintain the certification, label, and receipts for all Certified hemp seed or Certified hemp cultivars used in cultivation of hemp for three (3) years from the date of harvest. These documents must be provided to the Department upon request.

(e) Use only Certified hemp seed or Certified hemp cultivars as defined in Rule 5E-4.016, F.A.C., or nursery stock obtained from a Florida nursery registered with the Department that was grown from Certified hemp seed or a Certified hemp cultivar.

(f) Only cultivate hemp on lands that are used primarily for bona fide agricultural purposes pursuant to s. 193.461, F.S., or lands located within an area zoned for agricultural or industrial use.

(g) Post signage at every cultivation location access point which contains the following information: the Department issued license number, the address of the cultivation location, and the following statement, "Hemp is being cultivated under a license issued by the Florida Department of Agriculture and Consumer Services."

(h) Each Plot must be identified separately using a numeric plot designation.

(7) Nurseries. Nurseries propagating hemp plants for distribution shall:

(a) Register with the Department pursuant to s. 581.031(21), F.S.

(b) Hold a License to Cultivate Hemp issued by the Department.

(c) Only distribute hemp plants for cultivation to Persons in the state of Florida who are licensed pursuant to this rule or to Persons within the United States who are authorized to cultivate hemp under a plan authorized pursuant to 7 U.S.C. 1639p.

(d) Maintain copies of hemp plant movement records or sales invoices including Department-issued license numbers for three (3) years from the date of sale or the date of movement and provide copies to the Department upon request.

(8) Tetrahydrocannabinol concentration field sampling.

(a) Prior to each harvest, the licensee shall collect a representative sample from each Plot of hemp to be tested for Total delta-9 tetrahydrocannabinol concentration. The representative sample must be collected and submitted in accordance with the Hemp Field Sampling Manual for Licensees, FDACS-08114, 10/19. The Hemp Field Sampling Manual for Licensees is incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) The representative sample shall be submitted by the licensee to an ISO 17025 accredited laboratory for testing. The licensee must use laboratories whose methods for testing Total delta-9 tetrahydrocannabinol concentration are within their scope of accreditation. The licensee must require the laboratory to report the analysis results for Total delta-9 tetrahydrocannabinol concentration and a copy of the Hemp Sample Submission Form, FDACS-08113, 10/19, directly to the Department by email at DPIHemp@FDACS.gov within twenty-four (24) hours of test completion. The licensee shall not harvest the Plot until the laboratory results indicate the representative sample does not have a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis unless authorized under paragraph 5B-57.014(9)(b), F.A.C. If the representative sample results indicate that the Total delta-9 tetrahydrocannabinol exceeds

0.3% on a dry weight basis, the Department will perform a confirmatory test.

(c) If the initial laboratory report and the Department's confirmatory results indicate that the Total delta-9 tetrahydrocannabinol exceeds 0.3% on a dry weight basis, the licensee will be responsible for the destruction of all hemp plants in the Plot. The licensee shall completely destroy all hemp plants, rendering the plants as non-viable in accordance with the Hemp Waste Disposal Manual FDACS-08115, 10/19. However, if a licensee removes and destroys all leaf and floral material from the plants, the hemp plants may be processed for barestalk fiber, hulled hemp seed, hemp seed protein powder, or hemp seed oil.

(9) Harvest.

(a) The licensee must notify the Department no fewer than thirty (30) days prior to each intended harvest date by email at DPIHemp@FDACS.gov or by phone at 1-888-397-1517. The licensee shall not harvest the hemp until the pre-harvest laboratory results indicate that the sample does not have a Total delta-9-tetrahydrocannabinol concentration that exceeds 0.3 % on a dry weight basis.

(b) If sample or resample results are not available before the intended harvest date or the licensee needs to alter the intended harvest date, the Plot may be harvested if the licensee complies with the following:

1. At least 48 hours prior to harvest, the licensee must report to the Department its revised harvest date and the anticipated harvest tonnage.

2. Within 24 hours of harvest, the licensee must report to the Department the harvested tonnage.

3. The harvested material must remain unprocessed in a securely locked building or fixed container on the licensed address or the storage location identified on the licensee's application. For the purposes of this subparagraph, drying or freezing to prevent spoilage is not considered processing.

4. The harvested material must remain segregated from other harvested hemp until laboratory results are available.

(10) Inspections. The Department shall conduct random annual inspections of each licensee to ensure compliance with the following:

(a) The Licensee's environmental containment plan.

(b) Maintenance of Certified hemp seed or Certified hemp cultivar documentation required under paragraph 5B-57.014(6)(d), F.A.C.

(c) Hemp plants have a Total delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis.

(d) Hemp plants are found to be free from plant pests or disease not known to be established in this state.

(e) Compliance with s. 581.217, F.S., and rules promulgated therefrom.

(11) Transportation Requirements.

(a) Intrastate movement. Any Person transporting propagative parts of hemp, live hemp plants, Processed hemp plant material, and Unprocessed hemp plant material within the state of Florida shall:

1. Transport in a fully enclosed vehicle or container when being moved between noncontiguous locations.

2. Have in their possession a bill of lading or proof of ownership, documentation showing the name, physical address, Plot designation, and license number of the originating licensed cultivator, and the name and physical address of the recipient of the delivery when transporting between non-contiguous locations.

3. Stop and submit for inspection while passing any official agricultural inspection station pursuant to s. 570.15, F.S.

(b) Interstate movement. Any Person outside the State of Florida who desires to ship into this state propagative parts of hemp, live hemp plants, Processed hemp plant material, and Unprocessed hemp plant material from any state, U.S. possession, territory, or district of the United States, or foreign jurisdiction, shall comply with the following regulations:

1. The movement of propagative parts of hemp or live hemp plants into the State of Florida is prohibited unless:

a. Maintained and shipped in a sterile growing media and environment; and

b. Accompanied by proof of origin with license number, or equivalent, from the jurisdiction of origin and a phytosanitary certificate of inspection issued by a state or country plant protection governmental agency.

2. The movement of any Unprocessed hemp plant material destined for processing into the State of Florida is prohibited unless accompanied by proof of origin and transported frozen or dried.

3. The movement of any Processed hemp plant material into the state of Florida is prohibited unless:

a. The Processed hemp plant material has been rendered non-viable through processing; and

b. Accompanied by proof of origin with license number, or equivalent, from the jurisdiction of origin.

4. Upon entry in the state, all persons transporting propagative parts of hemp, live hemp plants, Processed hemp plant material, and Unprocessed hemp plant material must comply with the intrastate movement requirements outlined in this rule.

(12) Abandoned operations. It is the responsibility of the licensee to completely destroy all hemp plant material, rendering the plants non-viable in accordance with the Hemp Waste Disposal Manual FDACS-08115, 10/19, prior to vacating the property or stopping hemp cultivation.

(13) Violations. A licensee must complete a corrective action plan if the Department determines that the licensee has negligently violated s. 581.217, F.S. or this rule. A licensee who

negligently violates the corrective action plan under this rule three times within five (5) years is ineligible to cultivate hemp for five (5) years following the date of the third violation. If the Department determines that a licensee has violated s. 581.217, F.S., or Department rules with a culpable mental state greater than negligence, the Department shall immediately report the licensee to the Attorney General and the United States Attorney General. A determination that a licensee has negligently violated s. 581.217, F.S. or this rule shall be subject to the process outlined in ss. 120.569 and 120.57-120.595, F.S. A determination that a licensee has violated s. 581.217, F.S., or Department rule with a culpable mental state greater than negligence shall be reported to the Attorney General, the state attorney for the judicial circuit where the violation occurred, and the United States Attorney General notwithstanding ss. 120.569 and 120.57-120.595, F.S.

(14) Final Order. The Department may issue an order directing the licensee to destroy any hemp cultivated in violation of s. 581.217, F.S., or Department rule.

(15) Destruction verification. All destructions must be conducted under the supervision of an authorized representative of the Department.

Rulemaking Authority 570.07(23), 581.031(4), (5), 581.217(5), FS. Law Implemented 581.031, 581.083, 581.217, FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Trevor Smith, Director Division of Plant Industry
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 08, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 6, 2019

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.: RULE TITLES:
 5E-3.003 Inspection; Sampling; Analysis; Reporting Rejected Feed and Feedstuff; Reduced Sampling Requirements; Laboratory Certification/Exemption Requirements and Fees

5E-3.004 Ingredient Statement

5E-3.005 Labels

PURPOSE AND EFFECT: The proposed rules have been developed in response to the creation of s. 581.217, F.S., which directs the Department of Agriculture and Consumer Services to adopt rules to regulate the cultivation of hemp in this state. This rulemaking will align Chapter 5E-3, Florida Administrative Code (F.A.C.), with the provisions of s.

581.217, F.S., to regulate the distribution and retail sale of pet and specialty pet food, and pet and specialty pet treat products containing hemp extract. The proposed changes will establish necessary product definitions and testing requirements, address hemp-derived products intended for use as feed ingredients, and establish tolerances relating to hemp derivatives in animal feed. SUMMARY: The proposed rules will change existing rules and policies as follows:

Rule 5E-3.003 is being revised to establish relevant terms, analysis requirements, restrictions on total delta-9-tetrahydrocannabinol (THC) content, and conditions for disposal of non-compliant products that are comprised of or formulated with hemp extract.

Rule 5E-3.004 will be updated to include hemp extract as an allowable ingredient in pet and specialty pet food and pet and specialty pet treat products. References to the Official Publication published by the Association of American Feed Control Officials (AAFCO), which specifies the names and definitions for AAFCO-approved feed ingredients, will also be updated in the proposed rule.

Rule 5E-3.005 will be modified to delineate labeling requirements specific to hemp-based ingredients and feeds containing hemp-derived products.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION:

The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the information expressly relied upon and described herein: There are no adverse regulatory impacts associated with implementing these rules. Distributors electing to manufacture or distribute pet food, pet treats, specialty pet food or specialty pet treats consisting of or containing Hemp Extract will be required to hold a master registration pursuant to ch. 580, F.S. The Department recognizes that costs and expenses related to compliance including fees pursuant to ch. 580, F.S., waste disposal pursuant to s. 581.217(12)(b), F.S., laboratory testing pursuant to s. 581.217(7)(a), F.S., and labeling and packaging pursuant to s. 581.217(7)(b), F.S., pose additional costs to registrants. However, those costs are prescribed by statute and do not originate from rules of the Department. Therefore, these costs are not regulatory costs of the proposed rule pursuant to s. 120.54(3)(b), F.S. The adverse impact or potential regulatory costs of the proposed rule modifications did not exceed any of the criteria established in s. 120.541(2)(a), F.S. Additionally, no interested parties have submitted information regarding the

economic impact of the proposed changes. 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), 580.036(2), 580.065, 581.217(12)(b), FS.

LAW IMPLEMENTED: 580.031(9), 580.036(2), 580.051, (1)(f), 580.065, 580.071, 580.081, 580.091, 580.111, 580.112, 580.121, 580.131, 581.217(3)(e), (7), (7)(a), FS.

A HEARING WILL BE HELD AT THE DATE, TIME, AND PLACE SHOWN BELOW.

DATE AND TIME: October 18, 2019, 9:00 a.m.

PLACE: Cabinet Meeting Room, The Capitol, Lower Level, 400 South Monroe Street, Tallahassee, Florida 32399

DATE AND TIME: October 21, 2019, 9:00 a.m.

PLACE: Florida State Fairgrounds, 4800 US-301, Tampa, FL 33610

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia Lucas, Bureau Chief, Bureau of Agricultural Environmental Laboratories, 3125 Conner Boulevard, Bldg. 7, Tallahassee, FL 32399; (850)617-7830; patricia.lucas@fdacs.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-3.003 Inspection; Sampling; Analysis; Reporting Rejected Feed and Feedstuff; Reduced Sampling Requirements; Laboratory Certification/Exemption Requirements and Fees.

(1) Definitions.

(a) through (j) No change.

(k) The term “expiration date” means the month and year as determined by the manufacturer, packer, or distributor on the basis of tests or other information showing that the product, until that date, under the conditions of handling, storage, preparation, and use per label directions, will contain not less than the quantity of each ingredient as set forth on its label.

(l) The term “Hemp” is defined in s. 581.217(3)(d), F.S.

(m) The term “Hemp extract” is defined in s. 581.217(3)(e), F.S. Hemp extract does not include any material, compound, mixture or preparation that contains any quantity of Synthetic Cannabinoids as defined in s. 893.03(1)(c)190., F.S.

(n) The term “pet food” means any commercial feed prepared and distributed for consumption by dogs or cats.

(o) The term “pet treats” means any treat as defined in 5E-3.003(1)(i), F.A.C., prepared and distributed for consumption by dogs or cats.

(p) The term “specialty pet” means any animal normally maintained in a household, including, rodents, ornamental birds, ornamental fish, reptiles and amphibians, ferrets,

hedgehogs, marsupials, and rabbits not raised for food or fur.

(q) The term “specialty pet food” means any commercial feed prepared and distributed for consumption by specialty pets.

(r) The term “specialty pet treats” means any treat as defined in 5E-3.003(1)(i), F.A.C., prepared and distributed for consumption by specialty pets.

(s) The term “total delta-9-tetrahydrocannabinol concentration” means $[\text{delta-9-tetrahydrocannabinol}] + (0.877 \times [\text{tetrahydrocannabinolic acid}])$.

(2) through (4) No change.

(5) Hemp extract in pet food, pet treats, specialty pet food and specialty pet treats.

(a) Hemp extract as defined in s. 581.217(3)(e), F.S. used in pet food, pet treats, specialty pet food and specialty pet treats must be tested and have a certificate of analysis prepared by an independent testing laboratory as required in s. 581.217(7), F.S.

(b) Pet food, pet treats, specialty pet food and specialty pet treat products shall not contain more than 0.3% total delta-9-tetrahydrocannabinol concentration on a dry weight basis.

(c) Pet food, pet treats, specialty pet food and specialty pet treat products having a total delta-9-tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis, shall be detained pursuant to s. 580.111, F.S. Those products having a total delta-9-tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis which have been detained pursuant to s. 580.111, F.S., shall not be further subdivided or renumbered such that the integrity of the lot for identification is not maintained. The manufacturer or distributor shall not dispose of the pet food, pet treats, specialty pet food and specialty pet treats in any manner until written permission is given by the Department or a court of competent jurisdiction.

(d) Upon receipt of written permission by the Department or a court of competent jurisdiction, the pet food, pet treats, specialty pet food and specialty pet treats shall be disposed of in accordance with the Hemp Waste Disposal Manual FDACS-08115, 10/19, incorporated in paragraph 5B-57.014(6)(b), F.A.C., or in the manner provided for by a court of competent jurisdiction. Upon destruction of the product, the manufacturer or distributor shall notify the Department via Notice of Disposal FDACS-13411, 10/19, incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(5) through (6) renumbered (6) through (7) No change.

(8)(7) Commercial Laboratory Certification; Fees.

(a) through (b) No change.

(c) Definitions.

1. through 7. No change.

8. Decertification – Revocation of certification by the department for one or more of the reasons provided in paragraph 5E-3.003(8)(7)(e), F.A.C.

9. through 11. No change.

(d) through (g) No change.

(9)(8) Quality Assurance/Quality Control Requirements for Registrants Requesting Exemption from Laboratory Certification for In-house Laboratories; Exempt Laboratory’s Quality Assurance/Quality Control Plan Fees.

(a) Quality Assurance/Quality Control Plan – The in-house laboratory plan submitted for approval by the department that exempts the laboratory from the certification requirements set forth in subsection 5E-3.003(8)(7), F.A.C.

(b) No change.

(c) The laboratory shall prepare and follow a written quality assurance/quality control plan including a quality assurance/quality control manual as defined in subparagraph 5E-3.003(8)(7)(c)10., F.A.C. A copy of this plan including a quality assurance/quality control manual must be included with the original application for exemption. A registrant’s quality assurance/quality control plan shall be approved upon determination that the plan meets the requirements of this rule and is being implemented at the registrant’s facility.

(d) through (f) No change.

Rulemaking Authority 570.07(23), 580.036(2), 580.065 581.217(12)(b) FS. Law Implemented 580.036(2), 580.051, 580.065, 580.071, 580.091, 580.111, 580.121, 580.131, 581.217(7)(a) FS. History–New 12-30-70, 5-14-85, Formerly 5E-3.03, Amended 3-4-87, 6-1-95, 11-14-01, 8-31-06, _____.

5E-3.004 Ingredient Statement.

(1) Each ingredient shall be specifically named (the names and definitions identified in “Official Publication 2019 2001” published by the Association of American Feed Control Officials shall be used as the common or usual names unless the Department of Agriculture and Consumer Services designates otherwise by rule), except that collective terms for a group of ingredients which perform a similar function may be used on labels for all commercial feed except horse feed. Collective terms recognize a general classification of ingredient origin but do not imply equivalent nutritional values. The following collective terms may be used in lieu of each ingredient term provided that only those ingredients defined by Association of American Feed Control Officials within each collective term are included:

- Animal Protein Products
- Grain Products
- Plant Protein Products
- Processed Grain By-Products
- Forage Products
- Roughage Products
- Molasses Products

(a) through (b) No change.

(2) through (6) No change.

(7) Pet food, pet treats, specialty pet food and specialty pet treat products may contain Hemp extract as defined by s. 581.217(3), F.S. provided the product is not a drug as defined in s. 580.031(9), F.S.

(8)(7) “Official Publication 2019 2004” published by The Association of American Feed Control Officials is hereby incorporated by reference. Copies may be obtained from AAFCO, 1800 South Oak Street, Suite 100, Champaign, Illinois 61820 or <http://www.aafo.org/publications>, and are also available for public inspection during regular business hours at the Florida Administrative Code and Register, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250 and at the Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Connor Boulevard, Tallahassee, FL 32399-1650. Posting of the aftermentioned materials on the internet for purposes of public examination would violate federal copyright law. Assistant Secretary-Treasurer, P. O. Box 478, Oxford, IN 47971.

Rulemaking Authority 570.07(23), 580.036(2) FS. Law Implemented 580.031(9), 580.051(1)(f), 581.217(3)(e) FS. History—New 12-30-70, 4-1-76, Formerly 5E-3.04, Amended 6-1-95, 11-14-01, _____.

5E-3.005 Labels.

(1) through (3) No change.

(4) Pet food, pet treats, specialty pet food and specialty pet treats consisting of or containing Hemp extract must be labeled as required in s. 581.217(7), F.S. and must declare the number of milligrams of Hemp extract.

(5) If specific cannabinoids are claimed, the number of milligrams of each cannabinoid per serving must be declared on the label. The serving size shall be displayed on the label of the product.

(6) The label and labeling for pet food, pet treats, specialty pet food and specialty pet treats consisting of or containing Hemp extract shall not contain claims indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease rendering it a drug as defined by s. 580.031(9), F.S.

(7) Pet food, pet treats, specialty pet food and specialty pet treats consisting of or containing Hemp extract shall be labeled “Not for human consumption.”

Rulemaking Authority 570.07(23), 580.036(2) FS. Law Implemented 580.031(9), 580.051, 580.081, 580.112, 581.217(7) FS. History—New 12-30-70, Formerly 5E-3.05, Amended 3-5-89, 9-19-94, 6-1-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kelly Friend, Director, Division of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole “Nikki” Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 6, 2019

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.: RULE TITLES:

5E-4.006 Seed Standards

5E-4.007 Commercial Tests and Consumer Request Samples

5E-4.016 Certified Hemp Seed

PURPOSE AND EFFECT: The proposed rules have been developed in response to the creation of s. 581.217, F.S., which directs the Department of Agriculture and Consumer Services to adopt rules to regulate the cultivation of hemp in this state. This rulemaking will align Chapter 5E-4, Florida Administrative Code (F.A.C.), with the provisions of section 581.217, F.S., relating to hemp seed sold for planting purposes. These changes will clarify seed standards and labeling requirements for the industry, delineate costs of seed testing services the department offers to consumers, and identify qualifying criteria for seed certifying entities.

SUMMARY: The proposed rules will change existing rules and policies as follows:

Rule 5E-4.006, F.A.C., establishes minimum germination standards for seeds. Rule 5E-4.006, F.A.C., is being updated to specify a standard for hemp seed.

Rule 5E-4.007, F.A.C., establishes fees for commercial seed purity and germination testing. Rule 5E-4.007, F.A.C., is being updated to specify associated testing charges for hemp seed.

Rule 5E-4.016, F.A.C., is being amended to define certified hemp seed and certified hemp cultivars, and to specify requirements relating to certification of hemp seed and hemp cultivars.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the information expressly relied upon and described herein: There are no adverse regulatory impacts associated with implementing these rules. Persons electing to sell, distribute for sale, offer for sale, expose for sale, handle for sale, or solicit orders for the purchase of hemp seed, shall register with the

Department pursuant to ch. 578, F.S. The adverse impact or potential regulatory costs of the proposed rule modifications did not exceed any of the criteria established in s. 120.541(2)(a), F.S. Additionally, no interested parties have submitted information regarding the economic impact of the proposed changes. 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), 578.11(2), 581.217(12) F.S.

LAW IMPLEMENTED: 578.11(2), (2)(h), 578.011(8), 578.23 581.217(6), (12), F.S.

A HEARING WILL BE HELD AT THE DATE, TIME, AND PLACE SHOWN BELOW.

DATE AND TIME: October 18, 2019, 9:00 a.m.

PLACE: Cabinet Meeting Room, The Capitol, Lower Level, 400 South Monroe Street, Tallahassee, Florida 32399

DATE AND TIME: October 21, 2019, 9:00 a.m.

PLACE: Florida State Fairgrounds, 4800 US-301, Tampa, FL 33610

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia Lucas, Bureau Chief, Bureau of Agricultural Environmental Laboratories, 3125 Conner Boulevard, Bldg. 7, Tallahassee, FL 32399; 850-617-7830; patricia.lucas@fdacs.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-4.006 Seed Standards.

The minimum standard for agricultural seeds shall be 60% (including hard seed or dormant seed) except hybrid field corn seed which shall be 90%, and hemp seed, which shall be 80% (including hard or dormant seed). For hemp seed which germinates less than the standard established by the department, the words “Below Standard” shall be prominently displayed on the label. Hemp seed below 60% germination may not be sold. The minimum standards for vegetable seeds are set forth in the documents incorporated herein. The Federal Seed Act Regulation specified in 7 CFR 201 (Revised January 1, 2018), are hereby incorporated by reference. Copies of this document may be obtained online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-10660>. Also incorporated by reference are the State Noxious-Weed Seed Requirements Recognized in the Administration of the Federal Seed Act, October 2018 publication. Copies of this document may be obtained online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10675>. Rulemaking Authority 570.07(23), 578.11(2) FS. Law Implemented 578.11(2) FS. History–New 5-30-63, Amended 1-1-65, 11-21-69, Formerly 5E-4.06, Amended 2-7-89, 6-14-95, 6-9-98, 7-7-19,_____.

5E-4.007 Commercial Tests and Consumer Request Samples.

(1) through (2) No change.

(3) Schedule of charges for the collection, packaging, shipment and analysis of consumer request seed samples and commercial tests is listed below:

Product	Type Test and Charge	
	Purity	Germination
(a) through (s) No change.		
(t) <u>Hemp</u>	<u>21.00</u>	<u>21.00</u>
(t) through (rr) renumbered	No change.	
(u) through (ss)		

(4) through (7) No change.

Rulemaking Authority 578.11(2) FS. Law Implemented 578.11(2)(h), FS. History–New 6-29-62, Amended 9-29-83, Formerly 5E-4.07, Amended 8-17-92, 7-7-19,_____.

5E-4.016 Certified Hemp Seed.

(1) A certifying agency or an institution or university conducting an industrial hemp pilot project pursuant to s. 1004.4473, F.S., may certify hemp seed.

(2) “Certified hemp cultivars” means a clone or propagule certified by a certifying agency or an institution or university conducting an industrial hemp pilot project pursuant to s. 1004.4473, F.S.

(3) “Certified hemp seed” means a class of hemp seed which is the progeny of breeder, foundation, or registered hemp seed certified by a certifying agency or an institution or university conducting an industrial hemp pilot project pursuant to s. 1004.4473, F.S.

(4) An institution or university conducting an industrial hemp pilot project pursuant to s. 1004.4473, F.S., that elect to certify hemp seed must:

(a) Follow the standards for seed certification in 7 CFR Part 201.67 – 201.78 (Revised July 1, 2019) hereby incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>; and

(b) Maintain records of all hemp seed certified by the institution or university pursuant to s. 578.23, F.S. Rulemaking Authority 570.07(23), 578.11(2), 581.217(12) FS. Law Implemented, 578.011(8), 578.23, 581.217(6), 581.217(12) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kelly Friend, Director, Division of Agricultural Environmental Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole “Nikki” Fried

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: October 08, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: October 6, 2019

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:

5K-4.034 Hemp Extract

PURPOSE AND EFFECT: This rulemaking is to implement 2019 Senate Bill 1020, creating s. 581.217, F.S., which requires the Department to administer the state hemp program. This proposed rule will regulate “hemp extract” as a food.

SUMMARY: Section 581.217, F.S., defines Hemp Extract as a substance or compound intended for ingestion, rendering Hemp Extract a Food as defined in ch. 500, F.S. Therefore, establishments manufacturing, processing, packing, holding, preparing, or selling food consisting of or containing Hemp Extract at wholesale or retail must possess a food permit pursuant to ch. 500, F.S. This rulemaking will adopt a process by which Hemp Food Establishments may be permitted, applicable permitting requirements, labeling requirements, and guidelines for administering penalties for violations of the proposed rule and ch. 500, F.S.

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 adverse regulatory impacts associated with industry compliance with this proposed rule. Food Establishments voluntarily electing to manufacture, process, pack, hold, prepare, or sell food consisting of or containing Hemp Extract will be required to have a food permit pursuant to ch. 500, F.S. The Department recognizes that costs and expenses related to implementation includes fees pursuant to ch. 500, F.S., waste disposal pursuant to s. 581.217(12)(b), F.S., laboratory testing pursuant to s. 581.217(7)(a), F.S., and labeling and packaging pursuant to s. 581.217(7)(b), F.S., pose costs to permittees. However, those costs are prescribed by statute and do not originate from rules of the Department. Therefore, these costs are not regulatory costs of the proposed rule pursuant to s. 120.54(3)(b), F.S.

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: 500.09, 500.12, 570.07(23), FS.

LAW IMPLEMENTED: 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.121, 500.13, 500.172, 581.217, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 18, 2019, 9:00 a.m.

October 21, 2019, 9:00 a.m.

PLACE: October 18 - Cabinet Meeting Room, The Capitol, Lower Level, 400 South Monroe Street, Tallahassee, Florida 32399

October 21 - Florida State Fairgrounds, 4800 US-301, Tampa, FL 33610

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Holly Bell via email at Cannabis@FDACS.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.034 Hemp Extract in Food

(1) Products. Hemp or Hemp Extract intended to be ingested is a Food as defined in s. 500.03, F.S., and are subject to the requirements of ch. 500, F.S., and Rules 5K-4.002; 5K-4.004; 5K-4.020; 5K-4.021, and 5K-4.035, F.A.C., in addition to the requirements of this rule.

(2) Definitions. The definitions provided in ss. 500.03, 581.217, F.S., and the following shall apply to this rule:

(a) “Approved Source” for the purposes of this rule means a food establishment manufacturing, processing, packing, holding, or preparing food or selling food at wholesale or retail that meets local, state, or federal food safety standards from the jurisdiction of origin.

(b) “Batch Number” or “Lot Number” means the Hemp Extract produced during a period of time under similar conditions and identified by a specific code that allows traceability.

(c) “Expiration Date” means the month and year as determined by the manufacturer, packer, or distributor on the basis of tests or other information showing that the product, until that date, under the conditions of handling, storage, preparation, and use per label directions, will when consumed, contain not less than the quantity of each ingredient as set forth on its label.

(d) “Hemp” is defined in s. 581.217(3)(d), F.S.

(e) “Hemp Extract” is defined in s. 581.217(3)(e), F.S. Hemp Extract does not include any material, compound,

mixture or preparation that contains any quantity of Synthetic Cannabinoids as defined in s. 893.03(1)(c)190., F.S.

(f) "Hemp Food Establishment" means an establishment as defined in s. 500.03(1)(p), F.S., manufacturing, processing, packing, holding, preparing, or selling Food consisting of or containing Hemp Extract at wholesale or retail.

(g) "Ingestion" means the process of taking Food into the body through the mouth and into the gastrointestinal tract through eating or drinking.

(h) "Total delta-9 tetrahydrocannabinol concentration" means $[\text{delta-9 tetrahydrocannabinol}] + (0.877 \times [\text{tetrahydrocannabinolic acid}])$.

(3) Food Permit Fees. Hemp Food Establishments shall obtain a food permit as required in Rule 5K-4.020, F.A.C., and shall pay an annual fee of \$650.

(4) Requirements.

(a) Food consisting of or containing Hemp or Hemp Extract must be obtained from an Approved Source. The Hemp Food Establishment shall provide to the department, upon request, a valid food license/permit and the most recent food safety inspection report from the Approved Source.

(b) Food consisting of or containing Hemp Extract may not be manufactured, processed, packed, held, prepared, or sold under the Cottage Food Operations Law in s. 500.80, F.S.

(c) If a Food is considered a Potentially Hazardous Food (PHF) or a Food requiring Time and Temperature Control for Safety (TCS Food) as defined in 5K-4.0010, F.A.C., it must be stored in accordance with Rule 5K-4.002, F.A.C. All Food products consisting of or containing Hemp Extract must be packaged in containers minimizing the exposure to light to prevent degradation of the Cannabinoids.

(d) Food consisting of or containing Hemp Extract shall not contain a Total delta-9 tetrahydrocannabinol concentration of more than 0.3% on a dry weight basis.

(5) Contaminants. In addition to the requirements listed in ch. 500, F.S., and Rule 5K-4.002, F.A.C., Food consisting of or containing Hemp Extract shall be considered adulterated pursuant to s. 500.10(1)(a), F.S., if contaminants are detected at levels greater than those listed in this rule.

(a) Pesticide Limits. The following list of contaminants does not constitute authorization to use or apply any of the following during Hemp cultivation or processing.

1. Abamectin, 300 parts per billion.
2. Acephate, 3,000 parts per billion.
3. Acequinocyl, 2,000 parts per billion.
4. Acetamiprid, 3,000 parts per billion.
5. Aldicarb, 100 parts per billion.
6. Azoxystrobin, 3,000 parts per billion.
7. Bifenazate, 3,000 parts per billion.
8. Bifenthrin, 500 parts per billion.
9. Boscalid, 3,000 parts per billion.

10. Captan, 3,000 parts per billion.
11. Carbaryl, 500 parts per billion.
12. Carbofuran, 100 parts per billion.
13. Chlorantraniliprole, 3,000 parts per billion.
14. Chlordane, 100 parts per billion.
15. Chlorfenapyr, 100 parts per billion.
16. Chlormequat chloride, 3,000 parts per billion.
17. Chlorpyrifos, 100 parts per billion.
18. Clofentezine, 500 parts per billion.
19. Coumaphos, 100 parts per billion.
20. Cyfluthrin, 1,000 parts per billion.
21. Cypermethrin, 1,000 parts per billion.
22. Daminozide, 100 parts per billion.
23. DDVP (Dichlorvos), 100 parts per billion.
24. Diazinon, 200 parts per billion.
25. Dimethoate, 100 parts per billion.
26. Dimethomorph, 3,000 parts per billion.
27. Ethoprop(hos), 100 parts per billion.
28. Etofenprox, 100 parts per billion.
29. Etoxazole, 1,500 parts per billion.
30. Fenhexamid, 3,000 parts per billion.
31. Fenoxycarb, 100 parts per billion.
32. Fenpyroximate, 2,000 parts per billion.
33. Fipronil, 100 parts per billion.
34. Flonicamid, 2,000 parts per billion.
35. Fludioxonil, 3,000 parts per billion.
36. Hexythiazox, 2,000 parts per billion.
37. Imazalil, 100 parts per billion.
38. Imidacloprid, 3,000 parts per billion.
39. Kresoxim-methyl, 1,000 parts per billion.
40. Malathion, 2,000 parts per billion.
41. Metalaxyl, 3,000 parts per billion.
42. Methiocarb, 100 parts per billion.
43. Methomyl, 100 parts per billion.
44. Methyl parathion, 100 parts per billion.
45. Mevinphos, 100 parts per billion.
46. Myclobutanil, 3,000 parts per billion.
47. Naled, 500 parts per billion.
48. Oxamyl, 500 parts per billion.
49. Paclobutrazol, 100 parts per billion.
50. Pentachloronitrobenzene, 200 parts per billion.
51. Permethrin, 1,000 parts per billion.
52. Phosmet, 200 parts per billion.
53. Piperonyl butoxide, 3,000 parts per billion.
54. Prallethrin, 400 parts per billion.
55. Propiconazole, 1,000 parts per billion.
56. Propoxur, 100 parts per billion.
57. Pyrethrins, 1,000 parts per billion.
58. Pyridaben, 3,000 parts per billion.
59. Spinetoram, 3,000 parts per billion.
60. Spinosad A & D, 3,000 parts per billion.

- 61. Spiromesifen, 3,000 parts per billion.
- 62. Spirotetramat, 3,000 parts per billion.
- 63. Spiroxamine, 100 parts per billion.
- 64. Tebuconazole, 1,000 parts per billion.
- 65. Thiachloprid, 100 parts per billion.
- 66. Thiamethoxam, 1,000 parts per billion.
- 67. Trifloxystrobin, 3,000 parts per billion.

(b) Residual Solvent Limits.

- 1. 1,2-Dichloroethene, 5 parts per million
- 2. 1,1-Dichloroethene, 8 parts per million
- 3. Acetone, 5,000 parts per million
- 4. Acetonitrile, 410 parts per million
- 5. Benzene, 2 parts per million
- 6. Butane, 2,000 parts per million
- 7. Chloroform, 60 parts per million
- 8. Ethanol, 5,000 parts per million
- 9. Ethyl Acetate, 5,000 parts per million
- 10. Ethyl Ether, 5,000 parts per million
- 11. Ethylene Oxide, 5 parts per million
- 12. Heptane, 5,000 parts per million
- 13. Hexane, 290 parts per million
- 14. Isopropyl Alcohol, 500 parts per million
- 15. Methanol, 3,000 parts per million
- 16. Methylene Chloride, 600 parts per million
- 17. Pentane, 5,000 parts per million
- 18. Propane, 2,100 parts per million
- 19. Toluene, 890 parts per million
- 20. Trichloroethylene (1,1,2-Trichloroethene), 80 parts per million

million

- 21. Xylenes, Total (ortho-, meta-, para-), 2170 parts per million

(c) Metals Limits.

- 1. Cadmium, 0.5 micrograms/gram.
- 2. Lead, 0.5 micrograms/gram.
- 3. Arsenic, 1.5 micrograms/gram.
- 4. Mercury, 3.0 micrograms/gram.

(d) Biological Limits.

- 1. Shiga toxin-producing Escherichia coli (STEC E. coli) and other pathogenic E. coli, none present.
- 2. Listeria monocytogenes, none present.
- 3. Salmonella, none present.

(e) Mycotoxin Limits.

- 1. Total Aflatoxin (B1, B2, G1, G2), 20 parts per billion.
- 2. Ochratoxin, 20 parts per billion.

(f) Cannabinoid Limits. Total delta-9 tetrahydrocannabinol concentration shall not exceed 0.3% on a dry weight basis.

(g) If a testing sample is found to contain levels of any pathogen, toxicant, residual solvent, metal, or pesticide not enumerated in this rule or by Florida law, then the Food shall be considered adulterated.

(6) Labeling.

(a) Food consisting of or containing Hemp Extract must be labeled as required by ch. 500, F.S., s. 581.217(7), F.S., and 21 CFR Part 101, as incorporated by reference in Section 5K-4.002(4), F.A.C., and must declare the number of milligrams of Hemp Extract.

(b) If specific cannabinoids are marketed, the number of milligrams of each cannabinoid per serving must be declared on the label. The serving size shall be displayed on the nutrition facts label of the product.

(c) The label and advertisement shall not contain claims indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease, rendering it a drug as defined in 21 U.S.C. 321(g)(1). Pursuant to s. 500.03(1)(n)4., F.S., such articles are not considered Food and shall be considered misbranded as Food.

(7) Disposal.

(a) Laboratory samples found to contain more than a Total delta-9 tetrahydrocannabinol concentration of 0.3% on a dry weight basis shall be disposed of in accordance with 21 CFR 1317. 21 CFR 1317 (Revised January 1, 2019) is hereby incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) Food containing a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis shall be detained pursuant to s. 500.172, F.S. Food containing a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis which has been detained pursuant to s. 500.172, F.S. shall not be further subdivided or renumbered such that the integrity of the lot is not maintained. The establishment shall not dispose of the Food in any manner until written permission is given by the department or a court of competent jurisdiction.

(c) Upon receipt of written permission by the department or a court of competent jurisdiction, the Food shall be disposed of in accordance with the Hemp Waste Disposal Manual FDACS-08115, 10/19, incorporated in paragraph 5B-57.014(6)(b), F.A.C., or in a manner approved by a court of competent jurisdiction. Upon destruction of the product, the Hemp Food Establishment shall notify the department via Notice of Disposal FDACS-14419, 10/19, incorporated herein by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(8) Penalties. Violations of this rule will be evaluated and penalties imposed in accordance with Rule 5K-4.035, F.A.C. Rulemaking Authority 500.09, 500.12, 570.07(23), FS. Law Implemented 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.121, 500.13, 500.172, 581.217, FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Matthew Curran, Director Division of Food Safety
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 08, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 6, 2019

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: 5K-10.006
 RULE TITLE: Hemp Extract

PURPOSE AND EFFECT: This rulemaking is to implement 2019 Senate Bill 1020, creating s. 581.217, F.S., which requires the Department to administer the state hemp program. This proposed rule will regulate the addition of “Hemp Extract” into Dairy Products and Frozen Desserts.

SUMMARY: Section 581.217, F.S., defines Hemp Extract as a substance or compound intended for ingestion, rendering Hemp Extract a Food as defined in s. 500, F.S., creating the circumstance where Hemp Extract may be added to milk, milk products and/or frozen dessert as regulated in s. 502, F.S. Facilities producing milk, milk products and/or frozen dessert containing Hemp Extract at wholesale or retail must hold a dairy permit pursuant to ch. 502, F.S. This rulemaking will adopt a process by which milk, milk products and frozen dessert produced with Hemp Extract shall be permitted, applicable permitting requirements, and guidelines for administering penalties for violations of the proposed rule chapter and ch. 502, F.S.

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 adverse regulatory impacts associated with implementing these rules. Milk and milk product processors and wholesale frozen dessert manufacturers who intend to add Hemp Extract to their products will be required to hold a substitute milk and milk products permit or a wholesale frozen dessert permit pursuant to ch. 502, F.S. The Department recognizes that costs and expenses related to compliance

including fees pursuant to ch. 502, F.S., waste disposal pursuant to s. 581.217(12)(b), F.S., laboratory testing pursuant to s. 581.217(7)(a), F.S., and labeling and packaging pursuant to s. 581.217(7)(b), F.S., pose additional costs to permittees. These regulatory requirements and their associated costs are prescribed by statute and are not regulatory costs of the proposed rule pursuant to s. 120.54(3)(b), F.S.

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: 502.014, 502.053, 570.07(23), FS.

LAW IMPLEMENTED: 502.012, 502.014, 502.032, 502.042, 502.053, 502.091, 502.121, 502.165, 502.231, 581.217(7), FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 18, 2019, 9:00 a.m.

October 21, 2019, 9:00 a.m.

PLACE: October 18 - Cabinet Meeting Room, The Capitol, Lower Level, 400 South Monroe Street, Tallahassee, Florida 32399

October 21 - Florida State Fairgrounds, 4800 US-301, Tampa, FL 33610

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Holly Bell via email at Cannabis@FDACS.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-10.006 Hemp Extract in Dairy Products and Frozen Desserts

(1) Products. Milk, Milk Products, and Frozen Desserts containing Hemp or Hemp Extract are subject to the requirements of ch. 502, F.S., and Chapter 5K-10, F.A.C., in addition to the requirements of this rule. Grade “A” milk and milk products to which Hemp Extract has been added shall be considered “Substitute Milk” or “Substitute Milk Products” as defined in ch. 502, F.S. In addition to the requirements in s. 502.165, F.S., Substitute Milk and Substitute Milk Products containing Hemp Extract are subject to the requirements of Chapter 5K-10, F.A.C.

(2) Definitions. The definitions provided in ss. 502.012, 581.217, F.S., and the following shall apply to this rule:

(a) “Approved Source” for the purposes of this rule means Hemp Frozen Dessert Manufacturer, Hemp Substitute Milk Manufacturer, or Hemp Substitute Milk Product Manufacturer manufacturing, processing, packing, holding, or preparing or selling Substitute Milk, Substitute Milk Products, or Frozen Desserts at wholesale or retail that meets local, state, or federal food safety standards from the jurisdiction of origin.

(b) “Batch Number” or “Lot Number” means the Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract produced during a period of time under similar conditions and identified by a specific code that allows traceability.

(c) “Expiration Date” means the month and year as determined by the manufacturer, packer, or distributor on the basis of tests or other information showing that the product, until that date, under the conditions of handling, storage, preparation, and use per label directions, will when consumed, contain not less than the quantity of each ingredient as set forth on its label.

(d) “Hemp” is defined in s. 581.217(3)(d), F.S.

(e) “Hemp Extract” is defined in s. 581.217(3)(e), F.S. Hemp Extract does not include any material, compound, mixture or preparation that contains any quantity of Synthetic Cannabinoids as defined in s. 893.03(1)(c)190., F.S.

(f) “Hemp Frozen Dessert Manufacturer” means a person who manufactures, processes, converts, partially freezes, or freezes any mix or frozen dessert containing Hemp Extract for distribution or sale.

(g) “Hemp Substitute Milk Manufacturer” means any place, premises, or establishment where Substitute Milk containing Hemp Extract is collected, handled, processed, stored, pasteurized, ultra-pasteurized, aseptically processed and packaged, retort processed after packaging, condensed, dried, packaged, bottled, or prepared for distribution at wholesale.

(h) “Hemp Substitute Milk Product Manufacturer” means any place, premises, or establishment where Substitute Milk Products containing Hemp Extract is collected, handled, processed, stored, pasteurized, ultra-pasteurized, aseptically processed and packaged, retort processed after packaging, condensed, dried, packaged, bottled, or prepared for distribution at wholesale.

(i) “Ingestion” means the process of taking food into the body through the mouth and into the gastrointestinal tract through eating or drinking.

(j) “Total delta-9 tetrahydrocannabinol concentration” means $[\text{delta-9 tetrahydrocannabinol}] + (0.877 \times [\text{tetrahydrocannabinolic acid}])$.

(3) Permits and Fees. Hemp Substitute Milk, Hemp Substitute Milk Products, and Hemp Frozen Dessert Manufacturers shall obtain a permit and pay the applicable fee required in Rule 5K-10.002, F.A.C.

(4) Requirements.

(a) Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract must be obtained from an Approved Source. The Hemp Frozen Dessert Manufacturer, Hemp Substitute Milk Manufacturer, or Hemp Substitute Milk Product Manufacturer shall provide to the department, upon request, a valid dairy or food safety license/permit and the most

recent dairy or food safety inspection report from the Approved Source.

(b) Hemp Extract intended for human ingestion whether directly or through Substitute Milk, Substitute Milk Products, or Frozen Dessert products must originate from a crop intended to be used in the food supply chain.

(c) Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract must be stored and transported in accordance with Chapter 5K-10, F.A.C. Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract must be packaged in containers minimizing the exposure to light to prevent degradation of the Cannabinoids.

(d) Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract shall not contain a Total delta-9 tetrahydrocannabinol concentration of more than 0.3% on a dry weight basis.

(5) Contaminants. In addition to the requirements listed in ch. 502, F.S., and Rule 5K-10.004, Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract shall be considered adulterated pursuant to s. 502.181(2), F.S., if contaminants are detected at levels greater than those listed in this rule.

(a) Pesticide Limits. The following list of contaminants does not constitute authorization to use or apply any of the following during Hemp cultivation or processing.

1. Abamectin, 300 parts per billion.
2. Acephate, 3,000 parts per billion.
3. Acequinocyl, 2,000 parts per billion.
4. Acetamiprid, 3,000 parts per billion.
5. Aldicarb, 100 parts per billion.
6. Azoxystrobin, 3,000 parts per billion.
7. Bifenazate, 3,000 parts per billion.
8. Bifenthrin, 500 parts per billion.
9. Boscalid, 3,000 parts per billion.
10. Captan, 3,000 parts per billion.
11. Carbaryl, 500 parts per billion.
12. Carbofuran, 100 parts per billion.
13. Chlorantraniliprole, 3,000 parts per billion.
14. Chlordane, 100 parts per billion.
15. Chlorfenapyr, 100 parts per billion.
16. Chlormequat chloride, 3,000 parts per billion.
17. Chlorpyrifos, 100 parts per billion.
18. Clofentezine, 500 parts per billion.
19. Coumaphos, 100 parts per billion.
20. Cyfluthrin, 1,000 parts per billion.
21. Cypermethrin, 1,000 parts per billion.
22. Daminozide, 100 parts per billion.
23. DDVP (Dichlorvos), 100 parts per billion.
24. Diazinon, 200 parts per billion.
25. Dimethoate, 100 parts per billion.

26. Dimethomorph, 3,000 parts per billion.
 27. Ethoprop(hos), 100 parts per billion.
 28. Etofenprox, 100 parts per billion.
 29. Etoxazole, 1,500 parts per billion.
 30. Fenhexamid, 3,000 parts per billion.
 31. Fenoxycarb, 100 parts per billion.
 32. Fenpyroximate, 2,000 parts per billion.
 33. Fipronil, 100 parts per billion.
 34. Flonicamid, 2,000 parts per billion.
 35. Fludioxonil, 3,000 parts per billion.
 36. Hexythiazox, 2,000 parts per billion.
 37. Imazalil, 100 parts per billion.
 38. Imidacloprid, 3,000 parts per billion.
 39. Kresoxim-methyl, 1,000 parts per billion.
 40. Malathion, 2,000 parts per billion.
 41. Metalaxyl, 3,000 parts per billion.
 42. Methiocarb, 100 parts per billion.
 43. Methomyl, 100 parts per billion.
 44. Methyl parathion, 100 parts per billion.
 45. Mevinphos, 100 parts per billion.
 46. Myclobutanil, 3,000 parts per billion.
 47. Naled, 500 parts per billion.
 48. Oxamyl, 500 parts per billion.
 49. Paclobutrazol, 100 parts per billion.
 50. Pentachloronitrobenzene, 200 parts per billion.
 51. Permethrin, 1,000 parts per billion.
 52. Phosmet, 200 parts per billion.
 53. Piperonyl butoxide, 3,000 parts per billion.
 54. Prallethrin, 400 parts per billion.
 55. Propiconazole, 1,000 parts per billion.
 56. Propoxur, 100 parts per billion.
 57. Pyrethrins, 1,000 parts per billion.
 58. Pyridaben, 3,000 parts per billion.
 59. Spinetoram, 3,000 parts per billion.
 60. Spinosad A & D, 3,000 parts per billion.
 61. Spiromesifen, 3,000 parts per billion.
 62. Spirotetramat, 3,000 parts per billion.
 63. Spiroxamine, 100 parts per billion.
 64. Tebuconazole, 1,000 parts per billion.
 65. Thiacloprid, 100 parts per billion.
 66. Thiamethoxam, 1,000 parts per billion.
 67. Trifloxystrobin, 3,000 parts per billion.
- (b) Residual Solvent Limits.
1. 1,2-Dichloroethene, 5 parts per million
 2. 1,1-Dichloroethene, 8 parts per million
 3. Acetone, 5,000 parts per million
 4. Acetonitrile, 410 parts per million
 5. Benzene, 2 parts per million
 6. Butane, 2,000 parts per million
 7. Chloroform, 60 parts per million
 8. Ethanol, 5,000 parts per million

9. Ethyl Acetate, 5,000 parts per million
10. Ethyl Ether, 5,000 parts per million
11. Ethylene Oxide, 5 parts per million
12. Heptane, 5,000 parts per million
13. Hexane, 290 parts per million
14. Isopropyl Alcohol, 500 parts per million
15. Methanol, 3,000 parts per million
16. Methylene Chloride, 600 parts per million
17. Pentane, 5,000 parts per million
18. Propane, 2,100 parts per million
19. Toluene, 890 parts per million
20. Trichloroethylene (1,1,2-Trichloroethene), 80 parts per million
21. Xylenes, Total (ortho-, meta-, para-), 2170 parts per million

(c) Metals Limits.

1. Cadmium, 0.5 micrograms/gram.
2. Lead, 0.5 micrograms/gram.
3. Arsenic, 1.5 micrograms/gram.
4. Mercury, 3.0 micrograms/gram.

(d) Biological Limits.

1. Shiga toxin-producing Escherichia coli (STEC E. coli) and other pathogenic E. coli, none present.
2. Listeria monocytogenes, none present.
3. Salmonella, none present.

(e) Mycotoxin Limits.

1. Total Aflatoxin (B1, B2, G1, G2), 20 parts per billion.
2. Ochratoxin, 20 parts per billion.

(f) Cannabinoid Limits. Total delta-9 tetrahydrocannabinol concentration shall not exceed 0.3% on a dry weight basis.

(g) If a testing sample is found to contain levels of any pathogen, toxicant, residual solvent, metal, or pesticide not enumerated in this rule or by Florida law the Substitute Milk, Substitute Milk Product, or Frozen Dessert containing Hemp Extract shall be considered adulterated.

(6) Labeling.

(a) Substitute Milk, Substitute Milk Products, and Frozen Desserts containing Hemp Extract must be labeled in accordance with ch. 502, F.S., s. 581.217(7), F.S., and 21 CFR 101 and must declare the number of milligrams of Hemp Extract.

(b) If specific cannabinoids are marketed, the number of milligrams of each cannabinoid per serving must be declared on the label. The serving size shall be displayed on the nutrition facts label of the product.

(c) The label and advertisement shall not contain claims indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease, rendering it a drug as defined in 21 U.S.C. 321(g)(1).

(7) Disposal.

(a) Laboratory samples found to contain more than a Total delta-9 tetrahydrocannabinol concentration of 0.3% on a dry weight basis shall be disposed of in accordance with 21 CFR 1317. 21 CFR 1317 (Revised January 1, 2019) is hereby incorporated by reference and available online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(b) Substitute Milk, Substitute Milk Products, or Frozen Desserts containing a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis shall be detained pursuant to s. 502.014, F.S. Substitute Milk, Substitute Milk Products, or Frozen Desserts containing a Total delta-9 tetrahydrocannabinol concentration that exceeds 0.3% on a dry weight basis which have been detained pursuant to s. 502.014, F.S., shall not be further subdivided or renumbered such that the integrity of the lot for identification is not maintained. The establishment shall not dispose of the Substitute Milk, Substitute Milk Products, or Frozen Desserts in any manner until written permission is given by the department or a court of competent jurisdiction.

(c) Upon receipt of written permission by the department or a court of competent jurisdiction, the Substitute Milk, Substitute Milk Products, or Frozen Desserts shall be disposed of in accordance with the Hemp Waste Disposal Manual FDACS-08115, 10/19, incorporated in paragraph 5B-57.014(6)(b), F.A.C., or in the manner provided for by a court of competent jurisdiction. Upon destruction of the product, the establishment shall notify the department via Notice of Disposal FDACS-14419, 10/19, incorporated in paragraph 5K-4.034(7)(c), F.A.C.

(8) Penalties. Violations of this rule will be evaluated, and penalties imposed in accordance with Rule 5K-10.005, F.A.C. Rulemaking Authority 502.014, 502.053, 570.07(23), FS. Law Implemented 502.012, 502.014, 502.032, 502.042, 502.053, 502.091, 502.121, 502.165, 502.231, 581.217(7), FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Matthew Curran, Director Division of Food Safety
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 6, 2019

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-400.091 Publications and Agreements Incorporated by Reference

NOTICE IS HEREBY GIVEN that on October 8, 2019, the Suwannee River Water Management District, received a petition for variance from Chad Rischar, an agent for the petitioner, Brad Carter, Bradford County, 945 N Temple Avenue, Starke, FL 32091, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from subparagraph 62-330.051(4)(e)(7) F.A.C., as to repair, stabilization, paving, or repaving of existing roads, and the repair or replacement of vehicular bridges that are part of the road, where notice of intent to use this exemption is provided to the Agency 30 days before performing any work. The petition has been assigned Environmental Resource Permit (ERP) Number ERP-007-233697-2, SW 101st Avenue.

A copy of the Petition for Variance or Waiver may be obtained by contacting: A copy of the Petition for Variance or Waiver may be obtained by contacting: Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 4, 2019, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Homewood Suites at 3028 N Alafaya Trail, Orlando, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.8.2.2, as adopted by Rule 61C-5.001, Florida Administrative Code that requires no foreign equipment be located in the machine room which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with

Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW 2019-174).

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

DEPARTMENT OF HEALTH

School Psychology

RULE NO.: RULE TITLE:

64B21-500.011 Examinations

NOTICE IS HEREBY GIVEN that on September 27, 2019, the Department of Health, received a petition for a variance from Shelli Bauer seeking a permanent variance from the examination score reporting requirement of Rule 64B21-500.011, F.A.C. that documentation of a passing score be submitted directly to the Department by the test administration agency allowing the Department to accept proof of the passing score from an alternate source.

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

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on October 8, 2019, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(95) Florida Administrative Code (2017) and the 2016 Qualified Allocation Plan ("QAP") from WRDG T3A, LP, to allow the requested credit exchange to be approved before the last calendar quarter of 2020.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Hemp Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 17, 2019, 4:00 p.m.

PLACE: Call-In Number: 1(866)899-4679, Access Code: 505-817-565

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business and updates on the State Hemp Program rulemaking process.

A copy of the agenda may be obtained by contacting: Kylie Werk at cannabis@fdacs.gov or (850)617-7700.

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: Kylie Werk at cannabis@fdacs.gov or (850)617-7700. 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: Kylie Werk at cannabis@fdacs.gov or (850)617-7700.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2019, 8:30 a.m. – 4:30 p.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, FL 32202

To participate by Phone: 1(888)585-9008, Conference Room#: 319 035 377

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Rehabilitation Council for the Blind.

A copy of the agenda may be obtained by contacting: Selena Sickler, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0329 or e-mail: Selena.Sickler@dbs.fldoe.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 hours before the workshop/meeting by contacting: Selena Sickler, The Division of Blind Services, 325

W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0329 or e-mail: Selena.Sickler@dbs.fldoe.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: Selena Sickler, The Division of Blind Services, 325 W. Gaines Street, Room 1114, Tallahassee, FL 32399, (850)245-0329 or e-mail: Selena.Sickler@dbs.fldoe.org.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, October 24, 2019, 4:30 p.m. – 6:30 p.m.

PLACE: Florida Department of Transportation, 719 South Woodland Boulevard, DeLand, Florida 32720 in the Cypress A & B Conference Rooms. WEBSITE: www.d5wpph.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: We want to hear from you! The Florida Department of Transportation (FDOT), District Five, invites you to provide your comments by participating in the Five-Year Tentative Work Program Public Hearing. The Tentative Work Program for Fiscal Years July 1, 2021 through June 30, 2025 covers project development and environment, preliminary engineering, right of way acquisition, construction, and public transportation projects for Brevard, Flagler, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia counties and includes Florida's Turnpike Enterprise projects in these counties.

There are two ways you can participate:

1. Visit the Department's website at www.d5wpph.com from Monday, October 21, 2019 through Friday, October 25, 2019 for the on-line public hearing to see project information and maps, submit comments, and contact a department representative directly, if needed. The on-line public hearing will be available 24 hours a day.

2. FDOT representatives are also available during this week at the Florida Department of Transportation, District Office located at 719 South Woodland Boulevard, DeLand, FL 32720. You can schedule a meeting at the district office by contacting Mary Schoelzel at (386)943-5798 or by e-mail to Mary.Schoelzel@dot.state.fl.us.

Comments will be received through the website, at the location listed above, or you can mail written comments to Michael Shannon, P.E., District Five Secretary, Florida Department of Transportation, 719 South Woodland Boulevard, Mail Station 4-503, DeLand, FL 32720 or by e-mail to: Mike.Shannon@dot.state.fl.us. Comments must be submitted or postmarked by November 4, 2019 by 5:00 p.m. to be a part of the official record. 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, Florida Department of Transportation, Title VI Coordinator, 719 South Woodland Boulevard, DeLand, Florida 32720, (386)943-5367 or via email at Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Mary Schoelzel at (386)943-5798 or via email at Mary.Schoelzel@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: Mary Schoelzel at (386)943-5798 or via email at Mary.Schoelzel@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).

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

DEPARTMENT OF TRANSPORTATION

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

DATES AND TIMES: Monday, October 21, 2019, 12:00 Noon – Friday, October 25, 2019 12:00 Noon

PLACE: 1. Go to www.swflroads.com and click on Future Projects during the times listed to watch a video about the Draft Tentative Work Program for fiscal years 2021-2025, review the programs and maps, submit comments, and find information about how to contact an FDOT representative with questions. The ePublic Hearing will be open and available continuously during the listed times.

2. If you do not have access to a computer or the internet, you can use a computer at a local public library in each of the 12 counties within District One during the libraries' regular operating hours.

3. FDOT representatives will be available at the following locations to meet with you in person, answer any questions, and assist with website access:

- Collier County Library Headquarters, October 21, 2019, 12:00 Noon – 3:00 p.m., 2385 Orange Blossom Drive, Naples, FL 34109
- Polk County Administration Building, October 22, 2019, 9:30 a.m. – 10:30 a.m., 330 W. Church Street, Bartow, FL 33830
- Detweiler's Farm Market, October 22, 2019, 10:00 a.m. – 12:00 Noon, 6100 N. Lockwood Ridge Road, Sarasota, FL 34243

- Highlands County Government Center (Lobby), October 23, 2019, 10:00 a.m. – 12:00 Noon, 600 South Commerce Avenue, Sebring, FL 33870
- Lakes Regional Library, October 24, 2019, 1:00 p.m. – 3:00 p.m., 15290 Bass Road, Fort Myers, FL 33919
- Mid-County Regional Library, October 25, 2019, 10:00 a.m. – 12:00 Noon, 2050 Forrest Nelson Boulevard, Port Charlotte, FL 33952

4. FDOT representatives will also be available with materials for review during the hearing week at the FDOT District One offices located at 801 North Broadway Avenue in Bartow and 10041 Daniels Parkway in Fort Myers. You can schedule a meeting at the offices by calling 1(863)519-2285 (Bartow) or (239)225-1975 (Fort Myers).

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District One, and Florida's Turnpike Enterprise announce an ePublic Hearing to present the Tentative Five-Year Work Program. The Tentative Work Program lists transportation system improvements scheduled for fiscal years beginning July 1, 2020 through June 30, 2025. FDOT will accept comments from all interested parties if received by Thursday, October 31, 2019. Mail comments to L.K. Nandam, P.E., District Secretary, FDOT, 10041 Daniels Parkway, Fort Myers, FL 33913, attention Wayne Gaither, Southwest Area Office Director, or email comments to wayne.gaither@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Zachary Burch, FDOT Communications Manager, by phone (239)225-1900, by e-mail at Zachary.Burch@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: Cynthia Sykes, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, 1(863)519-2287 or email: Cynthia.Sykes@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: Zachary Burch, FDOT Communications Manager, by phone (239)225-1900, by e-mail at Zachary.Burch@dot.state.fl.us.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, October 22, 2019, 10:00 a.m.

PLACE: College of Central Florida Citrus Learning Center, 3800 S Lecanto Highway, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a

meeting of the Florida Multi-use Corridors of Regional Economic Significance (M-CORES) Task Force for the Northern Turnpike Connector extending from the northern terminus of the Florida's Turnpike northwest to the Suncoast Parkway. Registration begins at 9:00 a.m. The public is invited to attend and observe the proceedings of the Task Force. Comment stations will be available throughout the meeting where comments may be submitted in writing, verbally to an on-site court reporter, or by email to FDOT.Listens@dot.state.fl.us. In addition, a public comment period will begin at 4:30 p.m.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321 at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, please visit www.FloridaMCORES.com.

A copy of the agenda may be obtained by contacting: Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321.

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

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, October 24, 2019, 5:30 p.m. – 7:30 p.m.

PLACE: College of Central Florida Citrus Learning Center, 3800 S Lecanto Highway, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a Community Open House to share information about the Florida Multi-use Corridors of Regional Economic Significance (M-CORES) Task Force for the Northern Turnpike Connector extending from the northern terminus of the Florida's Turnpike northwest to the Suncoast Parkway. The Community Open

House will take place at the College of Central Florida Citrus Learning Center on the date and time listed above.

The purpose of the Community Open House is to provide an opportunity for the public to view information presented to-date at the Task Force meetings for the Northern Turnpike Connector. Attendees may come anytime between 5:30 p.m. and 7:30 p.m. to view displays, hold one-on-one conversations with staff, and watch a presentation that will run on a continuous loop. Anyone wishing to provide comments for the public record will be able to speak to a court reporter, handwrite their comments, or type them into a laptop. The displays and video will be available to view online after the open house at www.FloridaMCORES.com. Comments can also be provided directly through the website at www.FloridaMCORES.com or by email to FDOT.Listens@dot.state.fl.us. There will be no formal presentation at the open house; however, we encourage you to drop by at your convenience during the above listed hours. If you are unable to attend the meeting but would like more information, please visit www.FloridaMCORES.com.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321 at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting: Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Wednesday, October 23, 2019, 10:00 a.m.

PLACE: College of Central Florida Citrus Learning Center, 3800 S Lecanto Highway, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a meeting of the Florida Multi-use Corridors of Regional Economic Significance (M-CORES) Task Force for the Suncoast Connector extending from Citrus County to Jefferson County. Registration begins at 9:00 a.m. The public is invited to attend and observe the proceedings of the Task Force. Comment stations will be available throughout the meeting where comments may be submitted in writing, verbally to an

on-site court reporter, or by email to FDOT.Listens@dot.state.fl.us. In addition, a public comment period will begin at 4:30 p.m.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321 at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting: Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, October 24, 2019, 5:30 p.m. – 7:30 p.m.

PLACE: Old Town Education Center, 823 SE 349 Highway, Old Town, Florida 32680

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a Community Open House to share information about the Florida Multi-use Corridors of Regional Economic Significance (M-CORES) Task Force for the Suncoast Connector extending from Citrus County to Jefferson County. The Community Open House will take place at the Old Town Education Center on the date and time listed above. The Old Town Education Center is located less than one mile south of US 19 on 349 Highway in Old Town, Florida.

The purpose of the Community Open House is to provide an opportunity for the public to view information presented to-date at the Task Force meetings for the Suncoast Connector. Attendees may come anytime between 5:30 p.m. and 7:30 p.m. to view displays, hold one-on-one conversations with staff, and watch a presentation that will run on a continuous loop. Anyone wishing to provide comments for the public record will be able to speak to a court reporter, handwrite their comments, or type them into a laptop. The displays and video will be available to view online after the open house at www.FloridaMCORES.com. Comments can also be provided directly through the website at www.FloridaMCORES.com or by email to FDOT.Listens@dot.state.fl.us. There will be no formal presentation at the open house; however, we encourage you to drop by at your convenience during the above listed

hours. If you are unable to attend the meeting but would like more information, please visit www.FloridaMCORES.com.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321 at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting: Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Wednesday, October 30, 2019, 10:00 a.m.

PLACE: Polk State College – Lakeland Campus, 3425 Winter Lake Road, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a meeting of the Florida Multi-use Corridors of Regional Economic Significance (M-CORES) Task Force for the Southwest-Central Connector extending from Collier County to Polk County. Registration begins at 9:00 a.m. The public is invited to attend and observe the proceedings of the Task Force. Comment stations will be available throughout the meeting where comments may be submitted in writing, verbally to an on-site court reporter, or by email to FDOT.Listens@dot.state.fl.us. In addition, a public comment period will begin at 4:30 p.m.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. People who require special accommodations under the Americans with Disabilities Act or who require translation services (free of charge) should contact Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321 at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting: Angela Starke at Angela.Starke@dot.state.fl.us or (407)264-3321.

DEPARTMENT OF CITRUS

The Florida Department of Citrus announces a workshop to which all persons are invited.

DATE AND TIME: October 18, 2019, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is to continue to review and discuss citrus market data, consumer data and proposed program activities and related budgets.

A copy of the agenda may be obtained by contacting: Heather Anderson at Handerson@citrus.myflorida.com or 1(863)537-3950.

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: Dianne Screws at dscrews@citrus.myflorida.com or 1(863)537-3984. 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.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a prehearing conference and a hearing in the following dockets to which all persons are invited.

DOCKET NOS. AND TITLES:

Docket No. 20190001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor.

Docket No. 20190002-EG – Energy conservation cost recovery clause.

Docket No. 20190003-GU – Purchased gas adjustment true-up.

Docket No. 20190004-GU – Natural gas conservation cost recovery.

Docket No. 20190007-EI – Environmental cost recovery clause.

PREHEARING CONFERENCE DATE AND TIME: Tuesday, October 22, 2019, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING:

The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify

exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING DATE AND TIME: Tuesday, November 5, 2019, immediately following the Commission's Internal Affairs Meeting. November 6-7, 2019, have also been reserved for continuation of the hearing, if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

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 relative to issues and subjects, including but not limited to, the following:

1. Determination of the Projected Levelized Fuel Adjustment Factors for all investor-owned electric utilities for the period January 2020 through December 2020;
2. Determination of the Estimated Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period January 2019 through December 2019;
3. Determination of the Final Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period January 2018 through December 2018, which are to be based on actual data for that period;
4. Determination of Generating Performance Incentive Factor Targets and Ranges for the period January 2020 through December 2020;
5. Determination of Generating Performance Incentive Factor Rewards and Penalties for the period January 2018 through December 2018;
6. Determination of the Projected Capacity Cost Recovery Factors for the period January 2020 through December 2020, including nuclear costs;
7. Determination of the Estimated Capacity Cost Recovery True-Up Amounts for the period January 2019 through December 2019, including nuclear costs;
8. Determination of the Final Capacity Cost Recovery True-Up Amounts for the period January 2018 through December 2018, which are to be based on actual data for that period, including nuclear costs;
9. Determination of the Projected Conservation Cost Recovery Factors for certain investor-owned electric and gas utilities for the period January 2020 through December 2020;
10. Determination of Conservation Actual/Estimated Amounts for certain investor-owned electric and gas utilities for the period January 2019 through December 2019;

11. Determination of the Final Conservation True-Up Amounts for the period January 2018 through December 2018 for certain investor-owned electric and gas utilities, which are to be based on actual data for that period;

12. Determination of the projected Purchased Gas Adjustment Cost Recovery Factors for the period January 2020 through December 2020;

13. Determination of Actual/Estimated Purchased Gas True-Up Amounts for the period January 2019 through December 2019;

14. Determination of the Final Purchased Gas True-Up Amounts for the period January 2018 through December 2018, which are to be based on actual date for that period;

15. Determination of the Projected Environmental Cost Recovery Factors for the period January 2020 through December 2020;

16. Determination of the Estimated Actual Environmental Cost Recovery True-Up Amounts for the period January 2019 through December 2019; and

17. Determination of the Final Environmental Cost Recovery True-Up Amounts for the period January 2018 through December 2018, which are to be based on actual data for that period.

The purpose of this hearing is also to consider 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.

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The hearing will be governed by the provisions of Chapters 366 and 120, 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). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF PROCEEDINGS

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.

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REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Local Emergency Planning Committee (SoFlaLEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 20, 2019, 10:00 a.m.

PLACE: South Florida Regional Planning Council, One Oakwood Blvd., Suite 250, Hollywood, FL 33020

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY1920.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council at One Oakwood Blvd., Suite 250, Hollywood, FL 33020, via email request to Manny Cela (celam@sfrpc.com), visiting the SoFlaLEPC website (www.soflalepc.org) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide.

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: South Florida Regional Planning Council at One Oakwood Blvd., Suite 250, Hollywood, FL 33020, via email request to Manny Cela (celam@sfrpc.com), visiting the SoFlaLEPC website (www.soflalepc.org) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide. 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: South Florida Regional Planning Council at One Oakwood Blvd., Suite 250, Hollywood, FL 33020, via email request to Manny Cela (celam@sfrpc.com), visiting the SoFlaLEPC website (www.soflalepc.org) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, November 13, 2019, 12:00 Noon; Thursday, November 14, 2019, 8:30 a.m.; Friday, November 15, 2019, 8:30 a.m.

PLACE: The Shores, 2637 S. Atlantic Ave., Daytona Beach, FL 32118, 386.767.7350

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business, disciplinary and committee meetings of the Board

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 12, 2019, 10:00 a.m.
PLACE: Telephone conference number: 1(888)585-9008, participant code: 564 952 647

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness Committee of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd., Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: October 17, 2019, 2:00 p.m. ET

PLACE: 1(888)585-9008 when prompted, enter conference room number 599196982#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel with reconsiderations.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. 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: (850)245-4474.

DEPARTMENT OF HEALTH

Board of Medicine

The Boards of Medicine and Osteopathic Medicine’s Physician Certification Pattern Review Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 15, 2019, 8:00 a.m.

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the Hills, Florida 34737. The hotel phone number is (352)324-3101

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Panel. Please check the Board website at <https://flboardofmedicine.gov/meeting-information/> or <https://floridasosteopathicmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 or the Board of Osteopathic Medicine at (850)245-4161 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine (BOM) Meeting Materials at <https://flboardofmedicine.gov/meeting-information/> or Board of Osteopathic Medicine (BOOM)

Meeting Materials at <https://floridasosteopathicmedicine.gov/meeting-information/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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: For more information, you may contact: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Division of Health Community Health Promotion, Bureau of Tobacco Free Florida announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2019, 9:00 a.m.

PLACE: 4052 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of an Advisory Council required by Florida Statute 381.84. The council meets four times per year to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meetings will provide evaluation information and reports about the Tobacco Education and Use Prevention Program and each of the program’s major components including media, the cessation quitline, and community programs.

A copy of the agenda may be obtained by contacting: Chelsea Creel at (850)617-1940 or via email at Chelsea.Creel@FLHealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Chelsea Creel at (850)617-1940 or via email at Chelsea.Creel@FLHealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing,

he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Chelsea Creel at (850)617-1940 or via email at Chelsea.Creel@FLHealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Florida Department of Health/Florida Trauma System Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, October 17, 2019, 4:00 p.m. ET

PLACE: Florida Department of Health, 4042 Bald Cypress Way, Tallahassee FL, 32399

A conference line has been established: 1(888)585-9008 then 325-223-031

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Florida Trauma System Advisory Council. The purpose of these meeting is to facilitate informal discussion between council members pursuant to Chapter 286, Florida Statutes, and Article I, Section 24, of the Florida Constitution. The Florida Trauma System Advisory Council will not vote or take any official action during the meeting.

A copy of the agenda may be obtained by contacting: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

For more information, you may contact: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Department of Health/ Florida Trauma System Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 22, 2019, 9:00 a.m. ET

PLACE: Renaissance World Golf Village Resort, 500 South Legacy Trail, St. Augustine, FL 32821

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Florida Trauma System Advisory Council.

A copy of the agenda may be obtained by contacting: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Thursday, October 17, 2019, 9:00 a.m.

PLACE: Charlotte Behavioral Health, 1700 Education Avenue, Conference room #1, Punta Gorda, FL 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: on-going Charlotte County Community Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Jones, (239)895-0257.

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: Stephanie Jones. 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: Stephanie Jones, (239)895-0257.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

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

DATE AND TIME: Tuesday, October 22, 2019, 3:00 p.m.

PLACE: The Hilton Sandestin Beach, 4000 Sandestin Blvd. South, Destin, FL 32550.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or call (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

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

DATE AND TIME: Tuesday, October 22, 2019, immediately following the Audit Committee meeting.

PLACE: The Hilton Sandestin Beach, 4000 Sandestin Blvd. South, Destin, FL 32550.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or call (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: frankie@fmmjua.org or call (850)385-8114.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

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

DATE AND TIME: Wednesday, October 23, 2019, 9:00 a.m.

PLACE: The Hilton Sandestin Beach, 4000 Sandestin Blvd. South, Destin, FL 32550.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: frankie@fmmjua.org or call (850)385-8114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: frankie@fmmjua.org or call (850)385-8114.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Youth AD HOC Committee Meetings: Tuesday, October 29, 2019, 1:00 p.m. – 2:00 p.m.; Tuesday, November 19, 2019, 2:00 p.m. – 3:00 p.m.; Monday, December 2, 2019, 1:00 p.m. – 2:00 p.m.

PLACE: 1(888)585-9008 Code:605155637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Committees

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

ENTERPRISE FLORIDA, INC.

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

DATE AND TIME: October 30, 2019, 3:30 p.m.

PLACE: Enterprise Florida, 800 N. Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board administrative matters

A copy of the agenda may be obtained by contacting: NA

For more information, you may contact: Lorna Dusti, (407)956-5651.

QCAUSA

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

DATE AND TIME: Tuesday, October 22, 2019, 4:30 p.m. – 6:30 p.m. CT

PLACE: Beulah Senior Center, 7425 Woodside Road, Pensacola, FL 32526

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Florida Department of Transportation (FDOT) public meeting is being held to provide interested persons an opportunity to express their views concerning the proposed interchange and

roadway improvements project. The intent of this project is to widen Beulah Road from two to four lanes from W. Nine Mile Road to Isaacs Lane, construct a new alignment from Isaacs Lane to W. Kingsfield Road, construct a new interchange at I-10, and widen I-10 from four to six lanes from the Florida/Alabama line to the Pensacola Weigh Station.

There will be no formal presentation. Maps, drawings and other information will be on display at the meeting. FDOT representatives will be available to discuss the proposed improvements, answer questions, and receive comments. Additional project information is available and can be viewed on the project website (nwflroads.com).

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

A copy of the agenda may be obtained by contacting: Eric Saggars, P.E., Project Manager at (850)415-9001 or via email at Esaggars@hntb.com, or by mail at 1074 Highway 90, Chipley, Florida 32428.

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: FDOT Project Manager, at the information listed below. 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: Eric Saggars, P.E., Project Manager at (850)415-9001 or via email at Esaggars@hntb.com, or by mail at 1074 Highway 90, Chipley, Florida 32428. You may also contact Ian Satter, FDOT District Three Public Information Director at 1(888)638-0250, extension 1205 or via email at Ian.Satter@dot.state.fl.us.

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 Christopher Delborrello dba Anytime Cash. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On October 2, 2019, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory

Statement from Christopher Delborrello dba Anytime Cash. The petition seeks a declaratory statement from the Office whether its business model (to operate check cashing services to its customers via kiosks) complies with the requirements for check cashers under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

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

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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, October 3, 2019 and 3:00 p.m., Wednesday, October 9, 2019.

Rule No.	File Date	Effective Date
5J-18.001	10/9/2019	10/29/2019
5J-18.0011	10/9/2019	10/29/2019
5J-18.0012	10/9/2019	10/29/2019
5J-18.002	10/9/2019	10/29/2019
5J-18.003	10/9/2019	10/29/2019
5J-18.004	10/9/2019	10/29/2019
5J-18.005	10/9/2019	10/29/2019
5J-18.0051	10/9/2019	10/29/2019
5J-18.009	10/9/2019	10/29/2019
5J-18.012	10/9/2019	10/29/2019
5J-18.0127	10/9/2019	10/29/2019
5J-18.014	10/9/2019	10/29/2019
5J-18.0142	10/9/2019	10/29/2019
5J-18.015	10/9/2019	10/29/2019
5J-18.016	10/9/2019	10/29/2019
5J-18.024	10/9/2019	10/29/2019
6A-1.001	10/4/2019	10/24/2019
6A-1.004	10/4/2019	10/24/2019
6A-1.0071	10/4/2019	10/24/2019
6A-1.094124	10/4/2019	10/24/2019
6A-1.099811	10/4/2019	10/24/2019
6A-3.003	10/4/2019	10/24/2019
6A-5.066	10/4/2019	10/24/2019
6A-6.0573	10/4/2019	10/24/2019

6A-7.0710	10/4/2019	10/24/2019
12A-1.097	10/8/2019	10/28/2019
12A-1.109	10/8/2019	10/28/2019
12A-1.097	10/8/2019	10/28/2019
12A-1.110	10/8/2019	10/28/2019
61C-1.001	10/9/2019	11/1/2019
61C-4.010	10/9/2019	11/1/2019
61C-5.0015	10/9/2019	10/29/2019
61C-5.006	10/9/2019	10/29/2019
61H1-36.004	10/4/2019	10/24/2019
61J1-2.0025	10/9/2019	10/29/2019
64B8-4.008	10/9/2019	10/29/2019
64B8-4.029	10/9/2019	10/29/2019
64B8-6.008	10/9/2019	10/29/2019
64B8-7.002	10/9/2019	10/29/2019
64B8-7.004	10/9/2019	10/29/2019
64B8-8.002	10/9/2019	10/29/2019
64B8-12.005	10/9/2019	10/29/2019
64B15-12.003	10/8/2019	10/28/2019
64B15-12.005	10/8/2019	10/28/2019
64B15-12.009	10/8/2019	10/28/2019
64B15-12.010	10/8/2019	10/28/2019
64B15-12.011	10/8/2019	10/28/2019
64B15-14.0081	10/4/2019	10/24/2019
64B15-22.004	10/8/2019	10/28/2019
64B16-28.607	10/9/2019	10/29/2019
64B16-28.10801	10/9/2019	10/29/2019
65C-43.001	10/4/2019	10/24/2019
65C-43.002	10/4/2019	10/24/2019
65C-43.003	10/4/2019	10/24/2019
65C-43.0035	10/4/2019	10/24/2019

69A-40.024	10/7/2019	10/27/2019
69A-40.028	10/7/2019	10/27/2019
69A-40.029	10/7/2019	10/27/2019
69A-40.031	10/7/2019	10/27/2019
69A-40.035	10/7/2019	10/27/2019
69A-40.037	10/7/2019	10/27/2019
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 FINANCIAL SERVICES

FSC - Financial Institution Regulation

Financial Institutions

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

October 10, 2019

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

Agency Clerk
Office of Financial Regulation
P.O. Box 8050
Tallahassee, Florida 32314-8050
Phone: (850)410-9889
Fax: (850)410-9663

By Hand Delivery

Agency Clerk
Office of Financial Regulation
General Counsel's Office
The Fletcher Building, Suite 118
101 East Gaines Street
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.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., October 30, 2019):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: OUR Community Bank, 3665, W. 18th Avenue, Hialeah, Miami-Dade County, Florida 33012

Correspondent: Brian Recor, 848 Brickell Avenue, Suite, 1000, Miami, Florida 33131, Received: October 9, 2019

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

Florida Bankers Association, Tallahassee, Florida

DEPARTMENT OF ECONOMIC OPPORTUNITY

DEO Final Order No. DEO-19-034

In re: A LAND DEVELOPMENT REGULATION

ADOPTED BY MONROE COUNTY, FLORIDA,

ORDINANCE NO. 019-2019

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO. 019-2019

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 Monroe County, Florida, Ordinance No. 019-2019 (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. Monroe County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Monroe County on June 19, 2019, and rendered to the Department on August 13, 2019.
3. The Ordinance amends Section 138-24 and Section 139-1 of the Land Development Code to incentivize the development of affordable housing by allowing the issuance of affordable housing allocations to Tier I and Tier III-A designated properties that meet specific criteria.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See §§ 380.05(6) and 380.0552(9), Fla Stat.
5. “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.

6. The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and specifically, with Policies 101.3.3 and 601.1.4.

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. §§ 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.

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

(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.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

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

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

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 019-2019 is consistent with the Monroe County Comprehensive Plan and 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, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE DATE OF FILING OF THE FINAL ORDER AS INDICATED ON THE CERTIFICATE OF SERVICE. 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,

AGENCY.CLERK@DEO.MYFLORIDA.COM.

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 DATE OF THE FILING OF THE FINAL ORDER.

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.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

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 9th day of October, 2019.

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

By U.S. Mail:

The Honorable Sylvia Murphy, Mayor, Monroe County, 102050 Overseas Highway, Suite 234, Key Largo, Florida 33037

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, PO Box 1980, Key West, Florida 33041

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.