

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:

68D-24.003 Management Provisions

PURPOSE AND EFFECT: This rule will be amended to better describe the data and information to be considered by the Commission for purposes of evaluating whether to establish a boating restricted area pursuant to s. 327.46(1), FS., for the purpose of protecting public safety. The rule will also be amended to remove outdated rule references. The effect will be to update the rule and clarify the specific information and data the Commission will consider when evaluating whether public safety necessitates the creation of a boating restricted area.

SUBJECT AREA TO BE ADDRESSED: Criteria for Commission established boating restricted areas

RULEMAKING AUTHORITY: 327.04, 327.46, FS.

LAW IMPLEMENTED: 327.46, FS.

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

DATE AND TIME: September 22, 2023, from 2:00 p.m. to 3:00 p.m. EST

PLACE: Virtual meeting. To participate virtually, you may access the meeting at: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjcwNDhkNTYtYTI3OC00NTQ5LWF1MWYtNjQzNTFmZmVmYTYy%40thread.v2/0?context=%7b%22Tid%22%3a%22c4d6af73-d05b-4ade-9a39-ced76d3056c6%22%2c%22Oid%22%3a%223a05211b-c1c4-4c10-8f23-659b6d0c0790%22%7d

OR by calling the following number and entering the access/conference codes as prompted: (850)270-2928, Passcode 241048009# Phone Conference ID: 241 048 009#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Travis Franklin, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and

Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, travis.franklin@myfwc.com, (850)617-9518.

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

Section II
Proposed Rules

NONE

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER23-44 CASH POPTM - Odds Change Provisions

SUMMARY OF THE RULE: This emergency rule sets forth the CASH POPTM odds change provisions in preparation for the change in certain odds of winning in the CASH POP draw game, and those changes in odds go live September 12, 2023.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 3239-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER23-44 CASH POP™ - Odds Change Provisions.

(1) Certain odds (of winning) will be changing in the CASH POP Draw game.

(2) In preparation for the change, the functions below will be suspended and will resume at 6:00 a.m. (ET) on Tuesday, September 12, 2023:

(a) The ability to make a consecutive draw choice will be suspended after the close of the 11:45 p.m., ET, September 9, 2023 drawing; and

(b) After the close of the 11:45 p.m. (ET) draw on September 11, 2023, CASH POP, GROUPER®, and GROUPER® Super Sampler ticket sales will be suspended.

(3) All game functions and options resume on Tuesday, September 12, 2023 at 6:00 a.m. (ET).

(4) Except as provided herein, all other provisions of Rule 53ER23-43 shall remain in full force and effect.

Rulemaking Authority 24.105(9), 24.109(1), F.S.; Law Implemented 24.105(9), F.S. History - New 9-9-2023.

See Rule 53ER23-43 CASH POP for other CASH POP provisions.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 9/9/2023

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER23-45 CASH POP™

SUMMARY OF THE RULE: This emergency rule describes the “CASH POPTM” draw game and sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; and value of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER23-45 CASH POP™.

(1) How to Play CASH POP™.

(a) CASH POP is a Draw lottery game (also known as an online terminal game) in which a player selects one number from 1 through 15, inclusive, for a chance to win a cash prize. The selection of a single number is one (1) “play.”

(b) Players may choose play amounts of \$1.00, \$2.00, \$5.00, or \$10.00 per play. The play amount will determine the possible cash prize generated by the system. The prize structure and odds are set forth in subsection (2), below.

(c) For purposes of this rule, a “playslip” is defined as an original paper playslip issued and approved by the Florida Lottery for the CASH POP game or a digital playslip for the CASH POP game generated using the Florida Lottery Mobile Convenience App (“App”). Except where necessary to differentiate between a paper playslip and a digital playslip, the term “playslip” shall be inclusive of both types of playslips.

(d) Players may make their CASH POP ticket selections by: using a playslip; using a Florida Lottery vending machine (“vending machine”), if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting the Play it Again feature.

(e) Playslip.

1. Paper Playslips.

a. A CASH POP paper playslip contains five (5) panels. The manner of play described in this section is for a single

panel; each of the five panels is played in the same manner. Each panel has three (3) sections.

The first section lists numbers one (1) to fifteen (15). On a playslip, players must mark at least one number to play. A player may mark additional numbers, up to fifteen (15) for additional plays. A player may mark the “Play All” spot to play all fifteen numbers. All numbers chosen are played in the next available drawing. A player may also mark Quick Pick (QP) for the terminal to randomly select one number. A player will mark his/her desired choice/s using blue or black ink or a pencil.

In the second section of a panel on a playslip, a player will mark the dollar amount he/she wishes to play. The possible play amounts are \$1.00, \$2.00, \$5.00, or \$10.00. Only one (1) play amount can be chosen per panel on a playslip, and the play amount chosen will be applied to each number played in that panel. If a player does not mark a dollar amount, the default will be \$1.00.

In the third section of a panel on the playslip, a player may select the number of consecutive drawings he/she wishes to play. (Consecutive drawings are also known as advance play.) The number of consecutive drawing choices are one (1), two (2), three (3), four (4), five (5), or ten (10). The count for the number of consecutive drawings includes the next available drawing for which a ticket is purchased. For example, choosing four (4) consecutive drawings will give the player a total of four (4) drawings, the next available drawing plus the next three (3) drawings for a total of four (4). If a player chooses one (1) consecutive drawing, only the next available drawing is played, and the player will have no additional drawings played. The number/s played and play amount will be the same for each consecutive drawing. Only one (1) value for the number of consecutive drawings can be chosen on a panel. If no number of consecutive drawings is chosen, the play is for the next available drawing only.

b. A separate ticket will be produced for each panel and for each drawing and will display all numbers chosen on the panel. A system-generated prize amount will print immediately beneath each number played. For each consecutive drawing, if any, a separate ticket will print, and the prize amount/s may differ for the number/s played. The prize amount/s in a subsequent drawing are not determinative or dependent on the prize amount/s of a previous drawing.

c. Players should carefully check their playslip for accuracy in their desired selections since CASH POP tickets cannot be canceled. If an error is made in a panel, the player will mark the Void box. Marking the Void box will apply to all choices made in a panel.

d. The total cost to play one (1) panel on a ticket is equal to the number of number/s played times the play amount times the number of consecutive draws.

e. The odds of winning a given prize are listed in subsection (2), below.

f. Each of the five (5) panels are played in the manner described above. One or more panels, up to five, may be played on a playslip. A ticket will be produced for each panel played and for each drawing played.

g. Paper playslips must be Florida Lottery approved. Paper playslips may be processed through a Florida Lottery full-service vending machine or processed by a Florida Lottery retailer to obtain a ticket.

2. Digital Playslip. How to Create a Digital Playslip. From the Landing Page on the App, a player should select the CASH POP game icon and then click on “Pick Numbers.” The player may either select his or her numbers from one (1) through (15) or use the “Random Numbers” or “Shake to Play” feature for the App to provide the player a random number. A player must also select the play amount (\$1.00, \$2.00, \$5.00, or \$10.00), which will apply to all numbers played, and, if more than the default of one drawing is desired, select the number of consecutive drawings. Players may also use the “My Favorites” feature to save the digital playslip for later use. Once a digital playslip is created and the player clicks “Create Playslip,” a barcode will be displayed. The player may present the barcode appearing on his/her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a CASH POP digital playslip are available by clicking on the “How to Play” button on the main CASH POP page.

(f) Vending Machine. If a vending machine is available at a retailer location and if the vending machine has the options set forth herein, the vending machine may be used by a player to make Quick Pick (QP) selections; manual selections; and process both paper and digital CASH POP playslips.

(g) Telling the Retailer. Retailers are authorized to manually enter player choices. Players electing to make their CASH POP ticket selections by telling the retailer must specify the number/s desired to be played, the play amount, and the consecutive number of drawings. A player may also tell the retailer to use the Quick Pick feature for the terminal to randomly select one or more numbers (1 through 15). If Quick Pick is chosen by a player, a player must also tell the retailer the play amount and the number of consecutive drawings desired.

(h) Play it Again.

1. A player may request to “Play it Again” to replay a previously purchased CASH POP ticket. If requested, a retailer shall process the original ticket provided by the player and print new ticket/s which will have the same selected number/s, play amount, and number of consecutive drawings as the original ticket, except as provided in subparagraph (1)(h)2., below. New possible prize amount/s will be generated.

2. In the event of a Lottery decision to step down the CASH POP game, an original ticket will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of drawings that are available at the time of requested ticket replay. Tickets older than sixty (60) days cannot be replayed.

(2) CASH POP Prizes and Odds.

(a) The odds of any one of the numbers, one (1) through (15), coming up in a drawing are 1 in 15.

(b) The odds of winning a given prize on a ticket for a \$1 Play, for one number, are:

<u>\$1 Play</u>	
<u>Prize</u>	<u>Odds</u>
<u>\$250</u>	<u>1:15,000</u>
<u>\$100</u>	<u>1:6,000</u>
<u>\$50</u>	<u>1:2,700</u>
<u>\$25</u>	<u>1:750</u>
<u>\$20</u>	<u>1:270</u>
<u>\$15</u>	<u>1:180</u>
<u>\$10</u>	<u>1:105</u>
<u>\$7</u>	<u>1:75</u>
<u>\$5</u>	<u>1:31</u>

(c) The odds of winning a given prize on a ticket for a \$2 Play, for one number, are:

<u>\$2 Play</u>	
<u>Prize</u>	<u>Odds</u>
<u>\$500</u>	<u>1:15,000</u>
<u>\$200</u>	<u>1:4,500</u>
<u>\$100</u>	<u>1:1,950</u>
<u>\$50</u>	<u>1:630</u>
<u>\$40</u>	<u>1:240</u>
<u>\$30</u>	<u>1:150</u>
<u>\$20</u>	<u>1:105</u>
<u>\$14</u>	<u>1:90</u>
<u>\$10</u>	<u>1:30</u>

(d) The odds of winning a given prize on a ticket for a \$5 Play, for one number, are:

<u>\$5 Play</u>	
<u>Prize</u>	<u>Odds</u>
\$1250	1:15,000
\$500	1:4,200
\$250	1:1,875
\$125	1:465
\$100	1:195
\$75	1:150
\$50	1:120
\$35	1:90
\$25	1:31

(e) The odds of winning a given prize on a ticket for a \$10 Play, for one number, are:

<u>\$10 Play</u>	
<u>Prize</u>	<u>Odds</u>
\$2500	1:15,000
\$1000	1:4,125
\$500	1:1,500
\$250	1:375
\$200	1:165
\$150	1:150
\$100	1:120
\$70	1:105
\$50	1:31

(f) The CASH POP prize structure will be replenished automatically as each ticket is sold in each prize tier. The odds remain the same for each ticket purchase for the life of the game.

(3) CASH POP Drawings.

(a) CASH POP game drawings are conducted five (5) times daily, seven days per week, by the Florida Lottery for the approximate times: 8:45:05 a.m.; 11:45:05 a.m.; 2:45:05 p.m.;

6:45:05 p.m.; and 11:45:05 p.m. All times are Eastern Time (ET). Ticket sales for a specific CASH POP drawing will close approximately five (5) seconds prior to that drawing. Any ticket sold after the close will be printed with the next available CASH POP draw date and time. Draw times and dates cannot be chosen by a player, and tickets purchased are for the next available drawing. Any consecutive drawings chosen by a player are those directly after the next available drawing.

(b) One number from one (1) through fifteen (15) will be selected in each drawing. Computer automated drawings will be used and verified by a certified public accounting firm. Animated versions/digital reveals will be available on the Florida Lottery’s website. Players may also use the Florida Lottery App, visit a Lottery retailer, or call (850) 921-PLAY (7529) to obtain the winning number and/or check their ticket to see if it’s a winner.

(c) The Florida Lottery shall not be responsible for incorrect circulation, publication, or broadcast of official winning numbers.

(4) CASH POP Rules and Prohibitions.

(a) By purchasing a CASH POP ticket, the player agrees to comply with and abide by all rules and regulations of the Florida Lottery and applicable law.

(b) CASH POP prize payments, taxation, deadlines for claiming, and other related matters shall be in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and gaming system availability, CASH POP lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) CASH POP tickets cannot be canceled.

(5) The effective date of this emergency rule is September 12, 2023.

Rulemaking Authority 24.105(2), 24.105(9), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9), 24.124(1) FS. History - New 9-12-23, Replaces 53ER23-43.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 9/12/2023

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Bureau of Elevator Safety hereby gives notice:

On August 22, 2023 the Division issued an order. The Final Order was in response to a Petition for a routine permanent Variance from Lake Eola Charter School located at 135 N. Magnolia Ave., Orlando, FL 32801, filed June 13, 2023, and advertised on June 15, 2023 in Vol. 49, No. 116, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.12, ASME A17.3, 2015 Edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits, because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2023-061).

A copy of the Order or additional information 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

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-16.009 Required Sponsor Time Records

NOTICE IS HEREBY GIVEN that on September 06, 2023, the Board of Opticianry, received a petition for variance and waiver filed by Yesenia Pagan. Petitioner seeks a variance or waiver of Rule 64B12-16.009, F.A.C., Required Sponsor Time Records. Comments on this petition should be filed with the Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashleigh Irving, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258.

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF STATE

Division of Arts and Culture

The Florida Division of Arts and Culture, Office of International Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, September 14, 2023, 1:00 p.m.

PLACE: This meeting will be held via teleconference. Please contact Rachelle Ashmore at 850.245.6490 for participation instructions.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida International Affairs Foundation will meet to discuss, review and take action on business which may appropriately come before the Board.

A copy of the agenda may be obtained by contacting: The Division of Arts and Culture at (850)245-6470

For more information, you may contact: Rachelle Ashmore at (850)245-6490 or Rachelle.Ashmore@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The Services and Resources Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 21, 2023, 1:00 p.m. until conclusion

PLACE: Microsoft Teams Meeting - 1 850-666-4692, Phone Conference ID: 818699580# and,

<https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting?rtc=1>, Meeting ID: 211402468045, Passcode: erbPP6

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business.

A copy of the agenda may be obtained by contacting: Lynn Guyton at Lynn.Guyton@myfloridalegal.com or by accessing the board's website at:

http://myfloridalegal.com/_85256CC5006DFCC3.nsf

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: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Lynn Guyton at Lynn.Guyton@myfloridalegal.com by telephone at (813) 287-7950.

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a hearing to which all persons are invited.

DATES AND TIMES: A Planning Meeting will begin at 10:00 a.m. or as soon thereafter on September 19, 2023.

A Teacher Hearing Panel will begin at 1:30 p.m. or as soon thereafter as can be heard on September 19, 2023.

An All-Member Training is being conducted immediately following the Teacher Hearing Panel on September 19, 2023.

A Teacher Hearing Panel will begin at 8:00 a.m. or as soon thereafter as can be heard on September 20, 2023.

A Teacher Hearing Panel will begin at 10:00 a.m. or as soon thereafter as can be heard on September 20, 2023.

A Teacher Hearing Panel will begin at 1:30 p.m. or as soon thereafter as can be heard on September 20, 2023.

An All-Member Training is being conducted immediately following the Teacher Hearing Panels on September 20, 2023.

A Business Meeting will begin at 8:00 a.m. or as soon thereafter on September 21, 2023.

An All-Member Workshop will begin at 1:00 p.m. or as soon thereafter on September 21, 2023.

An Administrator Hearing Panel will begin at 3:00 p.m. or as soon thereafter as can be heard on September 21, 2023.

A Teacher Hearing Panel will begin at 8:00 a.m. or as soon thereafter as can be heard on September 22, 2023.

PLACE: Embassy Suites Orlando Airport, 5835 T.G. Lee Boulevard, Orlando, Florida 32822, (407) 888-9339

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The All-Member Training and All-Member Workshop are being held to train members of the Commission. The Planning Meeting and Business Meeting are being held to plan and discuss the business of the Commission.

A copy of the agenda may be obtained by contacting: Lisa Forbess at (850) 245-0455.

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: Lisa Forbess at (850) 245-0455. 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: Lisa Forbess at (850) 245-0455.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Monday, September 18, 2023, 2:00 p.m.

Loxahatchee River Management Coordinating Council Meeting

PLACE: River Center, 805 N. US Highway 1, Jupiter, FL 33477

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Loxahatchee River Management Coordinating Council will meet to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

The public and stakeholders are invited to participate in person and will have an opportunity to provide comment during the meeting.

A copy of the agenda may be obtained by contacting: Elizabeth Salewski, Ph.D., 561-682-2429 or esalewsk@sfwmd.gov. The agenda will be posted to the District's website www.SFWMD.gov/meetings, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Molly Brown, Interim District Clerk, at mobrown@sfwmd.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: Elizabeth Salewski, Ph.D., 561-682-2429 or esalewsk@sfwmd.gov.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Commission for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2023, 9:00 a.m. until completion

PLACE: Virtual Meeting via TEAMS:

https://gcc02.safelinks.protection.outlook.com/ap/t-59584e83/?url=https%3A%2F%2Fteams.microsoft.com%2F%2Fmeetup-join%2F19%253ameeting_MTZiMjI5YjktZDdjMS00NTA5LTK3NGUtMDJjNzg4NDdjYTQ3%2540thread.v2%2F0%3Fco ntext%3D%257b%2522Tid%2522%253a%2522db21de5d-bc9c-420c-8f3f-8f08f85b5ada%2522%252c%2522Oid%2522%253a%2522069f5ce4-0ee7-44c4-8224-6a7f706a40c3%2522%257d&data=05%7C01%7CKaren.Som erset%40dot.state.fl.us%7C3a461dd99c884c6b107208dbaf0c09e4%7Cdb21de5dbc9c420c8f3f8f08f85b5ada%7C0%7C0%7C638296238476121227%7CUnknown%7CTWFpbGZsb3d8eyJWJoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ikh1ha WwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=om4Pmr4KQbNqql1w5moIkFBIL7WkUVHXX%2BW9BiiNFqS8%3D&reserved=0

Phone: 850-739-5589, Conf Code 456 557 811#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Commission (CTD) Business Meeting; rescheduled from August 28, 2023, due to Hurricane Idalia.

A copy of the agenda may be obtained by contacting: David Darm at (850) 688-2953 or david.darm@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 48 hours before the workshop/meeting by contacting: David Darm at (850) 688-2953 or david.darm@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: David Darm at (850) 688-2953 or david.darm@dot.state.fl.us

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.270 Health Information Management

The Agency for Health Care Administration announces a workshop to which all persons are invited.

DATE AND TIME: October 12, 2023, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room B, Tallahassee, Florida, 32308. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials will be posted prior to the workshop on the web at:

https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency proposes to revise the rule to incorporate recent changes from 2023-040, LOF related to reporting of patient immigration status data.

A copy of the agenda may be obtained by contacting: Ryan Fitch, (850) 412-3797, email: Ryan.Fitch@ahca.myflorida.com. The agenda and related materials will be posted prior to the workshop on the web at: https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml.

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: Ryan Fitch, Central Services, 2727 Mahan Drive, Tallahassee, Florida, 32308, (850) 412-3797. 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 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: Ryan Fitch, (850) 412-3797, email: Ryan.Fitch@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

The Electrical Contractors' Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 18, 2023, 10:00 a.m.

PLACE: <https://global.gotomeeting.com/join/564765493>

You can also dial in using your phone.

United States: +1 (224) 501-3412

Access Code 564-765-493

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monday, September 18, 2023, at 10:00 a.m.: Application Review.

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850) 487-1395.

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: Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850) 487-1395. 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: Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399. (850) 487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

The Board of Professional Geologists announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday – Thursday, October 18 – 19, 2023, 9:00 a.m.

PLACE: Naples, FL- TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. 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: Lina Hurtado, Division of Professions, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

The Florida Building Commission, BOAF Binding Interpretation Panel, announces a public meeting to which all persons are invited.

DATE AND TIME: September 22, 2023, 10:00 a.m.

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/381525821>

Join the conference call: United States (toll-free) 1(877)309-2073, access code/meeting ID: 381-525-821.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a determination on a request for binding interpretation - Petition #263 by Ryan Abrams.

A copy of the agenda may be obtained by contacting: Joe Bigelow, Codes & Standards, DBPR, 2601 Blair Stone Road, Tallahassee, Florida 32399. Call at (850)487-1824 or visit the agency website at floridabuilding.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 7 days before the workshop/meeting by contacting: Barbara Bryant, Codes & Standards, DBPR, 2601 Blair Stone Road, Tallahassee, Florida 32399. 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: Joe Bigelow, Codes & Standards, DBPR, 2601 Blair Stone Road, Tallahassee, Florida 32399. Call at (850)487-1824 or visit the agency website at floridabuilding.org.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: September 08, 2023, 9:00 a.m. ET

PLACE: Cancelled

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice will replace notice #27466828. This meeting has been cancelled.

A copy of the agenda may be obtained by contacting: The meeting has been cancelled, no Agenda is available.

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 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 HEALTH

Board of Nursing

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

DATES AND TIMES: Wednesday, October 4, 2023, 8:30 a.m. ET; Thursday, October 5, 2023, 8:30 a.m. ET; Thursday, October 5, 2023, 1:30 p.m. ET; Friday, October 6, 2023, 8:30 a.m. ET

PLACE: Holiday Inn Orlando – Disney Springs, 1805 Hotel Plaza Blvd, Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credential and Education Committee meetings; Disciplinary Hearings and General Business.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/upcomingmeetings/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)245-4125. 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 HEALTH

Division of Family Health Services

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

DATE AND TIME: Tuesday, September 19, 2023, 12:00 p.m. – 1:00 p.m. EST

PLACE: Microsoft Teams Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZWI4NDZiNjItNGUwZS00Nm0LWFlZDMtODM3NzY1YjQ5NDlh%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%220b10ad5e-4682-4be7-9c77-fcb5313f7f44%22%7d

Or call in (audio only): 850-792-1375
Phone Conference ID: 919 927 861#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health, Division of Community Health Promotion is conducting the Rare Disease Advisory Council Academic Research Institutions Subcommittee meeting. The Council was created in Section 381.99, Florida Statutes, for the purpose of providing recommendations to improve health outcomes for individuals residing in Florida who have a rare disease.

A copy of the agenda may be obtained by contacting: Maggie Dilger at maggie.dilger@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: Maggie Dilger at maggie.dilger@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: Maggie Dilger at maggie.dilger@flhealth.gov

DEPARTMENT OF HEALTH

Division of Family Health Services

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

DATE AND TIME: Wednesday, September 20, 2023, 12:00 p.m. – 1:00 p.m. EST

PLACE: Microsoft Teams Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjgxYTViOTktZDQzOS00ZTQ1LTliYTItNDJjMGM4NThkZmYy%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%220b10ad5e-4682-4be7-9c77-fcb5313f7f44%22%7d

Or call in (audio only): 850-792-1375
Phone Conference ID: 963 615 435#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health, Division of Community Health Promotion is conducting the Rare Disease Advisory Council Health Care Providers Subcommittee meeting. The Council was created in Section 381.99, Florida Statutes, for the purpose of providing recommendations to improve health outcomes for individuals residing in Florida who have a rare disease.

A copy of the agenda may be obtained by contacting: Maggie Dilger at maggie.dilger@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: Maggie Dilger at Maggie.dilger@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: Maggie Dilger at maggie.dilger@flhealth.gov

DEPARTMENT OF HEALTH

Division of Family Health Services

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

DATE AND TIME: Thursday, September 21, 2023, 12:00 p.m. – 1:00 p.m. EST

PLACE: Microsoft Teams Link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZmNjMGRmZDctYTM0My00N2E5LWJhNzUtZDE5MGYwNjcyNTFm%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%220b10ad5e-4682-4be7-9c77-fcb5313f7f44%22%7d

Or call in (audio only): 850-792-1375

Phone Conference ID: 362 590 214#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health, Division of Community Health Promotion is conducting the Rare Disease Advisory Council State Agencies Subcommittee meeting. The Council was created in Section 381.99, Florida Statutes, for the purpose of providing recommendations to improve health outcomes for individuals residing in Florida who have a rare disease.

A copy of the agenda may be obtained by contacting: Maggie Dilger at maggie.dilger@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: Maggie Dilger at maggie.dilger@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: Maggie Dilger at maggie.dilger@flhealth.gov

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2023, 9:00 a.m. – 5:00 p.m. EST

Call-in (audio only): 1-412-912-1530, Phone Conference ID: 477 831 351

PLACE: : In-person meeting at the Devoe L. Moore University Center in Miller Hall on the Florida State University campus, 403 Stadium Drive, Tallahassee, FL 32304. Virtual meeting option also available via Microsoft Teams. The access link is listed below and also available on the Department of Children and Families calendar of events located here: <https://www.myflfamilies.com/news-and-events> https://gcc02.safelinks.protection.outlook.com/ap/t-59584e83/?url=https%3A%2F%2Fteams.microsoft.com%2F1%2Fmeetup-join%2F19%253ameeting_NGI5NGI3YjMtZjE4Ny00NGNIL

TkzMWEtMjczODY4MDhlZDQw%2540thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%2522f70dba48-b283-4c57-8831-

cb411445a94c%2522%252c%2522Oid%2522%253a%252217953c17-4f9a-4e32-bc08-3423060da39f%2522%252d&data=05%7C01%7CAaron.Platt%40myflfamilies.com%7C89d26d2d8a4545886bd508db8d1222e7%7Cf70dba48b2834c578831cb411445a94c%7C0%7C0%7C638258881291866279%7CUnknown%7CTWFpbGZsb3d8eyJWJoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=3hOGN4911RwdXc02bMJkdpEttLkR9rj7c0JMTTrWfJ8%3D&reserved=0

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Data Analysis In-person Sub-Committee meeting and is in accordance with Senate Bill 96 for the members of the Commission on Mental Health and Substance Use Disorder. Discussion topics will include the current status of Florida’s behavioral health system of care and opportunities to further examine the current methods of providing mental health and substance use services in the state.

A copy of the agenda may be obtained by contacting: The agenda and meeting materials will be forth coming. For information on the Commission please visit the Commission website:

<https://www.myflfamilies.com/services/samh/commission-mental-health-and-substance-use-disorder>

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: Aaron Platt at Aaron.platt@myflfamilies.com or (850)717-4331. 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: Aaron Platt at Aaron.platt@myflfamilies.com or (850)717-4331.

BOARD OF GOVERNORS

The Florida Board of Governors, State University System announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 20, 2023, 10:00 a.m., EST

PLACE: Via ZOOM. Link available here.

<https://flbog.zoom.us/j/89092956199?pwd=Uk12M1ZIMVdxcUVIMGQ0a0c4WEVYQT09> and also posted on our website at: <https://www.flbog.edu/meeting/florida-board-of-governors-meeting-xnowmkn2/>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors and its committees will meet to conduct regular business of the Board.

A copy of the agenda may be obtained by contacting: Rachel Kamoutsas, Corporate Secretary, Board of Governors, at 325 W. Gaines St., Tallahassee, Florida 32399, or at (850)245-0466, and a copy of the agenda will be available at:

<https://www.flbog.edu/meeting/florida-board-of-governors-meeting-xnowmkn2/>

Instructions for public comment, will be available at: <https://www.flbog.edu/board/procedures/>.

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: Rachel Kamoutsas, Corporate Secretary, Board of Governors, at 325 W. Gaines St., Tallahassee, Florida 32399, or at (850)245-0466. 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 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: Rachel Kamoutsas, Corporate Secretary, Board of Governors, at 325 W. Gaines St., Tallahassee, Florida 32399, or at (850)245-0466.

FLORIDA GAMING CONTROL COMMISSION

The Florida Gaming Control Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 15, 2023, 9:30 a.m.

PLACE: This meeting will take place virtually.

Members of the public wishing to attend the meeting may use the link and enter the meeting ID and passcode provided below: <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 216 767 294 464

Passcode: HFJxwP

Or members of the public can access the meeting via the call-in information below:

Phone number: (929) 777-2488

Phone Conference ID: 52049599#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting to discuss Ocala Breeders' Sales Company, Inc.'s application for a cardroom license and administrative business of the commission. The public meeting agenda, related documents, and Florida Gaming Control Commission contact information are available by contacting Dixie Parker at Dixie.Parker@flgaming.gov or (850)880-3433.

If any person decides to appeal any decision made by the commission 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. If you want to make public comment at this meeting, please contact Dixie Parker no less than 24 hours before the start of the meeting at Dixie.Parker@flgaming.gov.

A copy of the agenda may be obtained by contacting: Dixie Parker at Dixie.Parker@flgaming.gov or (850)880-3433.

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The Florida Local Government Finance Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 22, 2023, 10:30 a.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Commission will be for purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County, Florida, Charlotte County, Florida, Lee County, Florida, Osceola County, Florida and Sarasota County, Florida.

A copy of the agenda may be obtained by contacting: Anna Doughty, Florida Association of Counties, 100 S. Monroe Street, Tallahassee, Florida 32301

JACKSONVILLE SHERIFF'S OFFICE

The Jacksonville Sheriff's Office announces a public meeting to which all persons are invited.

DATE AND TIME: October 12, 2023, 1:30 p.m.

PLACE: Northeast Florida Criminal Justice Center

GENERAL SUBJECT MATTER TO BE CONSIDERED: Region V Training Counsel Meeting and Trust Fund Budget.

A copy of the agenda may be obtained by contacting: Sgt. Michael Allen

TRAFFIC ENGINEERING DATA SOLUTIONS, INC.

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

DATES AND TIMES: Wednesday, September 20, 2023, 6:00 p.m. (online only); Thursday, September 21, 2023, 5:00 – 7:00 p.m. (in-person)

PLACE: Online: <https://www.swflroads.com/444807-3> or In-Person: Manatee Performing Arts Center at 502 3rd Avenue W, Bradenton, FL 34205

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to a public meeting for the proposed traffic operations

improvements along Business 41 in Manatee County. The proposed improvement will restrict northbound left-turn movements at the intersection of Business US 41 (9th Street W) and Manatee Avenue W. Northbound left-turning drivers will be rerouted to turn right onto 6th Avenue W, turn left onto 8th Street W and turn left onto Manatee Avenue W in order to travel west. This will also allow for the extension of the southbound left turn lane at the intersection of Business US 41 (9th Street W) and 6th Avenue W. The public meeting is being held to present information about the proposed improvements. You can participate in the public meeting virtually or in-person. The same materials will be displayed at both the virtual and in-person events.

The Department has three ways to participate in the public meeting: through the virtual event on September 20, 2023 at <https://attendee.gotowebinar.com/register/1466025466052887642>, by attending the in-person event at Manatee Performing Arts Center at 502 3rd Avenue W, Bradenton, FL 34205 on September 21, 2023 from 5:00 to 7:00 pm., or by viewing the materials online through the project website <https://www.swflroads.com/444807-3>.

All meeting materials will be available on the project website from September 15 through October 6, 2023. A copy of these materials will also be displayed at the in-person meeting. You may choose any combination of the options provided to review the materials and to submit your comments.

For more information on all options of the upcoming public meeting, visit the project website or contact the project manager (listed below).

FDOT is sending notices to property owners, business owners, interested persons and organizations within 300-feet of the project to provide the opportunity to give comments to FDOT regarding this project. If you have any questions about the project, please contact FDOT Project Manager, Richard (Mose) Howard by phone at (863)519-2374, email at Richard.howard@dot.state.fl.us.

After reviewing the public meeting materials, and/or participating, you may submit comments in three different ways: 1) on the project website; 2) emailing the FDOT Project Manager, Mose Howard at Richard.Howard@dot.state.fl.us; or 3) mailing comments to Mose Howard at FDOT District One, P.O. Box 1249, Bartow, FL 33931-1249. While comments about the project are accepted at any time, please note that comments must be received or postmarked by October 6, 2023, to be included in the formal public meeting record.

FDOT solicits public participation 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 Cynthia Sykes, District One Title VI Coordinator, at (863)519-2287, or email at

Cynthia.Sykes@dot.state.fl.us at least seven days prior to the public meeting.

A copy of the agenda may be obtained by contacting: Richard (Mose) Howard, FDOT Project Manager by email at Richard.Howard@dot.state.fl.us or by phone at (863)519-2374 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 days before the workshop/meeting by contacting: Cynthia Sykes, FDOT District One Title VI Coordinator by email at Cynthia.Sykes@dot.state.fl.us or by phone at (863)519-2287. 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: Richard (Mose) Howard, FDOT Project Manager by email at Richard.Howard@dot.state.fl.us

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Rizzo Self Storage of Alachua, LLC on May 24, 2023. The following is a summary of the agency's disposition of the petition:

Petitioner requested an answer to the following question, based upon the project described within its petition: Are employee or public toilet facilities required for a self-storage facility with no attending employees and access restricted to only those renting storage units? On August 15, 2023, the Commission provided the following answer: yes. The intended operation of the proposed self-storage facility does not meet the provisions of the second exception found in section [P] 2902.3, Florida Building Code, Building, 7th Edition (2020), which is limited in scope to structures and tenant spaces intended for quick transactions and having an access area less than or equal to 300 square feet.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has declined to rule on the petition for declaratory statement filed by Accent Closets, Inc., on June 30, 2023. The following is a summary of the agency’s declination of the petition:

Petitioner requested that the Florida Building Commission review, and potentially overrule, interpretations of Florida Building Code provisions made by the City of Pompano Beach Building Division. The dispute involves a determination that Petitioner's longstanding manufacturing activities require a fire sprinkler system to be installed in their building, and that the installation of certain equipment requires a building permit. On August 15, 2023, the Commission declined to answer the petition, because Petitioner was asking the Commission to review interpretations of the Florida Building Code by a local enforcement authority, and because the Petition was not prospective in nature and involved conduct which had already occurred.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal (Department) has received the petition for declaratory statement from Jeffrey Z. Hansel Sr., on September 6, 2023. The petition seeks the agency’s opinion as to the applicability of FFPC 7th Edition , FFPC 7th Edition, Chapter 18.4, and NFPA 1142 2017 Edition as it applies to the petitioner.

When we were proposed to build a building irreverent of size, on a property that either is not serviced by an approved water supply that complies with FFPC 7th Edition, Chapter 18.4, or none at all, what NFPA Code shall the construction be governed by, FFPC 7th Edition or NFPA 1142 2017 Edition?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sarah Marcos, Sarah.Marcos@myfloridacfo.com

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF CITRUS

RFP No. 23-03 Marketing Consultant for Foreign Agricultural Service (FAS) Funding

The procurement office is soliciting formal, competitive bids for RFP 23-03. The RFP public opening is scheduled for 2:00 p.m. EST, September 1, 2023, at 605 E. Main Street, Bartow, FL 33830. The Department will post any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Section 287.042(3), F.S., and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the Vendor Information Portal at <https://vendor.myfloridamarketplace.com/>.

**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., Friday, September 1, 2023 and 3:00 p.m., Thursday, September 7, 2023.

Rule No.	File Date	Effective Date
1S-2.042	9/6/2023	9/26/2023
6A-1.0018	9/6/2023	9/26/2023
6A-1.0019	9/6/2023	9/26/2023
6A-1.0020	9/6/2023	9/26/2023
6A-1.09441	9/6/2023	9/26/2023
6A-1.09550	9/6/2023	9/26/2023
6A-1.09991	9/6/2023	9/26/2023
6A-1.094125	9/6/2023	9/26/2023
6A-1.094126	9/6/2023	9/26/2023
6A-2.0020	9/6/2023	9/26/2023
6A-4.0012	9/6/2023	9/26/2023
6A-4.004	9/6/2023	9/26/2023
6A-4.0051	9/6/2023	9/26/2023
6A-5.066	9/6/2023	9/26/2023
6A-6.0201	9/6/2023	9/26/2023
6A-6.0531	9/6/2023	9/26/2023
6A-6.0533	9/6/2023	9/26/2023
6A-6.0576	9/6/2023	9/26/2023
6A-6.0786	9/6/2023	9/26/2023
6A-6.0963	9/6/2023	9/26/2023
6A-6.03028	9/6/2023	9/26/2023
6A-7.0715	9/6/2023	9/26/2023
6A-10.024	9/6/2023	9/26/2023
6A-10.083	9/6/2023	9/26/2023
6A-10.0352	9/6/2023	9/26/2023
6A-14.097	9/6/2023	9/26/2023
6A-14.0582	9/6/2023	9/26/2023
6A-14.00612	9/6/2023	9/26/2023
6A-20.046	9/6/2023	9/26/2023
6M-4.620	9/6/2023	9/26/2023
6M-8.201	9/6/2023	9/26/2023

6M-8.210	9/6/2023	9/26/2023
33-601.105	9/1/2023	9/21/2023
53ER23-44	9/7/2023	9/9/2023
53ER23-45	9/7/2023	9/12/2023
64B16-31.007	9/7/2023	9/27/2023
75-15.001	9/5/2023	9/25/2023

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
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF CITRUS

Notice of Publication of 2023-24 Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 7, 2023, the Department of Citrus published its 2023-24 Regulatory Plan in accordance with Section 120.74(1), F.S., as amended by Ch. 2015-162, Laws of Florida. The Regulatory Plan is available on the Florida Department of Citrus website: www.fdocgrower.com, at <https://fdocgrower.box.com/s/316rouf05hd37zifqchgbw2mpkdedmws>.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

Tampa Bay Water - A Regional Water Supply Authority

Tampa Bay Water will hold the following events in celebration of its 25th Anniversary:

September 22, 2023, 9:00 a.m. – 3:00 p.m.

VIP Facilities Tour & Lunch

Regional Surface Water Treatment Plant, 2301 Regional Water Lane, Tampa, Florida 33619

C. W. Bill Young Regional Reservoir, 17611 Boyette Road, Lithia, Florida 33547
 Seawater Desalination Plant, 13041 Wyandotte Road, Gibsonton, Florida 33534
 September 23, 2023, 12:00 p.m. – 3:30 p.m.
 Documentary Screening & Luncheon
 CineBistro Hyde Park, 1609 W. Swann Avenue, Tampa, Florida 33606
 For additional information contact Michelle Stom, (727)791-2305.

DEPARTMENT OF THE LOTTERY
 Notice of Publication of 2023-2024 Regulatory Plan
 NOTICE IS HEREBY GIVEN that on September 6, 2023, the Department of the Lottery published its 2023-2024 Regulatory Plan in accordance with Section 120.74(2), Fla. Stat. The 2023-2024 Regulatory Plan is available on the Florida Lottery's website
 at: <https://www.flalottery.com/exptkt/RegulatoryPlan2023-2024.pdf>

DEPARTMENT OF ELDER AFFAIRS
 NOTICE OF PUBLICATION OF 2023-2024 ANNUAL REGULATORY PLAN
 Pursuant to subsection 120.74(2)(a)3., Florida Statutes, notice is hereby given that on September 7, 2023, the Department of Elder Affairs published its Annual Regulatory Plan for 2023-2024 on its website.
 The Regulatory Plan is available at: KM-315.0823090711280 (elderaffairs.org)

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Workforce Services
 Emergency Final Order COM-23-029

EMERGENCY FINAL ORDER

WHEREAS, on August 26, 2023, by State of Florida Executive Order No. 23-171 (“Executive Order 23-171”), the Governor of the State of Florida declared a state of emergency for several counties in Florida based upon the serious threat to the public health, safety, and welfare posed by Invest 93L; and
WHEREAS, on August 28, 2023, the Governor issued Executive Order No. 23-172, amending Executive Order 23-171, by adding coastal and inland counties in Central and North Florida to the state of emergency and declaring that Invest 93L strengthened into Tropical Storm Idalia; and
WHEREAS, on August 29, 2023, the Governor issued Executive Order Nos. 23-174 and 23-175, amending Executive Order 23-171, by adding additional counties to the state of emergency and declaring that Tropical Storm Idalia strengthened into Hurricane Idalia; and
WHEREAS, Section 4.B. of Executive Order 23-171 gives each state agency the authority to suspend the provisions of any

regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the Department of Commerce’s timely performance of emergency response functions related to Hurricane Idalia as assigned by the State Coordinating Officer would be hindered by the application of certain procedures imposed by statute, rule, or order.

NOW THEREFORE, I, J. ALEX KELLY, Secretary of the Department of Commerce, pursuant to the authority granted by Section 4.B. of Executive Order 23-171, find that strict compliance with the following regulatory statutes would prevent, hinder, or delay any necessary action in coping with the emergency, and therefore, I hereby:

1. Suspend the online work registration and reporting requirements of section 443.091(1)(b), Florida Statutes, and the work search reporting requirement of section 443.091(1)(d), Florida Statutes, for Reemployment Assistance and Disaster Unemployment Assistance claims for the counties designated in Federal Emergency Management Agency (FEMA) Disaster Declaration No. DR-4734-FL.
2. Suspend the one week waiting period requirement of section 443.091(1)(f), Florida Statutes, for Reemployment Assistance claims for the counties designated in FEMA Disaster Declaration No. DR-4734-FL.

This Emergency Order is effective September 3, 2023, and shall expire on October 21, 2023, unless modified or extended by further order

DONE AND ORDERED on this 2nd day of September, 2023, in Tallahassee, Florida.

Florida Department of Commerce

/s/ J. Alex Kelly
 J. Alex Kelly, Secretary
 107 E. Madison St.
 Tallahassee, Florida 32399

Filed on this 6th day of September, 2023, with the designated Agency Clerk,
 receipt of which is hereby acknowledged.

/s/ Karis De Gannes
 Agency Clerk

NOTICE OF RIGHT TO APPEAL

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION UNDER CHAPTER 120, FLORIDA STATUTES. A PARTY WHO IS ADVERSELY AFFECTED BY FINAL AGENCY ACTION IS ENTITLED TO JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(B)(1)(c) AND 9.110.

TO INITIATE JUDICIAL REVIEW OF THIS FINAL AGENCY ACTION, A NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL WITHIN THIRTY (30) CALENDAR DAYS AFTER THE DATE THE FINAL AGENCY ACTION WAS FILED BY THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22, FLORIDA STATUTES. A COPY OF THE NOTICE OF APPEAL MUST ALSO BE FILED WITH THE DEPARTMENT’S AGENCY CLERK, 107 EAST MADISON STREET, CALDWELL BUILDING, MSC 110, TALLAHASSEE, FLORIDA 32399-4128, AGENCY.CLERK@COMMERCE.FL.GOV. A DOCUMENT IS FILED WHEN IT IS RECEIVED. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(A).

AN ADVERSELY AFFECTED PARTY WAIVES THE RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH BOTH THE DEPARTMENT’S AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Workforce Services

Notice of Publication of the Reemployment Assistance Appeals Commission's 2023-2024 Annual Regulatory Plan
NOTICE IS HEREBY GIVEN that on September 7, 2023, the Reemployment Assistance Appeals Commission published a hyperlink to its 2023-2024 Annual Regulatory Plan on its primary website homepage in accordance with Section 120.74(2)(a)1., Florida Statutes. The 2023-2024 Annual Regulatory Plan is available at: <http://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/annual-regulatory-plans>.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Commerce Final Order No. COM-23-026

FINAL ORDER REJECTING CITY OF MARATHON ORDINANCE NO. 2023-07

The Department of Commerce¹[1] (the “Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, rejecting land development regulations adopted by the City of Marathon (the “City”), Ordinance No. 2023-07 (the “Ordinance”).

FINDINGS OF FACT

- 1 The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The City is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City on June 27, 2023 and rendered to Commerce on July 11, 2023.
3. The Ordinance amends Chapter 107, Article 2, Section 107.15 of the City’s Land Development Code to modify the provisions regarding site criteria for transfer of building rights to require a parcel to be “classified as not more environmentally sensitive”, instead of less environmentally sensitive, than the sending site by the City Biologist.

CONCLUSIONS OF LAW

4. Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* Section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is inconsistent with the City’s Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically inconsistent with Policy 1-3.5.16, and Policy 1-3.3.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. *See* Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.
8. The Ordinance is inconsistent with the Principles for Guiding Development in Section 380.0552(7), Florida Statutes and is specifically inconsistent with the following Principles:
 - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

¹[1] On July 1, 2023, the Florida Department of Economic Opportunity was renamed to the Florida Department of Commerce (“Commerce”). Effective July 1, 2023, all references

to “Department of Economic Opportunity” or “DEO” were hereby replaced with “Florida Department of Commerce” or “Commerce” as appropriate.

- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (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.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that Commerce finds that the City of Marathon Ordinance No. 2023-07 is inconsistent with the City of Marathon’s Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby **REJECTED**.

This Final Order becomes final 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/ Meredith Ivey

Meredith Ivey, Deputy Secretary
Division of Community Development
Florida Department of Commerce

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS FINAL ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE FLORIDA DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

FLORIDA DEPARTMENT OF COMMERCE
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX 850-921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 7th day of September, 2023.

/s/ Karis De Gannes

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

By U.S. Mail:

The Honorable Luis Gonzalez, Mayor
City of Marathon, City Council
9805 Overseas Highway
Marathon, FL 33050

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

Brian Shea, Planning Director
City of Marathon, Planning Department
9805 Overseas Highway
Marathon, FL 33050

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Commerce Final Order No. COM-23-027
**FINAL ORDER REJECTING CITY OF MARATHON
ORDINANCE NO. 2023-09**

The Florida Department of Commerce^{2[1]} (the “Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, rejecting the land development regulations adopted by the City of Marathon (the “City”), Ordinance No. 2023-09 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The City is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City on June 27, 2023 and rendered to Commerce on July 11, 2023.
3. The Ordinance amends Chapter 107, Article 2, Section 107.14 of the City’s Land Development Code (“Code”) to modify the provisions regarding the types of transfers allowed when transferring building rights to permit transferring a liveaboard unit from one marina site and relocating the liveaboard unit to another marina site.
4. The Ordinance also adds two provisions to Section 107.14 of the City’s Code. One provision excludes the transfer of a liveaboard unit from the requirements of Section 107.18 of the City’s Code, and the second provision prohibits a liveaboard right from being transferred to any upland portion of the property.

CONCLUSIONS OF LAW

5. Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* Section 380.05(6), Florida Statutes.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
7. The Ordinance is inconsistent with the City’s Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically inconsistent with Policy 1-3.5.16, Policy 1-3.4.5, Policy 1-3.4.4, Policy 1-3.3.1, and Policy 4-1.12.4.
8. 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. *See* Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

9. The Ordinance is inconsistent with the Principles for Guiding Development in Section 380.0552(7), Florida Statutes and is specifically inconsistent with the following Principles:

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
 1. The Florida Keys Aqueduct and water supply facilities;
 2. Sewage collection, treatment, and disposal facilities;
 3. Solid waste treatment, collection, and disposal facilities;
 4. Key West Naval Air Station and other military facilities;
 5. Transportation facilities;
 6. Federal parks, wildlife refuges, and marine sanctuaries;
 7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
 8. City electric service and the Florida Keys Electric Co-op; and
 9. Other utilities, as appropriate.

- (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
- (m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that Commerce finds that the City of Marathon Ordinance No. 2023-09 is inconsistent with the City of Marathon’s Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby **REJECTED**.

This Final Order becomes final 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/ Meredith Ivey
 Meredith Ivey, Deputy Secretary
 Division of Community Development
 Florida Department of Commerce

^{2[1]} On July 1, 2023, the Florida Department of Economic Opportunity was renamed to the Florida Department of Commerce (“Commerce”). Effective July 1, 2023, all references

to “Department of Economic Opportunity” or “DEO” were hereby replaced with “Florida Department of Commerce” or “Commerce” as appropriate.

NOTICE OF ADMINISTRATIVE RIGHTS

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DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE FLORIDA DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
FLORIDA DEPARTMENT OF COMMERCE
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX 850-921-3230

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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 7th day of September, 2023.

/s/ Karis De Gannes
Agency Clerk
Florida Department of Commerce
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:
The Honorable Luis Gonzalez, Mayor
City of Marathon, City Council
9805 Overseas Highway
Marathon, FL 33050

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

Brian Shea, Planning Director
City of Marathon, Planning Department
9805 Overseas Highway
Marathon, FL 33050

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
