

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: RULE TITLE:  
6A-3.0171 Responsibilities of School Districts for  
Student Transportation

**PURPOSE AND EFFECT:** The purpose of this rule development is to remove duplicative requirements for school districts to report school bus accidents to the Florida Department of Education (FDOE). The effect is to cease school bus accident reporting to FDOE that duplicates uniform traffic crash reports already required from police agencies by the Florida Department of Highway Safety and Motor Vehicles. The purpose is to also delete the requirement for school districts to report hazardous walking locations to the FDOE. The effect is that the FDOE will no longer maintain a database of hazardous walking locations which duplicates information available at school districts. Additionally, the requirement for school districts to maintain a list of certified medical examiners is deleted because, under 49 C.F.R. Part 391 (compliance with which is required by section 1012.45, Florida Statutes), certified medical examiners must be registered with the National Registry of Certified Medical Examiners to conduct school bus operator medical examinations. The provision indicating that school bus operators may not drive in excess of fifty-five miles per hour is deleted as that provision has been superseded by section 316.183(3), Florida Statutes. The provision indicating that operators shall not carry firearms while on school board property is deleted as that provision has been superseded by sections 790.115, 790.25, and 790.251, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** Medical Examination Report For Commercial Driver Fitness Determination and its associated guidelines, the procedures for reporting school bus accidents to the Florida Department of Education, the procedure for reporting hazardous walking locations to the Florida Department of Education and the maximum allowable operating speed for school buses.

**RULEMAKING AUTHORITY:** 1003.31, 1006.21, 1006.22, 1012.45 FS.

**LAW IMPLEMENTED:** 316.615, 1003.31, 1006.21(3), 1006.22, 1012.45 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: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0405. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Florida Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

**Section II**  
**Proposed Rules**

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NOS.: RULE TITLES:  
6M-8.603 Voluntary Prekindergarten (VPK) Provider Placed on Probation and Required to Apply for a Good Cause Exemption  
6M-8.700 Provider on Probation; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation  
6M-8.701 Provider on Probation; Voluntary Prekindergarten Education Program Annual Probation Progress Report; Second and Subsequent Year Probation  
6M-8.702 Removal From Voluntary Prekindergarten Education Program Eligibility

**PURPOSE AND EFFECT:** The purpose of the proposed rule revisions is to clarify probation status in specific circumstances that are beyond a VPK provider's control.

**SUMMARY:** The rules implement the accountability requirements of the Voluntary Prekindergarten Education Program (VPK).

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: The office’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule revisions did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. A SERC is not required because the rule revisions establish that probation activities are suspended in specific circumstances and does require any additional duties on providers or individuals.

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: 1001.213(2), 1002.69(7), 1002.79 FS.

LAW IMPLEMENTED: 1002.67(4), 1002.69(7), 1002.75(3)(a)-(c) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 28, 2015, 1:30 p.m. – 2:30 p.m. or at the conclusion of business whichever is earlier.

PLACE: via GoToWebinar; information regarding registration may be found at: [http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance/proposed\\_rules.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx)

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: Tara Huls, (850)717-8550. 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 IS: Tara Huls, (850)717-8550

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-8.603 Voluntary Prekindergarten (VPK) Provider ~~Placed~~ on Probation and Required to Apply for a Good Cause Exemption.

Pursuant to Section 1002.69, F.S., the Office of Early Learning, upon request of a private prekindergarten provider or public school that remains on probation for two (2) consecutive years or more and subsequently fails to meet the minimum rate adopted under Section 1002.69(6), F.S., and for good cause shown may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program.

~~(1) Provider on Probation.~~

~~(a) A provider on probation is defined as a VPK provider or public school whose readiness rate is at or below the minimum level established by the Office of Early Learning and incorporated in Rule 6M-8.601, F.A.C.~~

~~(b) A provider on probation remains on probation until it meets the minimum rate adopted by the Office as satisfactory under Section 1002.69(6), F.S., and is subject to all requirements of probationary status.~~

~~(1)(2) Good Cause Exemption Application Requirements.~~ A provider must meet the following criteria to apply for a good cause exemption:

~~(a) The provider must acknowledge on Provider Acknowledgement, Form OEL-VPK 05A (January Feb. 2016 2015), Provider Acknowledgement, being placed on probation in accordance with Rule 6M-8.700, F.A.C. and that the provider will, if it remains on probation for two (2) consecutive years or more and subsequently fail to meet the minimum rate, be required to apply for a good cause exemption. The provider must complete the acknowledgement within twenty one (21) days of posting of the final VPK readiness rates by the Office of Early Learning on the VPK readiness rate website, <http://vpk.fldoe.org>. Form OEL-VPK 05A (Feb. 2015) is incorporated by reference. A copy of the form may be obtained as provided in Rule 6M-8.900, F.A.C. or at INSERT or FAR LINK <http://www.flrules.org/Gateway/reference.asp?No=Ref-05183>.~~

(b) The provider must adhere to all requirements of probation associated with having not met the readiness rate.

(c) The provider must assess each child enrolled in their program in accordance with paragraph ~~(2)(3)~~(a) of this rule.

~~(2)(3) Criteria for Granting Good Cause Exemptions.~~ Each of the following criteria must be met to be granted a good cause exemption:

(a) Learning Gains. The private prekindergarten provider or public school must demonstrate learning gains meeting the following criteria:

1. Providers must utilize the pre- and post- assessment, the Florida VPK Assessment, approved by the State Board of Education in Rule 6A-1.09433, F.A.C. (March 2015), and administered consistent with the requirements of Rules 6M-8.620 and 6A-1.09433, F.A.C., is incorporated by reference and a copy of the rule may be obtained as provided in Rule 6M-8.900, F.A.C. or at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05178>. Data submitted for VPK program year 2010-2011 may be an assessment other than referenced here.

2. Data must be provided for the three most recent years of being placed on probation. Assessment results for all program completers who were assessed shall be included.

3. The results of the assessment shall demonstrate substantial and appropriate learning gains by program completers. Learning gains are substantial and appropriate if the ratio of students making learning gains to the total number of students assessed is seventy (70) percent or greater.

(b) Health and Safety Requirements. Pursuant to Section 1002.69(7)(d), F.S., a good cause exemption may not be granted to any private prekindergarten provider that has any Class I violations or two or more Class II violations within the two (2) years preceding the provider's or school's application for the exemption. For purposes of this rule, Class I violations and Class II violations have the same meaning as provided in subsection 65C-22.010(1) (August 2013) and Rule 65C-22.010, F.A.C., is incorporated by reference and a copy of the rule may be obtained as provided in Rule 6M-8.900, F.A.C. or at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05179>.

(c) Individual Circumstances. Extraordinary or unique circumstances under which the provider should be allowed to continue to deliver the Voluntary Prekindergarten Education Program after remaining on probation for two (2) consecutive years and failing to meet the minimum readiness rate adopted by the Office under Section 1002.69, F.S.

(d) Adherence to the Improvement Plan. Following all steps under Section 1002.67(4)(c), F.S., towards improvement specified in the plan including the use of an Office-approved curriculum or the staff development plan approved by the Office.

(34) Application. A provider seeking a good cause exemption shall complete the Office's VPK Good Cause Exemption Application Form OEL-VPK 30VPK-GCE-02, January 2015 November 2014 found at: [insert FAR link] <http://www.flrules.org/Gateway/reference.asp?No=Ref-05177>, which is incorporated by reference herein. The sole method of submitting this form will be through the Office's Web site at: <https://vpk.fl DOE.org>. The submission of an application for a good cause exemption must adhere to the following:

(a) The provider may submit additional documentation in support of its application. The Office may request additional documentation for verification of eligibility.

(b) A provider who fails to meet the minimum readiness rate after having been placed on probation for two (2) consecutive years may submit a good cause exemption application after the release of the final VPK readiness rate. Supporting documentation submitted with the application must include a review of adherence to the provider improvement plan, fidelity of implementation of the required curriculum or staff development plan as explained in paragraph (2)(3)(d) above. The good cause exemption application and all supporting documentation must be received by the Office no later than fourteen (14) days after the

deadline for filing the provider acknowledgment of failing to achieve the minimum readiness rate submitted pursuant to Rule 6M-8.601, F.A.C.

(c) The Office may grant an extension of time for submitting the good cause exemption application or supporting documentation for good cause shown. Good cause includes unavoidable circumstances such as illness or natural disaster, or excusable neglect.

~~(4)(5)~~ Office Review and Recommendation.

(a) Eligibility. The Office shall review each application for a good cause exemption to verify that the provider is eligible to apply. The Office shall deny any application that is submitted by a provider who does not meet the criteria described in paragraphs ~~(1)(2)(b)~~ or ~~(1)(2)(c)~~ of this rule, without further review.

(b) The Office will review each application for a good cause exemption filed by an eligible provider. The Office may include outside consultants in the review process. The Office may request additional information from providers to supplement provider applications to address deficiencies identified by the Office with respect to demonstrated learning gains, health and safety requirements, extraordinary or unique circumstances or adherence to the provider's improvement plan and may consider additional relevant documentation gathered or received by the Office from any source. The Office shall allow the provider an opportunity to rebut any evidence considered that was not submitted by the provider.

(c) The Office will consider each application individually and shall include in its review:

1. Whether the provider met the criteria described in subsection ~~(1)(2)~~ of this rule;
2. Whether the provider was previously granted a good cause exemption;
3. The readiness rates of other providers in comparable circumstances, if such information is available and relevant;
4. Whether the circumstances warrant granting the request for a good cause exemption; and
5. Whether any conditions should be imposed upon the grant of a good cause exemption.

(d)1. The Office shall issue a preliminary recommendation and provide a copy of it to the provider.

2. The provider may submit a written response to the Office's preliminary recommendation and report within fourteen (14) days of receipt.

3. The Office shall consider any timely response and revise the recommendation if appropriate.

~~(5)(6)~~ Final Determination.

(a) The Office will make its final determination regarding each application submitted and notify the applicant and the coalition or school district.

(b) Any provider granted a good cause exemption shall continue to implement its improvement plan ~~and continue the corrective actions~~ required under Section 1002.67(4)(c)2., F.S. Any exemption granted is valid for one (1) year and may be renewed through the same application process.

(6) In the event that the Office is unable to calculate an annual statewide readiness rate as described in Section 1002.69(5), F.S., notwithstanding sections (1) through (5) of this rule, the following shall apply to a provider who had received a good cause exemption in the immediately prior year:

(a) The provider shall not be required to submit an application for a good cause exemption for the year for which no rate was calculated;

(b) The provider shall continue to be eligible to participate as a VPK program provider, except for those providers that, pursuant to Section 1002.69(7)(d), F.S., have had any Class I violations or two or more Class II violations within the two (2) years preceding the initiation of the school year or summer program; and

(c) Upon resumption of statewide kindergarten screening and calculation of the kindergarten readiness rate the provider's number of years of consecutive probation and good cause exemption status immediately prior to the suspension of those activities shall be considered when calculating whether the provider shall continue to be required to comply with the requirements of this rule.

Rulemaking Authority 1001.213(2), 1002.79, 1002.69(7) FS. Law Implemented 1002.67(4), 1002.69(7) FS. History—New 3-24-11, Amended 5-10-12, Formerly 6A-1.099824, Amended 4-12-15 Amended \_\_\_\_\_.

6M-8.700 Provider on Probation; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation.

(1) Probation. A provider remains on probation until ~~they~~ it meets the minimum rate adopted by the Office as satisfactory under Section 1002.69(6), F.S. An early learning coalition or school district, as applicable, shall place on first year probation any Voluntary Prekindergarten Education (VPK) provider which fails to meet the minimum kindergarten readiness rate for a program type (school-year or summer) adopted by the Office of Early Learning as satisfactory under Section 1002.69(6), F.S, and require such provider to submit and implement an approved improvement plan designed to improve the provider's kindergarten readiness rate. An improvement plan shall include:

(a) Use of Approved Curriculum or Staff Development Plan. A VPK provider on probation must select either an approved curriculum from the list of approved curricula for providers on probation on the Office's website per Rule 6M-8.604, F.A.C., or a staff development plan available from the

Office of Early Learning per Rule 6M-8.605, F.A.C., as a target area in its improvement plan. An early learning coalition or school district, as applicable, shall require a VPK provider on probation to use an approved curriculum or staff development plan in accordance with Section 1002.67(4)(c), F.S. The Office's website is: [http://www.floridaeearlylearning.com/providers/provider\\_resources/vpk\\_curriculum.aspx](http://www.floridaeearlylearning.com/providers/provider_resources/vpk_curriculum.aspx).

(b) Additional Target Areas. A VPK provider on probation must select a minimum of one of the following additional areas in its improvement plan:

1. Administrative and management practices, including training, educational level, and retention of prekindergarten instructors;

2. Classroom learning environment;

3. Child developmental screenings and assessments;

4. Social-emotional interactions among prekindergarten instructors and students;

5. Students' ability to make age appropriate progress in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities;

6. Percentage of students attending seventy (70) percent or more of the instructional hours offered by the VPK provider; or

7. Family involvement in the early childhood program.

(c) Strategies for Improvement. A description of strategies for improvement of the provider's VPK program which includes the following and, at the discretion of the provider, any other additional areas:

1. A list of target areas for the VPK provider's improvement identified under paragraphs (1)(a) and (b) and any additional areas a provider deems important to its improvement;

2. A list of specific actions already taken, and proposed to be taken, by the VPK provider for improvement of target areas; and

3. An implementation schedule or timeline for the VPK provider to implement the proposed actions.

(2) Submission and Approval of Improvement Plan.

(a) A VPK provider on probation must submit its improvement plan electronically through the website <https://vpk.fldoe.org/>. The provider must have an approved improvement plan in place for at least 30 days prior to receiving an advance payment and for at least 30 days prior to offering VPK instruction for the program type for which the provider must submit an improvement plan, as applicable. A VPK provider on probation may submit an improvement plan any time after the Office posts the final readiness rates.

(b) An early learning coalition or school district, as applicable, shall approve a VPK provider's improvement plan within 14 days following receipt of the improvement plan if

the plan is submitted with a list of target areas and specific actions for improvement as described in this rule.

(c) If the improvement plan does not address the criteria established in paragraphs (1)(a)-(c), the early learning coalition or school district, as applicable, shall disapprove the improvement plan with suggestions for revision. The VPK provider on probation shall submit an amended improvement plan within 14 days following the receipt of notification of disapproval of its improvement plan with suggestions for revision. The early learning coalition or school district, as applicable, shall offer to work with the VPK provider on probation to revise a the initial disapproved improvement plan to address the criteria in paragraphs (1)(a)-(c).

(3) Prior to offering the VPK program, a provider on probation must demonstrate that it is implementing its improvement plan by using an approved curriculum or a staff development plan in accordance with Section 1002.67(4)(c), F.S., including all program materials and professional development elements associated with the approved curriculum or staff development plan, and by submitting the following to the early learning coalition or school district, as applicable:

(a) For use of an approved curriculum:

1. A receipt or invoice demonstrating that the VPK provider has purchased an approved curriculum and has scheduled instructor trainings developed by the curriculum publisher on use of the curriculum; or

2. An acknowledgement that the VPK provider has received the complete approved curriculum through a donation and has scheduled instructor trainings developed by the curriculum publisher on use of the curriculum.

(b) For use of a staff development plan:

1. Copy of Department of Children and Families (DCF) transcripts evidencing successful training completion for VPK staff consistent with the staff development plan in accordance with Section 1002.67(4)(c), F.S.; and

2. An acknowledgement that the VPK provider has implemented its staff development plan.

(4) On Form OEL-VPK 05A (January 2016), Provider Acknowledgement, the provider must acknowledge being placed on probation and that if the provider remains on probation for two (2) consecutive years or more and subsequently fails to meet the minimum readiness rate, the provider will be required to apply for a good cause exemption. The provider must complete the acknowledgement within twenty-one (21) days of the posting of the final VPK readiness rates by the Office of Early Learning on the VPK readiness rate website, <http://vpk.fldoe.org>. Form OEL-VPK 05A (January 2016) is hereby incorporated by reference. A copy of the form may be obtained as provided in Rule 6M-8.900, F.A.C. or at [INSERT FAR LINK].

(5) In the event that the Office is unable to calculate an annual statewide readiness rate as described in Section 1002.69(5), F.S., notwithstanding subsections (1) through (2) of this rule, the following shall apply to a provider who has completed one year of probation:

(a) The provider may suspend its improvement plan provided the plan was approved and implemented as required by subsections (2) and (3) of this rule;

(b) The provider shall not be required to submit an annual probation progress report; and

(c) Upon resumption of statewide kindergarten screening and calculation of the kindergarten readiness rate the provider's number of years of consecutive probation immediately prior to the suspension of those activities shall be considered when calculating whether the provider shall continue to be required to comply with the requirements of this rule.

Rulemaking Authority 1001.213, 1002.79 FS. Law Implemented 1002.67(4)(c), 1002.75(3)(a)-(b) FS. History—New 3-26-13, Amended 2-2-15, \_\_\_\_\_.

6M-8.701 Provider on Probation; Voluntary Prekindergarten Education Program Annual Probation Progress Report; Second and Subsequent Year Probation.

(1) Probation. A provider remains on probation until they it meets the minimum rate adopted by the Office as satisfactory under Section 1002.69(6), F.S. An early learning coalition or school district, as applicable, shall place on second or subsequent year probation any Voluntary Prekindergarten Education (VPK) provider which receives kindergarten readiness rates for the same program type (school-year or summer) which fail to meet the minimum readiness rates adopted by the Office of Early Learning as satisfactory under Section 1002.69(6), F.S., for two or more consecutive years. For the purpose of this rule, consecutive years means years in which a VPK provider receives kindergarten readiness rates for the same program type (school-year or summer).

(2) Second or Subsequent Year Probation Corrective Action. A VPK provider that remains on probation under this rule must submit an annual probation progress report electronically through the website <https://vpk.fldoe.org/>. The annual probation progress report must demonstrate progress toward meeting the specific actions for improvement in the target areas identified in the provider's approved improvement plan. The provider must have an approved probation progress report in place for at least 30 days prior to receiving an advance payment and for at least 30 days prior to offering VPK instruction for the program type for which the provider must submit a probation progress report, as applicable. A VPK provider may submit a probation progress report any time after the Office of Early Learning posts the final readiness rates.

The probation progress report shall provide information regarding the provider's progress in implementing its improvement plan approved under Rule 6M-8.700, F.A.C. The second or subsequent year probation progress report shall contain a description of strategies for improvement of the VPK program that includes the following:

(a) A list of target areas for the VPK provider's improvement per Rule 6M-8.700, F.A.C., and any additional areas a provider deems important to its improvement, including specifically;

1. Identification and description of the provider's use of an approved curriculum or a staff development plan in accordance with Section 1002.67(4)(c)2.-3., F.S., including all associated program materials and professional development elements associated with the approved curriculum or staff development plan as described in paragraph 6M-8.700(1)(a) and subsection (4), F.A.C.; and

2. Identification and description of the provider's action steps in the additional target area(s) as described in paragraph 6M-8.700(1)(b), F.A.C.

(b) A list of specific actions the VPK provider will take in the future for improvement of the target areas; and

(c) An implementation schedule or timeline for the VPK provider to implement any proposed actions.

(3) The provider must complete the provider acknowledgement on Form OEL-VPK 05A (January 2016) in accordance with Rule 6M-8.700, F.A.C. A copy of the form may be obtained as provided in Rule 6M-8.900, F.A.C. or at [\[INSERT FAR LINK\]](#)

(4) In the event that the Office is unable to calculate an annual statewide readiness rate as described in Section 1002.69(5), F.S., notwithstanding subsections (1) through (2) of this rule, the following shall apply to a provider who has completed two or more years of probation:

(a) The provider may suspend its improvement plan provided the plan was approved and implemented as required by Rule 6M-8.700(2) and (3), F.A.C.:

(b) The provider shall not be required to submit an annual probation progress report; and

(c) Upon resumption of statewide kindergarten screening and calculation of the kindergarten readiness rate the provider's number of years of consecutive probation immediately prior to the suspension of those activities shall be considered when calculating whether the provider shall continue to be required to comply with the requirements of this rule.

Rulemaking Authority 1001.213, 1002.79 FS. Law Implemented 1002.67(4)(c)2., 1002.75(3)(b) FS. History—New 3-26-13, Amended 2-2-15, \_\_\_\_\_.

6M-8.702 Removal From Voluntary Prekindergarten Education Program Eligibility.

(1) Removal from Future Eligibility. Except when a provider receives a good cause exemption under Section 1002.69(7), F.S., an early learning coalition or school district, as applicable, shall remove a Voluntary Prekindergarten Education (VPK) Program provider for five (5) years from future eligibility to offer new VPK classes under the following conditions:

(a) When the provider receives kindergarten readiness rates for the same program type (school-year or summer) that for three consecutive years fail to meet the minimum kindergarten readiness rates adopted by the Office of Early Learning under Section 1002.69(6), F.S., the provider shall not offer VPK class in that program type. For the purpose of this rule, consecutive years has the same meaning as defined in subsection 6M-8.701(1), F.A.C. The Office of Early Learning will notify early learning coalitions and school districts when a provider is removed from eligibility under this condition.

(b) Failure to implement an approved improvement plan or staff development plan under Section 1002.67(4)(c)2., F.S.

(c) If a provider, or an owner, officer or director is (or is acting as the beneficial owner for someone who has been) convicted, found guilty of, or pleads guilty or nolo contendere to public assistance fraud, according to Section 1002.91, F.S.

(d) If a provider's executed statewide provider contract adopted in Rule 6M-8.301, F.A.C., is terminated after due process procedures adopted in the contract are completed.

(2) Letter of Removal to Private VPK Providers. The coalition shall issue a written Letter of Removal to the provider, which shall be delivered to the provider via postal service, electronic mail (email), facsimile, or courier service. The Letter of Removal shall be provided within 30 days after the decision on an application for good cause exemption by the office, or, if no application was filed by the provider, within 30 days after the deadline to file a good cause exemption application has expired, with a copy to the Office of Early Learning, at the following address: 250 Marriott Drive, Tallahassee, Florida 32399. A Letter of Removal shall contain the following provisions:

(a) Notice of the program type (school-year or summer) for which the provider is ineligible, in situations where a good cause exemption is not granted under paragraph (1)(a);

(b) The name and address of the provider's program;

(c) The date upon which the provider was deemed ineligible to offer the program type in the future; and

(d) Notice of termination of any provider contracts, if applicable, under which the provider would have begun a new VPK class for the VPK program type for which the provider has been deemed ineligible.

(3) Notification of Removal to Public School VPK Providers. The Office of Early Learning shall notify the school district, in writing, to remove a public school VPK provider from future eligibility to offer new VPK classes of the program type for five (5) years and shall provide a copy of such notification to the early learning coalition.

(4) In the event that the Office is unable to calculate an annual statewide readiness rate as described in Section 1002.69(5), F.S., notwithstanding paragraphs (1)(a) and (b) of this rule, the following shall apply:

(a) A provider who failed to meet the minimum readiness rate for the prior two years may continue to offer VPK classes; and

(b) The provider shall not be required to submit an application for a good cause exemption for the year for which no rate was calculated; and

(c) Upon resumption of statewide kindergarten screening and calculation of the kindergarten readiness rate the provider's number of years of consecutive probation and good cause exemption status immediately prior to the suspension of those activities shall be considered when calculating the provider's continued eligibility to offer VPK classes.

Rulemaking Authority 1001.213, 1002.79 FS. Law Implemented 1002.67(4)(b)-(c), 1002.75(3)(c) FS. History—New 3-26-13, Amended 2-2-15,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tara Huls, Bureau Chief, VPK Program and Policy, Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8550

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Rodney MacKinnon, Executive Director  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 11/25/15

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 9/29/15

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Purchasing**

RULE NO.: RULE TITLE:

60A-1.007 Standards and Specifications

PURPOSE AND EFFECT: The purpose and effect of the proposed repeal of rule 60A-1.007, F.A.C. (Standards and Specifications), is to eliminate a rule that is obsolete. State Purchasing no longer establishes standards and specifications applicable to state purchases of commodities and contractual services, and no longer publishes a Standards Guide.

SUMMARY: Repeal rule 60A-1.007, F.A.C. (Standards and Specifications).

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: Repeal of this rule will have no economic impact.

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

RULEMAKING AUTHORITY: 287.042(13) FS.

LAW IMPLEMENTED: 287.001, 287.042(2), (6), (7), (8), (11), 287.045(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 28, 2015, 10:00 a.m.

PLACE: 4050 Esplanade Way, Room 380K, Tallahassee, Florida 32399-0950

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: Leigh Anne Payne, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, Phone: (850)414-5790, Email: leighanne.payne@dms.myflorida.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leigh Anne Payne, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, Phone: (850)414-5790, Email: leighanne.payne@dms.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.007 Standards and Specifications.

Rulemaking Authority 287.042(13) FS. Law Implemented 287.001, 287.042(2), (6), (7), (8), (11), 287.045(5) FS. History—New 2-6-68, Amended 5-20-71, 7-31-75, 10-1-78, 8-6-81, 10-13-83, Formerly 13A-1.07, Amended 11-3-88, 1-18-90, 4-10-91, Formerly 13A-1.007, Amended 1-1-96, 7-6-98, 1-2-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Leigh Anne Payne, Bureau Chief of Operations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2015

## DEPARTMENT OF MANAGEMENT SERVICES

### Division of Purchasing

RULE NO.: RULE TITLE:

60A-1.026 Interagency Planning and Cooperation

PURPOSE AND EFFECT: The purpose and effect of the proposed repeal of rule 60A-1.026, F.A.C. (Interagency Planning and Cooperation) is to remove repetition of statutory language. Repeal of the rule does not affect the requirement to comply with statute.

SUMMARY: Repeal rule 60A-1.026, F.A.C. (Interagency Planning and Cooperation).

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: Repeal of this rule will have no economic impact.

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

RULEMAKING AUTHORITY: 287.042(12) FS.

LAW IMPLEMENTED: 287.042(9), (10) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 28, 2015, 10:30 a.m.

PLACE: 4050 Esplanade Way, Room 380K, Tallahassee, Florida 32399-0950

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: Leigh Anne Payne, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, Phone: (850)414-5790, Email: leighanne.payne@dms.myflorida.com. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leigh Anne Payne, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, Phone: (850)414-5790, Email: leighanne.payne@dms.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

60A-1.026 Interagency Planning and Cooperation  
Rulemaking Authority 287.042(12) FS. Law Implemented 287.042(2)(a) FS. History--New 7-11-04, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Leigh Anne Payne, Bureau Chief of Operations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2015

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-15.001 Qualification for Certification

PURPOSE AND EFFECT: Eliminates affidavit requirements, clarifies licensure requirements.

SUMMARY: Updates and clarifies requirements.

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

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal



for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 489.108, 489.111 FS.

LAW IMPLEMENTED: 489.111 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.001 Qualification for Certification.

(1)(a) An applicant for certification must, as a precondition thereto, submit proof that the applicant he meets the eligibility requirements set forth in Section 489.111(2)(c), F.S., for the particular category in which the applicant he seeks to qualify. The Board will accept lawfully acquired experience gained under the supervision of a contractor, who, at the time was properly licensed in the category or category which encompasses the scope of practice in which the applicant is seeking licensure. An applicant who seeks to meet the educational standard set forth in Section 489.111(2)(c)1., 2., or 3., F.S., must direct the college, university, junior college, or community college which he attended to submit proof to the Department that the applicant received the requisite amount of education. Active experience in the category in which the applicant seeks to qualify shall be verified by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official, who is active in the applicant's category, employed by a political subdivision of any state, territory or possession of the United States who is responsible for inspections of construction improvements, listing chronologically the active experience in the trade, including the name and address of employers and dates of employment (which may be corroborated by investigation by the Board). Said affidavit shall be subscribed to in front of a notary.

(b) Such experience from outside jurisdictions will be accepted toward the category for which the applicant has applied so long as the experience complies with section 489.105, F.S. However, experience acquired by providing services that would fall under an exemption pursuant to Chapter 489, Part 1, F.S. will not be accepted. Applicants shall follow the guidelines set forth in this section when seeking to verify active experience in accordance with paragraph 61G4-15.001(1)(a), F.A.C.

If the applicant's category is: The following licenses can verify the applicant's active experience:

1. General	General contractor
2. Building	General and/or Building contractor
3. Residential	General, Building and/or Residential contractor
4. Plumbing	General, Building, Residential, Plumbing and/or Underground Utility and Excavation contractor
5. Roofing	General, Building, Residential and/or Roofing contractor
6. Class A Air Conditioning Contractor	General, Building, Residential, Class A air-conditioning contractor and/or Mechanical contractor
7. Class B Air Conditioning Contractor	General, Building, Residential, Class A air-conditioning, Class B air-conditioning and/or Mechanical contractor
8. Commercial Pool/Spa Contractor	General, Building, Residential, Commercial Pool/Spa contractor
9. Residential Pool/Spa Contractor	General, Building, Residential, Commercial Pool/Spa and/or Residential Pool/Spa contractor
10. Swimming Pool/Spa Servicing Contractor	General, Building, Residential, Commercial Pool/Spa, Residential Pool/Spa and/or Swimming Pool/Spa Servicing contractor
11. Mechanical Contractor	General, Building, Residential, Mechanical Class A air conditioning and/or Class B air-conditioning contractor
12. Sheet Metal Contractor	General, Building, Residential, Sheet metal,

	Class A air conditioning, Class B air conditioning and/or Mechanical contractor
13. Specialty Structure Contractor	General, Building, Residential and/or Specialty structure contractor
14. Solar Contractor	General, Building, Residential, Solar, Commercial Pool/Spa and/or Residential Pool/Spa contractor
15. Underground Utility and Excavation Contractor	General, Building, Residential, Underground utility and excavation, and/or Plumbing contractor
16. Residential Solar Water Heating Contractor	General, Building, Residential, Residential Solar Water Heating, Plumbing, and/or Mechanical contractor
17. Gypsum Drywall Contractor	General, Building, Residential and/or Gypsum Drywall contractor
18. Gas Line Specialty Contractor	General, Building, Residential, Gas Line Specialty, Underground utility and/or Plumbing contractor
19. Glass and Glazing Specialty Contractor	General, Building, Residential and/or Glass and Glazing contractor
20. Marine Specialty Contractor	General, Building, Residential and/or Marine Specialty contractor

(2)(a) In the case of applicants for certification in the general or building contractor categories, the phrases “active experience” and “proven experience” as used in Section 489.111(2)(c)1., 2., or 3., F.S., shall include commercial ~~be defined to mean~~ construction experience of buildings or structures with any Use and Occupancy Classification pursuant to Chapter 3 of the Florida Building Code, except for Classifications S and U, available at [\[ida/Building%20Code/Chapter%203.html\]\(http://floridabuilding2.iccsafe.org/app/book/toc/2014/Florida/Residential%20Code/index.html\), in four or more of the following areas:](http://floridabuilding2.iccsafe.org/app/book/content/2014_Flor</a></u></p>
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1. Foundations/ or Slabs in excess of twenty thousand (20,000) square feet.

2. through 7. No change.

(b) No change.

(3) In the case of applicants for certification in the residential contractor category, the phrases “active experience” and “proven experience” as used in Section 489.111(2)(c)1., 2., or 3., F.S., shall be defined to mean construction experience of building or structures with a Scope and Application pursuant to Section R-101 of the Florida Building Code, Residential, available at <http://floridabuilding2.iccsafe.org/app/book/toc/2014/Florida/Residential%20Code/index.html>, in four or more of the following areas:

(a) through (c) No change.

(d) Structural wood framing ~~(excluding platform framing)~~.

(e) through (f) No change.

(4) No change.

(5) As an alternative to the experience required under Section 489.111(2)(c)1.-3., F.S., an applicant for certification as a swimming pool/spa servicing contractor must submit proof that the applicant ~~he~~ meets the requirements of Section 489.111(2)(c)6.d., F.S., by demonstrating one year of proven experience related to the scope of work of a swimming pool/spa servicing contractor as defined in Section 489.105(3)(l), F.S., performed under the supervision of a certified or registered commercial pool/spa, residential pool/spa, or pool/spa servicing contractor, and demonstrating satisfactory completion of a sixty-hour course of instruction, approved by the Board pursuant to Rule 61G4-18.004, F.A.C., and conducted by a course provider registered pursuant to Rule 61G4-18.003, F.A.C., that consists of the following:

(a) through (c) No change.

Rulemaking Authority 489.108, ~~489.111~~ FS. Law Implemented 489.111 FS. History—New 1-6-80, Amended 12-16-80, 6-30-82, 4-11-83, Formerly 21E-15.01, Amended 12-11-90, 8-21-91, 4-16-92, Formerly 21E-15.001, Amended 7-18-94, 12-16-01, 2-6-03, 6-23-04, 1-15-07, 6-19-07, 11-26-08, 4-22-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 16, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 12, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-204.800

RULE TITLE Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments (OGC 15-0207) update the Department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Parts 52, 63 and 70, to incorporate requirements of the Department's federally approved and delegated air pollution programs.

RULEMAKING AUTHORITY: 403.8055, FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055, FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Ms. Terri Long, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us).

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BOULEVARD, TALLAHASSEE, FLORIDA 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) Title 40, Code of Federal Regulations, Part 50, National Primary and Secondary Ambient Air Quality Standards.

(a) The provisions of 40 CFR Part 50, §§ 50.1 through 50.12, revised as of July 1, 2006; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; amended May 21, 2012, at 77 FR 30087 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended March 6, 2015, at 80 FR 12263 ([link](#)); § 50.13, promulgated October 17, 2006, at 71 FR 61143; § 50.14, promulgated March 22, 2007, at 72 FR 13559; amended May 22, 2007, at 72 FR 28612; amended October 6, 2008, at 73 FR 58042; amended November 12, 2008, at 73 FR

66963; amended May 19, 2009, at 74 FR 23307; amended February 9, 2010, at 75 FR 6473; amended June 22, 2010, at 75 FR 35520

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); § 50.15 promulgated, March 27, 2008, at 73 FR 16435; § 50.16, promulgated November 12, 2008, at 73 FR 66963; § 50.17, promulgated June 22, 2010, at 75 FR 35520 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00744>); and § 50.18, promulgated January 15, 2013, at 78 FR 3085

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>), are adopted and incorporated by reference.

(b) No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) The following subparts of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 51, Subpart I, Review of New Sources and Modifications; amended May 16, 2008, at 73 FR 28321 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03485>); amended October 20, 2010, at 75 FR 64864 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00745>); amended June 3, 2010, at 75 FR 31513 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03488>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>), amended August 19, 2015, at 80 FR 50199 ([link](#)).

3. through 5. No change.

(b) No change.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, revised as of July 1, 2003, or later as specifically indicated, are adopted and incorporated by reference:

(a) 40 C.F.R. Part 52, Subpart A, General Provisions; revised as of July 1, 2011 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03499>), or later as specifically indicated, except for the provisions of 40 C.F.R. §52.21(b)(49)(v), are adopted and incorporated by reference; amended July 12, 2012, at 77 FR 41051

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-03489>); amended October 25, 2012, at 77 FR 65107 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03486>); amended January 15, 2013, at 78 FR 3085 ([https://www.flrules.org/Gateway/reference.asp?No=Ref-](https://www.flrules.org/Gateway/reference.asp?No=Ref-03486)

03487); amended May 19, 2014, at 79 FR 28607 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04933>); amended May 7, 2015, at 80 FR 26183 (link); amended June 12, 2015, at 80 FR 33413 (link); amended March 6, 2015, at FR 80 12263 (link); amended August 19, 2015, at 80 FR 50199 (link).

(b) 40 C.F.R. Part 52, Subpart K, Florida, amended July 22, 2003, at 68 FR 43312; amended August 11, 2003, at 68 FR 47468; amended February 13, 2004, at 69 FR 7127; amended March 29, 2004, at 69 FR 16167; amended June 17, 2004, at 69 FR 33860; amended April 28, 2006, at 71 FR 25327; amended November 28, 2006, at 71 FR 68743; amended October 12, 2007, at 72 FR 58016; amended September 16, 2008, at 73 FR 53378; amended June 1, 2009, at 74 FR 26103; amended May 27, 2010, at 75 FR 29671 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 12, 2011, at 76 FR 20239 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 15, 2012, at 77 FR 35862 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended July 30, 2012, at 77 FR 44485 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 19, 2012, at 77 FR 58027 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended October 11, 2012, at 77 FR 61724 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 8, 2012, at 77 FR 66927 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 27, 2012, at 77 FR 70687 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 29, 2012, at 77 FR 71111 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended April 3, 2013, at 78 FR 19998 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04913>); amended June 20, 2013, at 78 FR 37132 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04930>); amended August 29, 2013, at 78 FR 53250 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04921>); amended November 1, 2013, at 78 FR 65559 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04935>); amended November 18, 2013, at 78 FR 68997 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04936>); amended December 2, 2013, at 78 FR 72033 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04922>); amended January 6, 2014, at 79 FR 573 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04928>); amended May 19, 2014, at 79 FR 28607 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04933>); amended May 27, 2014, at FR 79 30045 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04934>); amended August 25, 2014, at 79 FR 50554

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-04919>); amended October 16, 2014, at 79 FR 62006 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04938>); amended March 18, 2015, at 80 FR 14019 (link); amended April 16, 2015, at 80 FR 20441 (link); amended August 12, 2015, at 80 FR 48259 (link).

(4) through (7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. through 8. No change

9. 40 C.F.R. Part 60, Subpart F, Portland Cement Plants; amended February 12, 2013, at 78 FR 10005 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03494>); amended July 27, 2015, at 80 FR 44771 (link).

10. through 27. No change.

28. 40 C.F.R. Part 60, Subpart T, Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants; amended August 19, 2015, at 80 FR 50385 (link).

29. 40 C.F.R. Part 60, Subpart U, Phosphate Fertilizer Industry: Superphosphoric Acid Plants; amended August 19, 2015, at 80 FR 50385 (link).

30. 40 C.F.R. Part 60, Subpart V, Phosphate Fertilizer Industry: Diammonium Phosphate Plants; amended August 19, 2015, at 80 FR 50385 (link).

31. 40 C.F.R. Part 60, Subpart W, Phosphate Fertilizer Industry: Triple Superphosphate Plants; amended August 19, 2015, at 80 FR 50385 (link)

32. 40 C.F.R. Part 60, Subpart X, Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities; amended August 19, 2015, at 80 FR 50385 (link).

33. through 84. No change.

(c) through (e) No change.

(9) through (10) No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) Definitions. For the purposes of subsection 62-204.800(11), F.A.C., the definitions contained in the various provisions of 40 C.F.R. Part 63 adopted herein shall apply, except that the term, "Administrator," when used in any provisions of 40 C.F.R. Part 63 that is delegated to the Department by the U.S. Environmental Protection Agency, shall mean the Secretary or the Secretary's designee.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R.

Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. through 17. No change.

18. 40 C.F.R. Part 63, Subpart AA, Phosphoric Acid Manufacturing Plants; amended August 19, 2015, at 80 FR 50385 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at of 40 C.F.R. §§ 63.611(c)(1) through (4).

19. 40 C.F.R. Part 63, Subpart BB, Phosphate Fertilizers Production Plants; amended August 19, 2015, at 80 FR 50385 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.632(c)(1) through (4).

20. No change.

21. 40 C.F.R. Part 63, Subpart DD, Off-Site Waste and Recovery Operations; amended March 18, 2015, at 80 FR 14247 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.698(c)(1) through (4).

22. through 47. No change.

48. 40 C.F.R. Part 63, Subpart LLL, Portland Cement Manufacturing Industry; amended February 12, 2013, at 78 FR 10005 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03494>); amended July 27, 2015, at 80 FR 44771 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1358(c)(1) through (4). If a facility becomes subject to the permitting requirements of Chapter 62-213, F.A.C., solely because it is subject to the emission limiting requirements of 40 C.F.R. Part 63, Subpart LLL, the facility shall submit an application for such permit no later than October 1, 2000.

49. through 57. No change.

58. 40 C.F.R. Part 63, Subpart XXX, Ferroalloys Production: Ferromanganese and Silicomanganese; amended June 30, 2015, at 80 FR 37365 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1661(c)(1) through (4).

58. through 101. No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; promulgated February 16, 2012, at 77 FR 9303 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04925>); amended April 19, 2012, at 77 FR 23399 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04914>); amended April 24, 2013, at 78 FR 24073 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04917>); amended November 19, 2014, at 79 FR 68777 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04937>); amended March 24, 2015, at 80 FR 15510 (link); except that the Secretary is not the Administrator for purposes

of the authorities cited at 40 C.F.R. §§ 63.10041(b)(1) through (4).

103. through 104. No change.

105. 40 C.F.R. Part 63, Subpart DDDDDD, Polyvinyl Chloride and Copolymers Production Area Sources; amended April 17, 2012, at 77 FR 22847 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 4, 2015, at 80 FR 5938 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.11145(b)(1) through (4).

106. through 117. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended March 21, 2011, at 76 FR 15554 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01740>); amended March 21, 2011, at 76 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03495>); amended January 5, 2012, at 77 FR 556 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 17, 2012, at 77 FR 22847 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 14, 2012, at 77 FR 48433 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012, at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 11, 2012, at 77 FR 55698 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended January 31, 2013, at 78 FR 7137 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03496>); amended February 1, 2013, at 78 FR 7487 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04941>); amended February 27, 2014, at 79 FR 11227 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04926>); amended March 27, 2014, at 79 FR 17339 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04932>); amended June 30, 2015, at 80 FR 37365 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 63.5(e), 40 C.F.R. § 63.5(f), 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.6(h)(9), 40 C.F.R. § 63.6(j), 40 C.F.R. § 63.13, and 40 C.F.R. § 63.14.

2. through 5. No change.

(e) No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§ 70.1 through 70.11, revised as of July 1, 2001; amended June 27, 2003, at 68 FR 38517; amended March 6, 2015, at FR 80 12263 (link), are adopted and incorporated by reference.

(16) through (27) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Vital Statistics**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
64V-1.011	Burial-Transit Permit to Be Issued
64V-1.014	Fees for Vital Statistics Services Provided by State Registrar
64V-1.016	Florida Putative Father Registry
64V-1.019	Disposition of Fetal Demise
64V-1.022	Appointment of Local Registrars
64V-1.023	Appointment of Deputy Registrars
64V-1.024	Appointment of Subregistrars
64V-1.025	Duties of Local Registrar for Transmittal of Records or Report of No Records

**PURPOSE AND EFFECT:** The purpose and effect of these rule amendments is to respond to statutory changes related to Burial-Transit Permits, to omit unnecessary rule language and to update forms.

**SUMMARY:** Rule 64V-1.011, F.A.C. is being updated in response to Chapter 2015-105, Laws of Florida which decreased some of the requirements surrounding Burial-Transit Permits. Rule 64V-1.014, F.A.C. outlines fees for vital statistics services. 64V-1.016, F.A.C. incorporates various updated forms for reporting information for the Florida Putative Father Registry. 64V-1.019, F.A.C. is being amended to clarify when a Notification of Disposition of Fetal Demise is used. 64V-1.022, F.A.C. is being repealed as unnecessary. Appointment of Local Registrars is an internal procedure authorized by statute. 64V-1.023, F.A.C. is being repealed as unnecessary. Appointment of Deputy Registrars is an internal procedure authorized by statute. 64V-1.024, F.A.C. is being amended to omit unnecessary language. 64V-1.025, F.A.C. is being repealed as unnecessary. These duties are explained in statute.

**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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), 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:** 63.054(3), (9), (10), (14), 382.003(7), (10), 382.006, 382.0255(3), 383.33625(3) FS.

**LAW IMPLEMENTED:** 63.054(3), (9), 63.062(1), 382.003(5), (9), 382.005(3), (4), 382.006, 382.007, 382.008, 382.013, 382.0255(1), 383.33625 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Ana Goold, Quality Assurance Manager, Bureau of Vital Statistics at (904)359-6900 or by email: Ana.Goold@flhealth.gov

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

64V-1.011 Burial-Transit Permit to Be Issued. Burial-Transit Permits shall be applied for electronically or on an ~~An~~ Application for Burial-Transit Permit, DH Form 326, Aug. 1997, hereby incorporated by reference, and available at DOS Link. ~~from the Florida Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231 0042, shall be completed in accordance with Section 382.006, F.S., and The paper application, DH 326, shall be submitted to the local registrar of the registration district where the death or fetal death occurred or to a subregistrar, by the person acting as the funeral director or subregistrar. The local registrar or subregistrar upon approval of such application shall issue a Burial Transit Permit, DH Form 326, Aug. 97, to dispose of the body or fetus, and forward a copy of the permit to the local registrar within 24 hours after issuance provided a Certificate of Death, DH Form 512, which is incorporated in Rule 64V 1.008, F.A.C., or Certificate of Fetal~~

~~Death, DH Form 428, which is incorporated in Rule 64V-1.008, F.A.C., completed in accordance with Section 382.008, F.S., accompanies the application. An electronic Burial-Transit Report, DH Form 326E, Jan. 08, hereby incorporated by reference and printed from the Department's electronic death registration system may be used in lieu of a Burial-Transit Permit, DH Form 326.~~

Rulemaking Specific Authority 382.003(7), (10), 382.006 FS. Law Implemented 382.006 FS. History--New 1-1-77, Formerly 10D-49.25, Amended 10-1-88, 4-18-96, Formerly 10D-49.025, Amended 11-11-98, 11-5-08, \_\_\_\_\_.

64V-1.014 Fees for Vital Statistics Services Provided by State Registrar.

The fees for services provided are as follows:

(1) Five dollars for the first calendar year of records searched or retrieved for a vital record and two dollars for each additional calendar year of records searched or retrieved, up to a maximum of fifty dollars. If the record is located, this fee entitles the applicant to one computer certification of the record. ~~A certified photocopy will be issued in lieu of a computer certification at no additional cost if computer certification is not available.~~ An additional fee of five dollars is required if a certified photocopy is requested, ~~and is available,~~ in place of or in addition to a computer certification, unless a computer certification is not available.

(2) Twenty dollars for processing a request to file a delayed certificate of birth, death, ~~or~~ fetal death or presumptive death. This fee entitles the applicant to one certification of the record, if filed.

(3) Twenty dollars for processing a request for an amendment to a death record, fetal death record or a birth record made pursuant to Section 382.016, F.S. This fee entitles the applicant to one certification of the amended or corrected record.

(4) Twenty dollars for processing a request for an amendment resulting from a report of change of name or a new birth certificate for reason of adoption, affirmation of parental status for gestational surrogacy or for reason of determination of paternity. This fee entitles the applicant to one certification of the new certificate.

(5) Four dollars for each additional certification of a vital record ~~in excess of one certification~~ for which a fee for search, retrieval or a filing fee is paid, when ordered at the same time as the initial certification.

~~(6) Ten dollars for processing and forwarding each exemplified copy of a vital record.~~

(6)(7) Ten dollars for expedited processing of an initial certified copy or certified statement or exemplified or apostille copy of a vital record.

~~(7)(8) Five cents for each vital record listed on electronic media plus a reasonable charge of \$100 for the cost of programming and preparation.~~

~~(8)(9) Nine dollars for filing a claim of paternity with the Florida Putative Father Registry.~~

~~(9)(10) Nine dollars for each search request of the Florida Putative Father Registry.~~

Rulemaking Specific Authority 63.054(14)(9), 382.003(10), 382.0255(3) FS. Law Implemented 63.054(9), 382.0255(1) FS. History--New 10-1-88, Amended 11-11-90, 4-18-96, 12-26-96, Formerly 10D-49.034, Amended 11-11-98, 2-29-04, 5-13-08, \_\_\_\_\_.

64V-1.016 Florida Putative Father Registry.

~~(4) A claim of paternity filed by an unmarried biological father as defined in Section 63.032(19), F.S., shall be made on a Florida Putative Father Registry Claim of Paternity, DH Form 1965, July, 2012, Aug 08, hereby incorporated by reference and available at DOS link, from the Florida Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042. A request to update information or revoke a claim of paternity shall be made on a Florida Putative Father Registry - Update to Claim of Paternity, DH Form 1964, July 2012, Aug 08, hereby incorporated by reference and available at DOS link, from the Florida Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042. A request for search of the Florida Putative Father Registry shall be made on Florida Putative Father Registry - Application for Search, DH Form 1963, July 2012, Aug 08, hereby incorporated by reference and available at DOS link, from the Florida Department of Health, State Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042. A petition to terminate parental rights shall be made on a Petition for Termination of Parental Rights, DH 5075, July 2012, incorporated by reference and available at DOS link.~~

~~(2) To efficiently maintain the registry, the Office of Vital Statistics shall purge the name of a registrant upon entry of a court order establishing paternity, entry of an adoption order, or when the child reaches the age of 18.~~

Rulemaking Authority 63.054(3), (10), (14) FS. Law Implemented 63.054, 63.062(1), 382.0255(1) FS. History--New 11-11-98, Amended 2-29-04, 5-13-08, 7-28-09, \_\_\_\_\_.

64V-1.019 Disposition of Fetal Demise.

A In accordance with Section 383.33625, F.S., a Notification of Disposition of Fetal Demise, DH Form 1966, Oct. 2003 03, hereby incorporated by reference and available at DOS link from the department shall be issued to the mother by a health care practitioner in custody of fetal remains following a spontaneous fetal demise occurring after a gestation period of less than 20 completed weeks as provided by law.

Rulemaking Specific Authority 383.33625(3) FS. Law Implemented 383.33625 FS. History–New 2-29-04, Amended 10-19-04, \_\_\_\_\_.

64V-1.022 Appointment of Local Registrar.  
 Rulemaking Authority 382.003(10) FS. Law Implemented 382.003(5) FS. History–New 6-1-10, Repealed \_\_\_\_\_.

64V-1.023 Appointment of Deputy Registrars.  
 Rulemaking Authority 382.003(10) FS. Law Implemented 382.005(4) FS. History–New 6-1-10, Repealed \_\_\_\_\_.

64V-1.024 Appointment of Subregistrars.  
~~Each subregistrar appointed by the Bureau The Office of Vital Statistics shall sign an appoint suitable persons to act as subregistrars, who shall be authorized to receive death certificates and fetal death certificates and to issue burial permits. An Application for Appointment of Subregistrar of Vital Statistics, DH 1233C, Oct 2009, hereby incorporated by reference and available at DOS link, from the Florida Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042 shall be submitted to the Office of Vital Statistics for approval.~~  
 Rulemaking Authority 382.003(10) FS. Law Implemented 382.003(9), 382.006, 382.007, 382.008 FS. History–New 6-1-10, Amended \_\_\_\_\_.

64V-1.025 Duties of Local Registrar for Transmittal of Records or Report of No Records.  
 Rulemaking Authority 382.003(10) FS. Law Implemented 382.005(3), 382.013 FS. History–New 6-1-10, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Ana Goold, Quality Assurance Manager, Bureau of Vital Statistics  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 18, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 21, 2015

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

**DEPARTMENT OF TRANSPORTATION**  
 RULE NO.:        RULE TITLE:  
 14-46.001        Utilities Installation or Adjustment  
                     NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph

120.54(3)(d)1., F.S., published in Vol. 41 No. 206, October 22, 2015 issue of the Florida Administrative Register. Changes were made to Rule 14-46.001(2) through (2)(c) as follows:

(2) Permits.  
 (a) FDOT will issue permits for the construction, alteration, operation, relocation, removal, and maintenance of utilities upon the right of way in conformity with the FDOT Utility Accommodation Manual (UAM), 2016 edition August 2010 edition, FDOT Document No. 710-020-001-g, which is hereby incorporated by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06221> and made part of this rule. The UAM also incorporates by reference additional documents contained in the UAM Section 6.1, Incorporated References. Copies of the UAM are available from the FDOT Maps and Publications Office at 605 Suwannee Street, MS 12, Tallahassee, Florida 32399-0450, or the FDOT Utility Web Site: [www.state.fl.us/programmanagement/utilities/](http://www.dot.state.fl.us/rddesign/utilities) <http://www.dot.state.fl.us/rddesign/utilities>. The following documents are hereby incorporated by reference and made a part of this rule:

(a)(b) The Utility Permit, ~~FDOT Form 710-010-85, Rev. 10/15 08/10,~~ is incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06027> and available from [www.state.fl.us/programmanagement/utilities](http://www.state.fl.us/programmanagement/utilities) the FDOT Utility Web Site listed above.

(b) Utility Work Schedule, Rev. 10/15, incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06028> and available from [www.state.fl.us/programmanagement/utilities](http://www.state.fl.us/programmanagement/utilities)

(c) Utility Work Estimate, 10/15, incorporated herein by reference at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06029> and available from [www.state.fl.us/programmanagement/utilities](http://www.state.fl.us/programmanagement/utilities)

A change in the document title was made to (2)(e), as follows:

(e) Florida Grades and Standards for Nursery Plants, Florida Department of Agriculture and Consumer Services, Division of Plant Industry, 2015 incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06046> and available from [www.state.fl.us/programmanagement/utilities](http://www.state.fl.us/programmanagement/utilities).

A change was made in the document title to (2)(g) as follows:

(g) FDOT South Florida Rail Corridor Clearance Policy, Topic No. 000-725-003-j, effective 9/20/2007, incorporated herein at <https://www.flrules.org/Gateway/reference.asp?No=Ref->



06031 and available from [www.state.fl.us/programmanagement/utilities](http://www.state.fl.us/programmanagement/utilities).

All other portions of the proposed rule remain unchanged.

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: RULE TITLE:  
 14-46.001 Utilities Installation or Adjustment  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 206, October 22, 2015 issue of the Florida Administrative Register.

To provide further detail on why legislative ratification is not required, the paragraph titled SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION is corrected to read: 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 implementation of the rule. A SERC has been prepared by the agency in response to a Proposal for a Lower Cost Regulatory Alternative presented by the Florida Electric Power Coordinating Group. The SERC examined the factors required by Section 120.541(2), F.S., and concluded that the rule amendment will not have an adverse impact on economic growth, job creation or employment, private sector investment, or business competitiveness, and is not likely to increase regulatory costs. The agency has determined that the proposed rule(s) is not expected to require legislative ratification based on the statement of estimated regulatory costs. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: RULE TITLE:  
 61H1-20.0093 Rules of the Auditor General  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 224, November 18, 2015 issue of the Florida Administrative Register.

The correction is as follows: The title to rule chapter 10.650 should read, "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Register as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria A. Kelly, Division Director,

Board of Accountancy, 240 NW 76<sup>th</sup> Drive, Suite A, Gainesville, Florida 32607

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.: RULE TITLE:  
 64B-3.007 Social Work - Title Protection  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 190, September 30, 2015 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.: RULE TITLES:  
 64E-9.001 General  
 64E-9.002 Definitions  
 64E-9.003 Forms  
 64E-9.0035 Exemptions  
 64E-9.004 Operational Requirements  
 64E-9.005 Construction Plan or Modification Plan Approval  
 64E-9.006 Construction Plan Approval Standards  
 64E-9.007 Recirculation and Treatment System Requirements  
 64E-9.008 Supervision and Safety  
 64E-9.009 Wading Pools  
 64E-9.010 Spa Pools  
 64E-9.011 Water Recreation Attractions and Specialized Pools  
 64E-9.013 Bathing Places  
 64E-9.015 Fee Schedule  
 64E-9.016 Variances  
 64E-9.017 Enforcement  
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 225, November 19, 2014 issue of the Florida Administrative Register.

DH 4159, incorporated in Rule 64E-9.001(3), has been revised to request the design engineer/architect's contact information and has minor revisions to the instructions and form organization for improved use by the department and the applicants. DH Form 4157, incorporated in Rule 64E-9.008(10)(c)2., has been revised to update the form to include the collection of information required under section 514.0315(1), F.S. The following changes have been made to the rule text.

64E-9.001 General.

(1) through (2) No change.

(3) ~~A As of April 29, 2012 per Sections 514.021 and 514.03, F.S., a public pool owner or their agent shall first make application to the department for an initial operating~~

permit on form DH 4159, Application for a Swimming Pool Operating Permit, 9/2015, herein incorporated by reference and available at \_\_\_\_\_, along with the accompanying information listed in section 514.031(1)(a), F.S., the required fee and a copy of the construction plans and specifications. The application shall be deemed incomplete pursuant to section 120.60, F.S., until a copy of the final building department inspection is received by the department.

(a) After submitting an application for an initial operating permit, the owner or agent shall have the plans reviewed and a permit issued for the construction or modification of a public pool by the jurisdictional building department in accordance with the Florida Building Code, Building, Chapter 4, Section 454.1 424.1.

(b)(a) Upon completion of initial construction, the pool shall not be opened by the owner/operator for public use until an operational permit is issued by the department. At least 30 days prior to the scheduled construction completion, the owner/operator or their agent shall notify apply to the department in writing to request the department's initial operating permit inspection. A copy of the final building department inspection shall be submitted with this request. for an initial operating permit on form DH 4159 Application for Swimming Pool Operating Permit, 10/2014, herein incorporated by reference and available at \_\_\_\_\_, with the required fee and a copy of the approved construction plans.

(c)(b) For modifications, the owner/operator or agent shall submit form DH 4159 to the Department and follow the same sequence in paragraphs (a) and (b), however, the department does not charge a state fee prior to the pool being reopened.

(4) Annually, the pool owner/operator shall apply for an operating permit renewal from the department on form DH 4159. Approval of the permit shall be based upon the pool's compliance with this Chapter, with the previous operating permit, and the maintenance of the pool in the same functional, safety, and sanitation conditions as approved by the jurisdictional building department or the department. For the purposes of this determination, department staff shall refer to and use the Florida Building Code (FBC), Building Chapter 4, public swimming pool section 454.1, or its predecessor, 424.1 that was in effect at the time of the pool's construction permitting. Annual operating permits expire on June 30.

(5) The ~~2014~~2010 FBC section 454.1 is 424.1 and the 2012 Supplement are hereby incorporated by reference, has ~~have~~ been deemed copyright protected, and is ~~are~~ available for inspection at the Department of Health, Bureau of Environmental Health, 4025 Esplanade Way, Tallahassee, Florida 32399-1710 or at the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

Rulemaking Authority 381.006, 514.021 FS. Law Implemented 381.006, 514.021, 514.03, 514.031, 514.05, 514.06 FS. History—New 10-5-93, Formerly 10D-5.130, Amended 12-27-98, 5-27-04, 5-24-09, \_\_\_\_\_.

64E-9.002 through 64E-9.007

No change.

64E-9.008 Supervision and Safety.

(1) through (10)(c)1. No change.

2. The owner/operator shall provide a completed form DH 4157, Pool Owner/Operator Verification of Entrapment Safety Features, 09/2015 02/13, herein incorporated by reference and available at \_\_\_\_\_, to the department when a change in the safety feature occurs.

3. through (13) No change.

Rulemaking Authority 381.006, 514.021, 514.071 FS. Law Implemented 381.0015, 381.006, 514.021, 514.025, 514.03, 514.031, 514.0315, 514.05, 514.06, 514.071 FS. History—New 10-5-93, Formerly 10D-5.134 and 10D-5.137, Amended 12-27-98, 5-27-04, 5-24-09, \_\_\_\_\_.

64E-9.009 through 64E-9.017

No change.

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## Section IV Emergency Rules

NONE

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

1S-2.021 Revocation of Registration of Political Committees and Electioneering Communications Organizations

The Florida Department of State hereby gives notice:

Name of Petitioner: Accountability in Government, Inc.

Date Petition Filed: July 31, 2015

Rule Number: 1S-2.021(2)(f)

Nature of Rule: Revocation of Registration of Political Committees & Electioneering Communication Organizations.

Notice of Petition was published on July 31, 2015 in the Florida Administration Register.

Date of Final Order: December 1, 2015.

General Basis for the Agency Decision: Cancellation of Registrar would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting Brandy Hedges, Agency Clerk, (850)245-6536, [brandy.hedges@dos.myflorida.com](mailto:brandy.hedges@dos.myflorida.com). Mailing Address: R.A. Gray Building, Suite 100, 500 S. Bronough Street, Tallahassee, FL 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On November 25, 2015, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Park Centre @ Telecom, filed November 19, 2015, and advertised on November 24, 2015, 2015 in Vol. 41, No. 228, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.6 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., from the requirement of sumps and sump pumps in pits, where provided, shall be covered. The cover shall be secured and level with the pit floor 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 (VW2015-292).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2015, 5:00 p.m.

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Investment meeting; the Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Division of Historical Resources at [Diane.Ogorzaly@DOS.MyFlorida.com](mailto:Diane.Ogorzaly@DOS.MyFlorida.com) or (850)245-6388.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Friday, December 11, 2015, 9:30 a.m.

PLACE: City of Stuart Commission Chambers, 121 SW Flagler Ave., Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: An overview of the DRAFT 2016 Upper East Coast Water Supply Plan Update.

A copy of the agenda may be obtained by contacting: Linda Hoppes, (561)682-2213 or [lhoppes@sfwmd.gov](mailto:lhoppes@sfwmd.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brenda Low, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Hoppes, (561)682-2213 or [lhoppes@sfwmd.gov](mailto:lhoppes@sfwmd.gov).

DEPARTMENT OF THE LOTTERY

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

DATE AND TIME: Thursday, December 17, 2015, 1:30 p.m., Eastern Time, and continuing from day to day thereafter as may be required

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Evaluation Team to discuss and evaluate the Replies submitted in response to ITN 066-14/15: Lottery Gaming System and Related Commodities & Services; and to develop a schedule for future Evaluation Team meetings and other matters relevant to the above-referenced ITN. The Evaluation Team may make a determination to continue this meeting at a future date and time should it deem necessary to do so.

For more information, please visit the Vendor Bid System (VBS) at:

[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu). A copy of the agenda may be obtained by contacting: Summer

Silvestri at (850)487-7710 or by going to the Department of the Lottery's website, [www.flalottery.com](http://www.flalottery.com).

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD), at least 24 hours prior to the meeting.

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

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Florida Coastal Office announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 16, 2015, 6:00 p.m. – 8:00 p.m.

PLACE: Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) Marineland Field Office, 9741 Ocean Shore Blvd., St. Augustine, FL 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group for GTMNERR will hold a meeting to provide advisory input for the management of GTMNERR.

A copy of the agenda may be obtained by contacting: Lia Sansom, [Lia.Sansom@dep.state.fl.us](mailto:Lia.Sansom@dep.state.fl.us) or (904)823-4500.

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: Lia Sansom at (904)823-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, in conjunction with the Florida Fish and Wildlife Conservation Commission, announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2015, 6:00 p.m., CT

PLACE: Gulf Coast State College, Student Union East, Room 231 (Gibson Lecture Hall), 5230 West U.S. Highway 98, Panama City, FL 32411

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission, along with the Deepwater Horizon Trustees, will host a public meeting to present and take comment on the Draft Phase V Early Restoration Plan and Environmental Assessment (Draft

Phase V ERP/EA), which describes and proposes the first phase of an early restoration project (Florida Coastal Access Project). The Draft Phase V ERP/EA can be found on the Trustees' webpage: <http://www.gulfspillrestoration.noaa.gov/>. The event will begin with an open house from 6:00 p.m. – 6:30 p.m. with a formal presentation and opportunity for public comment to follow.

A copy of the agenda may be obtained by contacting: Heather Thomas, 3900 Commonwealth Blvd., MS 3600, Tallahassee, FL 32399, (850)245-2197, email: [Heather.Thomas@dep.state.fl.us](mailto:Heather.Thomas@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Heather Thomas, 3900 Commonwealth Blvd., MS 3600, Tallahassee, FL 32399, (850)245-2197, email: [Heather.Thomas@dep.state.fl.us](mailto:Heather.Thomas@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Thomas, 3900 Commonwealth Blvd., MS 3600, Tallahassee, FL 32399, (850)245-2197, email: [Heather.Thomas@dep.state.fl.us](mailto:Heather.Thomas@dep.state.fl.us).

#### DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: Cancelled; December 9, 2015, 9:00 a.m., ET

PLACE: Cancelled; Omni Orlando Resort at ChampionsGate, 1500 Masters Boulevard, ChampionsGate, FL 33986, (407)390-6664

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting has been cancelled. This meeting notice replaces notice ID 16723981.

A copy of the agenda may be obtained by contacting: Alexandra Alday at (850)245-4161 or [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@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 7 days before the workshop/meeting by contacting: Alexandra Alday. 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

Board of Massage Therapy

The Board of Massage Therapy announces public meetings to which all persons are invited.

DATES AND TIMES: January 28, 2016, 9:00 a.m., ET; January 29, 2016, 9:00 a.m., ET

PLACE: Renaissance World Golf Village, 500 South Legacy Trail, St. Augustine, Florida 32092, (904)940-8676

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. Meetings may be cancelled prior to the meeting date. Please check the Board website at <http://floridasmassagetherapy.gov/> for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: Alexandra Alday at (850)245-4161 or [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@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 7 days before the workshop/meeting by contacting: Alexandra Alday at (850)245-4161 or [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Correction: Thursday, December 3, 2015, immediately following the Disruptive Behavior Workgroup meeting

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

The hotel phone #: (904)588-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal.sanford@flhealth.gov](mailto:crystal.sanford@flhealth.gov) or call at (850)245-4131.

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 1 days before the workshop/meeting by contacting: Crystal Sanford at [crystal.sanford@flhealth.gov](mailto:crystal.sanford@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: Crystal Sanford at [crystal.sanford@flhealth.gov](mailto:crystal.sanford@flhealth.gov) or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Opticianry

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

DATE AND TIME: December 10, 2015, 6:00 p.m.

PLACE: 1(888)670-3525, conference code: 4552635641

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474 at least one week prior to the meeting date.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.009 Alternative Systems

The Bureau of Environmental Health, Onsite Sewage Programs announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2015, 10:00 a.m., ET

PLACE: UF-IFAS Extension Office Azealia and Rose Meeting Rooms, Orange County, 6021 South Conway Road, Orlando, Florida 32812-3604, (407)254-9200; conference call/web conference: 1(888)670-3525 toll-free, conference

code: 8605907413, website  
[http://connectpro22543231.na5.acrobat.com/rrac\\_new/](http://connectpro22543231.na5.acrobat.com/rrac_new/).

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 This is a meeting of the Research Review and Advisory Committee. The purpose of this meeting is to discuss and guide current, proposed, and potential future onsite sewage research projects. The focus of this meeting is to discuss the Department of Health’s Nitrogen Reduction Strategies Study final legislative report. This may include a discussion on potential changes to Chapter 64E-6, Florida Administrative Code. Other ongoing and possible future research projects may also be discussed. Part of this meeting may be accessible via web conference with details to be posted on the Bureau website,  
<http://www.doh.state.fl.us/environment/ostds/research/index.html>.

A copy of the agenda may be obtained by contacting: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4444, ext. 2708, [Elke.Ursin@flhealth.gov](mailto:Elke.Ursin@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 7 days before the workshop/meeting by contacting Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4444, ext. 2708, [Elke.Ursin@flhealth.gov](mailto:Elke.Ursin@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 Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4444, ext. 2708, [Elke.Ursin@flhealth.gov](mailto:Elke.Ursin@flhealth.gov).

**DEPARTMENT OF HEALTH**

Division of Environmental Health

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

DATE AND TIME: December 10, 2015, 9:15 a.m.

PLACE: Conference call: 1(888)670-3525 toll-free, participant passcode available from Mr. August Ursin, contact information listed below.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 This meeting will be for evaluating a Lifeguarding and Swimming Instructor training program proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the program to the department.

A copy of the agenda may be obtained by contacting Mr. Ursin.

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: Mr. August Ursin, Florida Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Mail Bin A08, Tallahassee, FL 32399-1710, [august.ursin@flhealth.gov](mailto:august.ursin@flhealth.gov), (850)245-4444, ext. 2716.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Office on Homelessness

The Office on Homelessness announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2015, 9:00 a.m. – 5:00 p.m.

PLACE: Dial 1(888)670-3525 toll-free, enter participant code: 701-539-8451 and press #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 The Council on Homelessness Quarterly Meeting Call -- This conference call will address the committees’ continued development of policy recommendations and work tasks to address the Council’s Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, [erik.braun@myflfamilies.com](mailto:erik.braun@myflfamilies.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, [erik.braun@myflfamilies.com](mailto:erik.braun@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Erik Braun, Director, Office on Homelessness, (850)922-9850, [erik.braun@myflfamilies.com](mailto:erik.braun@myflfamilies.com).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

Marine Resources

The Florida Fish and Wildlife Conservation Commission, in conjunction with the Florida Department of Environmental Protection, announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2015, 6:00 p.m., CT  
PLACE: Gulf Coast State College, Student Union East, Room 231 (Gibson Lecture Hall), 5230 West U.S. Highway 98, Panama City, FL 32411

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission, along with the Deepwater Horizon Trustees, will host a public meeting to present and take comment on the Draft Phase V Early Restoration Plan and Environmental Assessment (Draft Phase V ERP/EA), which describes and proposes the first phase of an early restoration project (Florida Coastal Access Project). The Draft Phase V ERP/EA can be found on the Trustees' webpage: <http://www.gulfspillrestoration.noaa.gov/>. The event will begin with an open house from 6:00 p.m. – 6:30 p.m. with a formal presentation and opportunity for public comment to follow.

A copy of the agenda may be obtained by contacting: Susan Smith, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-8843.

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: Susan Smith, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-8843. 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: Susan Smith, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-8843.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2015, 9:00 a.m.  
PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne

Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

CONCRETE MASONRY EDUCATION COUNCIL  
The Florida Concrete Masonry Education Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 8, 2015, 10:00 a.m.  
PLACE: Phone number: 1(650)479-3207, PIN: 191 567 418

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and approve Invitation to Negotiate (ITN) for training and education services.

A copy of the agenda may be obtained by contacting: [www.floridamasonrycouncil.org](http://www.floridamasonrycouncil.org).

For more information, you may contact: Jim Painter at [jim@floridamasonrycouncil.org](mailto:jim@floridamasonrycouncil.org).

Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

DEPARTMENT OF MANAGEMENT SERVICES  
Division of Building Construction  
DOE-14026000 - Low Bid  
RE-ADVERTISEMENT TO BID CONSTRUCTION  
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT  
SERVICES  
DIVISION OF REAL ESTATE DEVELOPMENT AND  
MANAGEMENT  
PUBLIC ANNOUNCEMENT REQUESTING BIDS  
FROM QUALIFIED ELECTRICAL CONTRACTORS  
PROPOSALS ARE REQUESTED FROM QUALIFIED  
ELECTRICAL CONTRACTORS BY THE DEPARTMENT  
OF MANAGEMENT SERVICES.  
PROJECT NUMBER: DOE-14026000  
PROJECT NAME: Replacement of Lighting Grid, WJCT-  
TV/FM Station  
PROJECT LOCATION: WJCT 100 Festival Park Avenue,  
Jacksonville FL 32202  
MANDATORY PRE-BID MEETING: December 9, 2015  
BID OPENING: January 5, 2016  
ESTIMATED CONSTRUCTION BUDGET: \$400,000.00  
PREQUALIFIED BIDDERS: Refer to DMS website (below)  
for further details  
The award will be made in accordance with Section 255.29,  
Florida Statutes, and the procedures and criteria of the  
Departments Division of Real Estate Development and  
Management.  
Please visit the Department’s website  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)  
and click on “Search Advertisements” – “Division of Real

Estate Development and Management” Look for  
“Opportunities for Design and Construction Firms” and click  
on link.

Section XII  
Miscellaneous

NONE

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.