

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Animal Industry**

RULE NOS.:      RULE TITLES:  
 5C-3.001        Definitions  
 5C-3.012        Domestic Fowl, Poultry, Poultry Products  
                     and Ratites

PURPOSE AND EFFECT: Updates to definitions and testing requirements for domestic fowl, poultry, poultry products, and ratites prior to importation into the state. The revisions will clarify requirements and strengthen the State's animal health protection strategy.

SUBJECT AREA TO BE ADDRESSED: Testing requirements for importation of domestic fowl, poultry, poultry products or ratites.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4) FS.  
 LAW IMPLEMENTED: 570.07(15), 570.36(2), 585.08(1), 585.08(2)(a), 585.145(1), 585.145(2), 585.16 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: Dr. James L. Maxwell, Chief, Bureau of Animal Disease Control, (850)410-0900; Fax: 410-0929; James.Maxwell@FreshFromFlorida.com; 407 South Calhoun Street M7, Tallahassee, Florida 32399-0800.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.:      RULE TITLE:  
 65C-29.003     Child Protective Investigations

PURPOSE AND EFFECT: The Department intends to amend Rule 65C-29.003, F.A.C., to clarify when a determination must be made as to whether a reporter to the Florida Abuse Hotline should be contacted for additional information.

SUBJECT AREA TO BE ADDRESSED: Child Protective Investigations.

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.301(14)(c) FS.

LAW IMPLEMENTED: 39.301 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.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jodi Abramowitz. Jodi can be reached at Jodi.abramowitz@myflfamilies.com or (850)717-4189.

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

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NOS.:      RULE TITLES:  
 2B-2.005        Numbering of Final Orders  
 2B-2.006        System for Indexing Final Orders  
 2B-2.007        Maintenance of Records  
 2B-2.008        Plan

PURPOSE AND EFFECT: The rules are unnecessary and are being repealed.

SUMMARY: The rules are being repealed.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its meeting, the Commission concluded that these rule repeals will not have any impact on candidates and their businesses or the businesses that employ them. The rule repeals will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. These changes will not increase any direct or indirect regulatory costs. Hence, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rules 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: 120.533(1)(f),(j) FS.

LAW IMPLEMENTED: 119.041(3), 120.53(2)-(4) 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: Amy Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

THE FULL TEXT OF THE PROPOSED RULE IS:

**2B-2.005 Numbering of Final Orders.**

Rulemaking Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History–New 8-19-92, Formerly 1D-2.005, Repealed.

**2B-2.006 System for Indexing Final Orders.**

Rulemaking Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History–New 8-19-92, Formerly 1D-2.006, Repealed.

**2B-2.007 Maintenance of Records.**

Rulemaking Authority 120.533(1)(j) FS. Law Implemented 119.041(3) FS. History–New 8-19-92, Formerly 1D-2.007, Repealed.

**2B-2.008 Plan.**

Rulemaking Authority 120.533(1)(j) FS. Law Implemented Ch. 91-30, § 10, Laws of Florida History–New 8-19-92, Formerly 1D-2.008, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Elections Commission  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2015

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NOS.: RULE TITLES:

5E-1.002 Registration and Labeling of Animal and Vegetable Manures, Composts, Soil Conditioners, Soil Amendments and Soil Additives

5E-1.012 Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify and update rules relating to fertilizer labeling, registration, and reporting. The effect will clarify and update rules relating to fertilizer labeling, registration, and reporting. SUMMARY: Fertilizer registration, labeling, and reporting will be clarified and updated.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not meet or exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The proposed rule changes are intended to explain labeling requirements for non-typical fertilizer products, clarify the requirements for supporting documentation for registration of soil amendment/additives and conditioners, and provide the option of web based reporting of monthly fertilizer tonnage, and guidance for reporting less than one ton of fertilizer. No additional cost are anticipated to be associated with these informational changes, but a reduction in cost for fertilizer licensees utilizing the option of on-line reporting of fertilizer tonnage is anticipated.

As part of this analysis, the Department relied upon the current payment process that required checks be mailed to the department. There are approximately 730 current licensees. Using the online reporting tool would save the licensees approximately \$1000 in postal and checking processing fees. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 570.07(23), 576.181 FS.

LAW IMPLEMENTED: 576.011, 576.031, 576.041, 576.045, 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: Kelly Friend, Chief Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Bldg. 8, Tallahassee, FL 32399-1650; (850)617-7851; Kelly.Friend@FreshFromFlorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-1.002 Registration and Labeling of Animal and Vegetable Manures, Composts, Soil Conditioners, Soil Amendments and Soil Additives.

REGISTRATION AND LABELING.

(1) Exemptions. When the labeling does not claim to contain any plant nutrients or beneficial plant growth properties as defined in Section 576.011(12), F.S., unmanipulated animal manure, vegetable manures, potting soils, peat or compost are excluded from the provisions of this rule chapter. Unmanipulated manures, by Section 576.011(12), F.S., are excepted from the provisions of Chapter 576, F.S., and, therefore, are not required to be registered, labeled or meet any requirement of this chapter. Potting soils, muck, and peat or compost, when no plant nutrients are claimed, or implied, as specified in Section 576.011(12), F.S., are excepted from the provisions of this chapter.

(2) The department will require proof of beneficial claims made before registering any potting soil, mulch, compost, soil additive, soil conditioner and soil amendment. If ~~no~~ beneficial claims are made as to soil amendments, soil additives or soil conditioners, the department will require scientific evidence of usefulness and agronomic value ~~of the soil amendment. As~~ For evidence of proof, the department will accept ~~rely on~~ experimental data, evaluations, or advice supplied from an accredited ~~a recognized~~ school of agriculture. The experimental design shall be related to state environmental

conditions for which the product is intended to be used. The department will accept ~~or reject~~ information from other sources of proof as additional evidence in evaluating soil amendments, soil additives or soil conditioners. ~~The department will prescribe methods and procedures of inspection and analysis of the soil amending ingredient. Proof of beneficial claims shall be mailed to the Fertilizer Program Manager, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650.~~

(3) Manipulated manures, composts, soil conditioners, soil amendments and soil additives come within the definition of fertilizer. In addition to the labeling requirements set forth in Section 576.031, F.S., the labels on all manipulated manures, composts, soil conditioners, soil amendments and soil additives, shall contain in or in close conspicuous proximity to the brand name, the common name of the product and the grade numerals in terms of the primary plant nutrients, (unless all three are zero), e.g., "Supreme Compost 1-2-1." Claims pertaining to the composition or benefits of these products shall be required to be substantiated and documented.

(a) When the term manure is used in any brand name, labeling, or advertisement ~~or other written matter~~ identifying any product, the animal source of the manure must also be shown.

(b) Products containing manure mixed or composted with other organic materials shall include the name of the other material in its brand, labeling and advertisement, e.g., "Cattle Manure plus Organic Compost," "Horse Manure composted with Peat". The common names of the components of such products shall be listed on the label in order of relative amount in the mixture.

(c) Manures and products containing manure shall be guaranteed to have a minimum of 0.5% total nitrogen, 0.5% available phosphorus and 0.2% soluble potassium. All statements of guarantees or grade numerals less than one percent shall be expressed as decimal fractions, with a zero preceding the decimal.

(d) Guano and Earthworm Castings are exempt from (c).

(e)(d) Material recovered from lagoons or holding ponds designed to retain manure run-off is considered to be a compost and may not be claimed, branded or advertised to be a manure, except that the term manure can be used in a descriptive manner in a listing of source materials, as in "Derived from Cattle Manure Compost" or "Derived from Composted Dairy Manure Solids". No minimum guarantee shall be required in such product.

Rulemaking Authority 570.07(23), 576.181, ~~570.07(23)~~ FS. Law Implemented ~~576.011(12)~~, 576.031 FS. History-Revised 1-23-67, Amended 1-1-77, Formerly 5E-1.02, Amended 5-19-88, 8-3-93, 10-25-98, \_\_\_\_\_.

5E-1.012 Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement.

(1) Licensees must make a monthly report of fertilizer sold in the State of Florida and pay a monthly inspection fee. Each Licensee shall report the amount of all fertilizers sold each month, on or before the 15th day of the following month, accompanied by inspection fee payment, as provided in Section 576.041, F.S. using the Department's Feed, Seed, and Fertilizer Regulatory Website which can be located online at <http://lims.flaes.org/HomeNew.aspx>; or by submitting as instructed on form, DACS 13239, Monthly Report of Fertilizer Sold in the State of Florida, FDACS-13239 Rev. (07/14) available online at <http://www.flrules.org/Gateway/reference> which is hereby incorporated by reference. ~~02/10 on or before the 15th day of the following month, accompanied by inspection fee payment, as provided by law. A zero negative report shall be made for any month in which there were no sales. If a month's sales do not exceed one ton, a zero report shall be made by the Licensee for that month's tonnage. The unreported tonnage, less than one ton, shall be combined with subsequent months' tonnages until such time as the cumulative total exceeds one ton at which time it shall be reported on the next month's report.~~

(2) Statistical report of fertilizer tonnage. This report covers all fertilizer movements other than wholesale. Each Licensee shipping or delivering fertilizers in other than wholesale movements in lots of one or more tons shall notify the department thereof. Notification shall consist of:

(a) A monthly summary to be submitted on or before the 15th of the month following the reporting period. A zero negative report shall be made for any month in which there were no sales.

(b) The monthly summary shall be submitted using the Department's Feed, Seed, and Fertilizer Regulatory Website which can be located online at <http://lims.flaes.org/HomeNew.aspx>; or by submitting as instructed on form, DACS 13238, Monthly Fertilizer Tonnage Reporting, FDACS-13238 Rev. (07/14) available online at <http://www.flrules.org/Gateway/reference>, which is hereby incorporated by reference. ~~05/08, indicating the following information:~~ The monthly summary shall also include the following:

~~1. Date, Licensee Name, Licensee Number, Licensee Address, Reporting Month and Year.~~

~~1.2-~~ Destination County Code using the five digit (state + county) United States Environmental Protection Agency (EPA) County Federal Information Processing Standard (FIPS) code. The EPA County FIPS Code Listing for the State of Florida, ~~Updated April 27 10, 2015 2009~~ is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference>. ~~can be obtained at the following website:~~

~~3. Quantity (net weight in tons).~~

~~2.4-~~ Material Code (materials only; not for mixed fertilizer). The material codes can be found in Appendix C of the Uniform Fertilizer Tonnage Reporting System Instruction Manual, Edition 2 (08/25/2006) which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference>. ~~can be obtained at the following website: [www.aapfeo.org/uftrsvXP/UFTRSXPDoc.pdf](http://www.aapfeo.org/uftrsvXP/UFTRSXPDoc.pdf).~~

~~5. Mixed Grades Guaranteed Analysis N-P-K.~~

~~6. Form (bulk, bagged, or liquid).~~

~~7. Use (Farm, Non Farm Residential Lawn/Turf, Non-Farm Golf/Athletic Field, Non Farm Garden/Landscape, Non-Farm Potting/Planting Soil, Non Farm Nursery/Greenhouse).~~

~~(3) Each applicant for a fertilizer license shall post a continuous Surety Bond in the amount of \$1,000 using Fertilizer Dealer's Bond DACS 13229, Fertilizer Dealer's Bond, Rev. 10/09 or a continuous Certificate of Deposit in the amount of \$1,000 made jointly in the names of the applicant and the Department with dividends payable to the applicant, or a continuous Certificate of Deposit in the amount of \$1,000 accompanied by an Assignment of Certificate of Deposit DACS 13201, Assignment of Certificate of Deposit, Rev. 11/09.~~

~~(4) Any Licensee who fails to report the amount of all fertilizers sold each month, using DACS 13239 Monthly Report of Fertilizer Sold in The State of Florida, Rev. 02/10, on or before the 15th day of the following month and accompanied by the inspection fee payment shall be required to secure with the Department a Surety Bond or Certificate of Deposit as outlined in the schedule below:~~

Highest Amount of Fees Paid During a Single Month of Last Year	Amount of Bond Deposit Required
0 - \$1,000	\$1,000
1,001 - 3,000	3,000
3,001 - 5,000	5,000
5,001 - 7,000	7,000
7,001 - 9,000	9,000
9,001 - 11,000	11,000
Over 11,000	15,000

~~(3) FORMS. The Department forms contained in this rule are hereby adopted and incorporated by reference and may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399 1650, (850) 487 2085 or by visiting the Department's website at [www.doacs.state.fl.us/onestop/index.html](http://www.doacs.state.fl.us/onestop/index.html).~~

Rulemaking Authority 570.07(23), 576.181 FS. Law Implemented 576.041, 576.045 FS. History—Revised 1-23-67, 6-24-69, 2-26-71, 3-1-73, 1-1-77, Formerly 5E-1.12, Amended 8-3-93, 10-25-98, 5-23-10, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Anderson H. Rackley

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 03, 2015

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** May 7, 2015

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

**RULE NOS.:**       **RULE TITLES:**

- 5J-5.001       Definitions
- 5J-5.002       Complaints
- 5J-5.003       Enforcement Actions and Administrative Penalties

**PURPOSE AND EFFECT:** To provide definitions, incorporate department forms by reference, and to establish a penalty structure consistent with others established within the department.

**SUMMARY:** The proposed rules provide definitions that clarify terms referenced in statute, and incorporate by reference department forms to ensure statutory compliance. They also set forth a range of administrative fines for violations of the no sales telephone solicitation law to ensure statutory compliance with s. 41, ch. 2014-150, Laws of Florida.

**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 proposed rules provide definitions, incorporate by reference department forms, and provide penalty guidelines for violators. There are no regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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

**RULEMAKING AUTHORITY:** 501.059(12), 570.07(23) FS.  
**LAW IMPLEMENTED:** 501.059(1)(h), (4), (5), (9)(a), (b), 570.544(4), 570.971(4) 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:** Amy Topol, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at "Amy.Topol@FreshFromFlorida.com" or by phone (850)410-3662.

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

5J-5.001 Definitions.

(1) As referenced in Section 501.059(1)(h)1., F.S., the term "in response to an express request" means a telephonic sales call made no more than 18 months from the date of a request that:

(a) has been made in writing, bearing the signature or electronic signature, if recognized as a valid signature under applicable federal or state law, of the person called; and

(b) clearly authorizes the telephone solicitor to contact the consumer called; and

(c) includes the specific telephone numbers by which the consumer called may be contacted.

(2) As referenced in Section 501.059(1)(h)3., F.S., the term "prior or existing business relationship" means a relationship formed by a voluntary two-way communication between a telephone solicitor and a consumer without an exchange of consideration, on the basis of the consumer's purchase or transaction with the entity within the eighteen (18) months immediately preceding the date of the telephonic sales

call or on the basis of the consumer's inquiry or application regarding products or services offered by the entity within the three months immediately preceding the date of the telephonic sales call, which relationship has not been previously terminated by either party.

(3) As referenced in Section 501.059(5), F.S., the term "previously communicated" means:

(a) that the consumer or donor has communicated directly to the telephone solicitor or person; or

(b) that the consumer or donor has communicated to the department in the form of a written complaint and that complaint has been provided to the telephone solicitor or person as part of the department's normal course of complaint mediation.

Rulemaking Authority 501.059(12), 570.07(23) FS. Law Implemented 501.059(1)(h), (5), FS. History—New \_\_\_\_\_.

#### 5J-5.002 Forms used with complaints.

(1) The following forms and instructions are hereby adopted by reference and are used by the department in its investigations of alleged violations of Section 501.059, Florida Statutes:

(a) FDACS-10402, Florida Do Not Call Complaint Form, Rev. 06/15, <https://www.flrules.org/gateway>.

(b) FDACS-10982, Florida Do Not Text Complaint Form, Rev. 06/15, <https://www.flrules.org/gateway>.

(c) FDACS-10983, Florida Business Reply Form, Rev. 06/15, <https://www.flrules.org/gateway>.

(2) Copies of the above forms may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Mediation and Enforcement, 2005 Apalachee Parkway, Terry L. Rhodes Bldg., Tallahassee, Florida 32399-6500, or accessed online at the links identified in subsection (1) above. They may also be completed and submitted online at <http://www.freshfromflorida.com/Forms-Publications/Forms>.

Rulemaking Authority 501.059(12), 570.07(23) FS. Law Implemented 501.059(9)(a), 570.544(4) FS. History—New \_\_\_\_\_.

#### 5J-5.003 Enforcement Actions and Administrative Penalties.

(1) This rule sets forth the guidelines the department will follow in imposing the penalties authorized under Section 501.059, F.S. The purpose of the guidelines is to give notice of the range of penalties which will be imposed for a single violation. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase the penalties to be imposed against the violator by the department. The

guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine a total penalty and will be grounds for enhancement of penalties.

(2) The department will enforce compliance with Section 501.059, F.S., and this rule chapter by issuing an administrative complaint or through civil litigation for violations of Section 501.059, F.S.

(3) Nothing in this chapter shall limit the ability of the department to informally dispose of administrative actions by settlement agreement, consent order, or other lawful means.

(4) Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining penalties for violations of Section 501.059, F.S. The factors shall be applied against each single count of the listed violation. Both aggravating and mitigating factors, if present, shall be applied against each single count of the listed violation.

(a) Aggravating factors shall include, but not be limited to:

1. The violation endangered the public safety or welfare.

2. Previous administrative or civil complaints brought by any governmental agency within the preceding three years for the same or a similar offense(s) that resulted in settlement, imposition of administrative penalties, or suspension or revocation of a license.

3. The violator impeded, or otherwise failed to cooperate with, the department's inspection or investigation.

4. The violation resulted from an intentional act.

5. The cost of the enforcement action.

6. The number of other violations proven in the same proceeding.

7. The benefit to the violator.

(b) Mitigating factors shall include, but not be limited to:

1. Any documented efforts by the violator at rehabilitation.

2. Intentional actions of another party prevented the violator from complying with the applicable laws or rules.

3. Substantiated financial hardship.

4. Acts of God or nature that impair the ability of the violator to comply with Section 501.059 F.S., or this rule chapter.

5. The violator took corrective action within twenty-four (24) hours of receiving written notification of the violation.

6. The disciplinary history of the person committing the violation.

(5) The provisions of this rule chapter shall not be construed so as to prohibit or limit any other civil action or criminal prosecution that may be brought.

(6) In addition to the penalties established in this rule, the department reserves the right to seek to recover any other costs, penalties, attorney’s fees, court costs, service fees, collection costs, and damages allowed by law. Additionally, the department reserves the right to seek to recover any costs, penalties, attorney’s fees, court costs, service fees, collection costs, and costs resulting from a payment that is returned for insufficient funds to the department.

(7) Penalties. Any violation of s. 501.059, F.S., shall result in the imposition of an administrative fine ranging from \$500 to \$1,000 per violation pursuant to a Class I violation as referenced in Sections 501.059(9)(b) and 570.971, F.S.

(8) Failure to respond to an administrative complaint shall result in the entry of a default Final Order against the violator or entity responsible for the violation and the department shall impose the maximum administrative fine amount of \$1,000 per violation pursuant to a Class I violation as referenced in Sections 501.059(9)(b) and 570.971, F.S.

(9) A violator’s failure to comply with a Final Order shall result in additional penalties sought through the enforcement of the order in circuit court.

Rulemaking Authority 501.059(12), 570.07(23) FS. Law Implemented 501.059(9)(b), 570.971(4) FS. History–New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Amy Topol, Assistant Director, Division of Consumer Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2015

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-9.001  
RULE TITLE: Investment Policy Statement

PURPOSE AND EFFECT: To adopt the revised Investment Policy Statement approved by the Trustees effective February 6, 2014 for the Florida Retirement System Investment Plan.

SUMMARY: The most recently revised version of the Investment Policy Statement for the Florida Retirement System Investment Plan is being adopted. There are no other rules incorporating this amended rule. The proposed amendment does not have an impact on any other rules.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs caused by the amendment of this rule.

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: 121.4501(8), 215.52 FS.

LAW IMPLEMENTED: 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) 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: Monday, October 5, 2015, 9:00 a.m. - 11:00 a.m.

PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1197, tina.joanos@sbafla.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1182, ruth.smith@sbafla.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

19-9.001 Investment Policy Statement.

The Florida Retirement System Investment Plan Investment Policy Statement, as approved by the Trustees of the State Board of Administration on February ~~6~~ 9, ~~2014~~ 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05796> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01218>~~, is hereby adopted and incorporated by reference. The Investment Policy Statement may be obtained by contacting: State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308; Attn.: Office of Defined Contribution Programs, or by accessing the [MYFRS.com](http://MYFRS.com) ~~sbfla.com~~ website, clicking on Investment Funds and Plan Information/Trustee Reports and then clicking Investment Plan ~~the Risk Management and Oversight tab, and then clicking on FRS Investment Plan~~ under the Investment Policy Statements section.

Rulemaking Authority 121.4501(8), 215.52 FS. Law Implemented 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) FS. History—New 7-29-01, Amended 7-23-02, 5-10-05, 5-19-09, 7-12-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Joan Haseman, Office of Defined Contribution Programs

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 1, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 5, 2015.

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-11.001	Definitions
19-11.002	Beneficiary Designations and Distributions for FRS Investment Plan
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.004	Excessive Trading in the FRS Investment Plan
19-11.005	FRS Investment Plan Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the FRS Retirement Programs
19-11.008	Forfeitures
19-11.011	Employer and Employee Contributions and ABO or Present Value Transfer Procedures
19-11.012	Rollovers or Plan to Plan Transfers to or from the FRS Investment Plan
19-11.013	FRS Investment Plan Self-Directed Brokerage Account

PURPOSE AND EFFECT: To amend Rule 19-11.001, F.A.C. to clarify some definitions. To amend Rule 19-11.002, F.A.C. to incorporate the latest version of the beneficiary designation form and to reference the latest versions of the enrollment forms; to indicate what documents must be supplied by a beneficiary who receives account proceeds per Florida law; and to indicate the name of the fund to which account proceeds are held until a beneficiary can be located. To amend Rule 19-11.003, F.A.C. to indicate that monies from a DROP rollover are available for immediate distribution; to adopt the latest version of the Employment Termination Form; and to indicate that if a member or beneficiary requests documentation of a distribution made prior to January 1, 2010, there will be a special service charge imposed due the extensive resources required. To amend Rule 19-11.004, F.A.C. to indicate what constitutes an incomplete transfer request form. Rule 19-11.005, F.A.C., is being amended to make an editorial revision. To amend Rule 19-11.006 to adopt the latest versions of the applicable enrollment forms; to indicate that a member has the responsibility for ensuring the appropriate enrollment form is timely received; and to indicate that if a member terminates before making a plan choice, the member will have another opportunity to make a plan choice if rehired by an FRS-participating employer. To amend Rule 19-11.007, F.A.C. to adopt the latest versions of the Second Election enrollment forms; to indicate that a member has the responsibility for ensuring the Second Election enrollment form is timely received; and to indicate the default fund if the member fails to make an investment selection. To amend Rule 19-11.008, F.A.C. to state that if a member terminates employment before vesting, the member will be entitled only to a return of the member's own required contributions. To



amend Rule 19-11.011, F.A.C. to state that market loss calculations will be applied to benefit transfers that are late due to employer errors or corrections; and to indicate that an age-appropriate retirement date fund will be the default fund if a member fails to select an investment option when the member's ABO or present value of the member's FRS Pension Plan benefits are transferred to the member's FRS Investment Plan account. Rule 19-11.012, F.A.C. is amended to adopt the latest version of the rollover forms. Rule 19-11.013, F.A.C. is amended to set forth how the Self-Directed Brokerage Account enrollment form can be accessed on line.

**SUMMARY:** To adopt updated forms; to clarify certain information; and to update the names of the default investment vehicles where no funds are selected by the members. There are no other rules incorporating these proposed amended rules. The proposed amendments do not have an impact on any other rules. Legislative ratification of the rule amendments is not required.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs caused by the proposed amendments to these rules.

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:** 121.78(3)(c); 121.4501(8) FS.

**LAW IMPLEMENTED:** 120.569, 120.57, 120.573, 121.021, 121.051, 121.055, 121.091, 121.35, 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), 121.591, 121.71, 121.72, 121.74, 121.77, 121.78, 215.44(8), 732.802, 744.301, 1012.875(3) 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:** Monday, October 5, 2015, 9:00 a.m. – 11:00 a.m.

**PLACE:** Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Ruth A. Smith, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1182, ruth.smith@sbafla.com.

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

19-11.001 Definitions.

The following words and terms shall have the following meanings for purposes of Chapters 19-11 and 19-13, F.A.C.:

(1) through (15) No change.

(16) “Effective date of enrollment” or “effective enrollment in the FRS Investment Plan” means the employee completed the enrollment into the Plan by filing the appropriate enrollment form, or by electronic means, in the applicable membership class or by filing a separate document for the applicable membership class with the Administrator; the Administrator has entered the employee into its recordkeeping system; and the Administrator has informed the Division of the employee’s effective date of enrollment in either the FRS Pension Plan or the FRS Investment Plan. For purposes of this rule, the term “enrollment form” or “form” shall also refer to the separate document described in paragraph 19-11.006(2)(b) and 19-11.007(3)(a), F.A.C.

(17) “Electronic Means” shall mean an enrollment or other member directive made on the MyFRS.com website, by telephone or other technology as specified by the SBA.

(18) through (26) No change.

(27) “FRS Pension Plan”, “Florida Retirement System Pension Plan” or “Pension Plan” means the defined benefit retirement program of the Florida Retirement System, established in Part I of Chapter 121, F.S.

(28) through (47) No change.

Rulemaking Authority 121.78(3)(c), 121.4501(8) FS. Law Implemented 121.78, 121.4501 FS. History—New 12-8-02, Amended 3-9-06, 7-12-12, 12-16-12, 6-5-14, 8-18-14, \_\_\_\_\_.

19-11.002 Beneficiary Designations and Distributions for FRS Investment Plan.

(1) No change.

(2) Any such beneficiary designation may be made on Form IPBEN-1, rev. 01/15 ~~03-11~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05797> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-00255>~~, which is hereby adopted and incorporated by reference. This form is available in paper form and may be obtained by calling the toll-free MyFRS Financial Guidance Line at 1(866) 446-9377, Option 4 (TRS 711), Monday through Friday, except holidays, 9:00 a.m. to 8:00 p.m. or by accessing the MyFRS.com website and clicking on “Resources” and then “Forms.” The beneficiary designation form must be completed and received by the FRS Investment Plan Administrator before it becomes effective. Alternatively, a beneficiary may be designated electronically by logging on to MyFRS.com, clicking on “~~manage benefits~~,” then clicking on “manage investments,” and then clicking on “personal info”, or by calling the Investment Plan Administrator at 1(866) 446-9377, Option 4 (TRS 711).

(3) No change.

(4)(a) If the FRS Investment Plan member enrolls in the FRS Investment Plan using the EZ Retirement Plan Enrollment Form for Regular, Special Risk and Special Risk Administrative Support Class Employees, Form ELE-1-EZ, rev. 06/14 ~~10/13~~, the General Retirement Plan Enrollment Form for Regular Special Risk and Special Risk Administrative Support Class Employees, Form ELE-1, rev. 07/15 ~~10/13~~, which are adopted and incorporated by reference in subsection 19-11.006(2), F.A.C., or the 2nd Election EZ Retirement Plan Enrollment Form, Form ELE-2-EZ, rev. 07/15 ~~10-13~~, or the 2nd Election Retirement Plan Enrollment Form, Form ELE-2, rev 07/15 ~~10-13~~, which are adopted and incorporated by reference in subsection 19-11.007(3), F.A.C., the member agrees to the beneficiary designation contained in Section 121.4501(20), F.S., unless the member submits a beneficiary designation as provided in subsection (2) herein.

(b) through (f) No change.

(g) If a member inadvertently uses an incorrect beneficiary designation form, the FRS Investment Plan Administrator will notify the member and request that the member complete and submit the correct form, Beneficiary Designation Form IPBEN-1, rev. 01/15 ~~03-11~~. If the member should die prior to completing and submitting the IPBEN-1 form, the FRS Investment Plan Administrator will consider the beneficiary set forth on the incorrect form as being the member’s intended beneficiary for the purpose of paying benefits.

(5)(a) If a member is married and the spouse is designated as a primary beneficiary, regardless of whether the percentage allocated to the spouse on the form is less than 100%, the member is not required to notify the spouse.

(b) If a member is married and names a primary beneficiary(ies) and the person(s) named is not the spouse of the member, then the member is required to notify the spouse that the spouse is not a primary beneficiary of the proceeds of the member’s FRS Investment Plan account(s). The spouse must acknowledge that the spouse understands that the spouse is not a primary beneficiary of the member’s FRS Investment Plan account(s) by signing the beneficiary designation form, Form IPBEN-1, rev. 01/15 ~~03-11~~, in the appropriate place.

(c) If a married member fails to obtain the spouse’s acknowledgment on the beneficiary designation form, then the Investment Plan Administrator will send to the member an Acknowledgement of Beneficiary Designation, reminding the member of the necessity of obtaining spousal acknowledgement. The member can return this Acknowledgement of Beneficiary Designation with the spouse’s signature which will provide acknowledgement that the spouse is not the primary beneficiary of the member’s FRS Investment Plan account(s). Alternatively, the member may provide the FRS Investment Plan Administrator with a notarized statement reflecting the spouse’s understanding that the spouse is not the beneficiary of the member’s FRS Investment Plan account(s).

(d) If the member fails to obtain the spouse’s acknowledgment that a beneficiary, other than the spouse, has been designated as the primary beneficiary of the member’s Investment Plan benefit, the beneficiary designation on file with the FRS Investment Plan Administrator at the time of the member’s death will be honored only if the spouse’s rights as a beneficiary are not compromised under Florida law.

(6) No change.

(7) Per Florida Law Beneficiary Designation.

(a) If a member fails to designate a beneficiary as outlined in subsection (2) above, the member’s designation of beneficiary will automatically be assigned a designation of “Per Florida Law” as outlined in Section 121.4501(20), F.S. To establish entitlement to the member’s account, the beneficiary(ies) may be required to provide the following, as applicable: a copy of the marriage certificate, copy of the member’s birth certificate, copy of the birth certificate(s) of the beneficiary(ies), legal guardianship documents issued by a court of competent jurisdiction, a notarized written statement confirming the identity of all surviving family members, tax identification number of the member’s estate, or a notarized written document stating that the deceased is not survived by a spouse, child(ren) or parent(s).

(b) If, upon the death of a member, a beneficiary(ies) can be identified in accordance with Florida statute, but no social security number or address of the beneficiary or beneficiaries is available, the FRS Investment Plan Administrator will, with the assistance of the SBA, make a reasonable effort to obtain each beneficiary's Social Security Number or Taxpayer Identification Number, using available search tools, including the internet, LexisNexis Accurint, or another third party vendor providing such services. If a beneficiary can be identified and the social security number is provided, the transfer of benefits will be executed by the Investment Plan Administrator.

(c) If, upon the death of a member, a beneficiary cannot be identified, the provisions of paragraph (d) below will be followed.

(d) After one year from the date of the member's death, if the beneficiary cannot be located or if a beneficiary cannot be identified, the account will be transferred to the Suspense Account. By calendar year-end of each year following the transfer to the Suspense Account, the FRS Investment Plan Administrator will attempt to locate and obtain the Social Security Number or the Taxpayer Identification Number of the beneficiary. The transferred funds shall be invested in the Pyramis Intermediate Duration Pool Fund ~~FRS Select U.S. Treasury Inflation Protected Securities Index Fund~~. The amount will be held in the FRS Investment Plan Suspense Account until (1) the beneficiary contacts the FRS Investment Plan; or (2) another beneficiary requests consideration as the deceased's proper beneficiary; or, (3) at the end of 10 years in the Suspense Account, the amount is transferred to the FRS Investment Plan Forfeiture Account, where it is held indicating the name of the deceased member and the name of the beneficiary, if known.

(e) Should the beneficiary be located who then is willing to provide a social security number, a check will be issued to that beneficiary. The check will include actual earnings that have accrued on the funds from the date of transfer from the member's account to the Suspense Account and/or Forfeiture Account. Such payment will be subject to applicable income tax withholding, which shall be paid to the tax authorities at the time of the issuance of the check to the beneficiary.

(8) through (13) No change.

(14)(a) If the deceased member has designated a beneficiary but has not provided the designated beneficiary's social security number or address, or has provided an incorrect social security number, then, after at least three unsuccessful attempts by the SBA or the FRS Investment Plan Administrator to locate the beneficiary, the FRS Investment Plan Administrator will advise the SBA accordingly and the account will not be distributed.

(b) The FRS Investment Plan Administrator will, with the assistance of the SBA, at the time of notification of death, make a reasonable effort to obtain the beneficiary's Social Security Number or Taxpayer Identification Number, using available search tools, including the internet, LexisNexis Accurint, the Social Security Administration, or another third party vendor providing such services.

(c) After one year from the date of the member's death, if the beneficiary cannot be located, the account will be transferred to the Suspense Account. By calendar year-end, of each year following the transfer to the Suspense Account, the FRS Investment Plan Administrator will attempt to locate and obtain the Social Security Number or the Taxpayer Identification Number of the beneficiary. The transferred funds shall be invested in the Pyramis Intermediate Duration Pool Fund ~~FRS Select U.S. Treasury Inflation Protected Securities Index Fund~~. The amount will be held in the FRS Investment Plan Suspense Account until (1) the beneficiary contacts the FRS Investment Plan; or (2) another beneficiary requests consideration as the deceased's proper beneficiary; or, (3) at the end of 10 years in the Suspense Account, the amount is transferred to the FRS Investment Plan Forfeiture Account, where it is held indicating the name of the deceased member and the name of the beneficiary, if known.

(d) Should the beneficiary be located and provides a social security number, a check will be issued to the beneficiary, with actual earnings, from the date of transfer from the member's account to the Suspense Account subject to applicable income tax withholding, which shall be paid to the tax authorities at the time of such payment to the beneficiary.

(15)(a) Pursuant to Federal guidelines, if the deceased member's account is to be paid to the member's estate but no Estate Identification Number is provided, the account will not be paid to the Estate until the Estate Identification Number is received. In the event that no Estate Identification Number is provided within one year from the date of notification to the FRS Investment Plan Administrator of the member's death, the FRS Investment Plan Administrator will transfer the deceased member's account to the Suspense Account indicating the name of the deceased member. If after 10 years after the date of death, the FRS Investment Plan Administrator has not received an Estate Identification Number, the deceased member's account will be transferred to the FRS Investment Plan Forfeiture Account where it will be held indicating the name of the deceased member. The transferred funds shall be invested in the Pyramis Intermediate Duration Pool Fund ~~FRS Select U.S. Treasury Inflation Protected Securities Index Fund~~.

(b) The FRS Investment Plan Administrator will, at the time of the transfer to the Suspense Account, make a reasonable effort to obtain the Estate Identification Number. Additionally, by calendar year-end of each year following the transfer to the Suspense Account, the FRS Investment Plan Administrator will attempt to locate and obtain the Estate Identification Number.

(c) The amount will be held in the FRS Investment Plan Suspense Account until (1) the member's estate representative contacts the FRS Investment Plan; or (2) a beneficiary requests consideration as the deceased's proper beneficiary; or, (3) at the end of 10 years in the Suspense Account, the amount is transferred to the FRS Investment Plan Forfeiture Account, where it is held indicating the name of the deceased member.

(d) Should the estate's representative subsequently provide an Estate Identification Number, a check will be issued to the estate, with actual earnings while invested in the Pyramis Intermediate Duration Pool Fund FRS Select U.S. Treasury Inflation Protected Securities Index Fund, from the date of transfer from the member's account to the Suspense Account and/or Forfeiture Account. Any ~~subject to~~ applicable income tax withholding, which shall be paid to the appropriate tax authorities at the time of the benefit payment to the estate.

(16) through (17) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.091(5)(j), (8), 121.4501(20), 121.591(3), 732.802 FS. History—New 10-21-04, Amended 3-9-06, 11-26-07, 12-8-08, 1-7-10, 8-7-11, 7-12-12, 12-16-12, 10-15-13, 1-28-14, \_\_\_\_\_.

19-11.003 Distributions from FRS Investment Plan Accounts.

(1) Distributions from FRS Investment Plan accounts are made either after the member terminates employment from all FRS-participating employers or after the member's death. Monies from a DROP rollover are available for immediate distribution.

(2) Distributions available after the member terminates FRS-covered employment.

(a) No change.

(b) If the member's termination date has not been submitted by the employer via the monthly payroll file within three (3) calendar months, the employer can complete and return the "Employment Termination Form," Form ETF-2, rev. 05/13 8/40, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05798> <http://www.flrules.org/Gateway/reference.asp?No=Ref-01105>, which is hereby adopted and incorporated by this reference.

The termination form can be obtained by accessing the MyFRS website at [www.MyFRS.com](http://www.MyFRS.com), clicking on Resources, and then on Forms or by calling the MyFRS Financial Guidance Line at 1(866) 446-9377, Option 4 or, for members who are deaf, hard of hearing, or speech impaired, TRS 711. This form has instructions and a section for the employer to provide the member's date of termination. Alternatively, the employer can log onto the employer page at MyFRS.com and go to Online Payroll and submit the termination date electronically.

(c) through (e) No change.

(3) through (5) No change.

(6) Distributions to Alternate Payees as a result of a Qualified Domestic Relations Order (QDRO).

(a) Upon receipt of a QDRO from a court of competent jurisdiction, the amount of the member's Investment Plan assets specified by the QDRO will be transferred to the named alternate payee. The alternate payee may leave the transferred assets in the Investment Plan or request a distribution from the account once the account has been established in the alternate payee's name as provided in the QDRO and the alternate payee has received a Personal Identification Number (PIN).

(b) Upon receipt of the PIN, the alternate payee may request a distribution by calling the toll free MyFRS Financial Guidance Line at 1(866)446-9377, Option 4 or by logging on to MyFRS.com, going to "~~Manage My Benefits~~," "~~Manage Investments~~," accessing their personal account information, and then requesting the distribution through the online services.

(7) through (9) No change.

(10) Documentation of a distribution made prior to January 1, 2010 ~~August 30, 2007~~.

A member or beneficiary who requests documentation of a distribution made prior to January 1, 2010 ~~August 30, 2007~~, will incur a special service charge due to the extensive resources required to retrieve and produce such documentation, if such retrieval is possible. The requestor will be advised of the amount of such charge at the time the request is made. Upon payment of the charge by the requestor, the request will be promptly processed. If the document cannot be retrieved, the payment will be reimbursed to the requestor.

Rulemaking Authority 121.4501(8) FS. Law implemented 119.07(4)(d), 121.021(29), (39), 121.091(5)(j), 121.4501(20), 121.591, 121.77, 732.802 FS. History—New 3-9-06, Amended 11-26-07, 5-19-09, 1-7-10, 8-7-11, 7-12-12, 12-16-12, \_\_\_\_\_.

19-11.004 Excessive Trading in the FRS Investment Plan.  
 (1) through (2)(b)6. No change.

7. If the member submits a transfer request form that is incomplete, the form will not be processed. A form is considered as "incomplete" if it does not contain the name of the member; does not set forth the social security number of the member; is not notarized; is sent by facsimile, email or regular U.S. mail; does not specify what fund(s), dollar amount(s) or percentages(s) are to be transferred; or does not indicate the fund(s) into which the amounts are to be transferred. The form also will be considered "incomplete" if there are insufficient assets to execute the transfer(s), or if the requested transfer does not comply with the FRS Investment Plan Excessive Fund Trading Policy. Deficiencies are corrected through the resubmission of a transfer request form that is deemed to be complete.

~~8.7.~~ Members who received direction letters and who were placed on restricted trading within their primary funds, as provided in subparagraphs 2., 3., 4., 5. and 6. of paragraph (2)(b), shall be allowed to make automated trades in, out and within the SDBA. The member must meet the requirements of the SDBA as provided in Rule 19-11.013, F.A.C. The member's activity within the SDBA is not subject to this policy, but will be subject to the applicable excessive trading rules and purchase restrictions of the funds in the SDBA.

(3) through (4) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(13), (14), (15) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 1-7-10, 7-12-12, 6-5-14, 8-18-14,\_\_\_\_\_.

19-11.005 FRS Investment Plan Complaint Procedures.

(1) No change.

(2)(a) through (d) No change.

(e) If there is no disputed issue of material fact, then the SBA shall assign the matter to a presiding officer, who will send out a "Notice of Proceeding and Initial Order of Instructions" to the Petitioner and to the Respondent or Respondent's counsel.

(f) through (g) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 120.569, 120.57, 120.573, 121.4501(8)(g) FS. History—New 10-21-04, Amended 3-9-06, 11-26-07, 5-19-09, 7-12-12, 12-16-12, 6-5-14,\_\_\_\_\_.

19-11.006 Enrollment Procedures for New Hires.

(1) No change.

(2) Specific Enrollment Procedures.

(a) All newly-hired employees may enroll in the FRS Investment Plan no later than 4:00 p.m. (Eastern Time) the last business day of the 5th month following the employee's month of hire or may elect to remain in the FRS Pension Plan. Example: If an employee is hired on January 15, the employee must complete a plan choice no later than 4:00 p.m. (Eastern Time) the last business day of June. If no plan choice is filed, the employee will default to the FRS Pension Plan.

(b) The employee must be actively employed, earning salary and service credit when the plan choice is processed by the FRS Plan Choice Administrator.

(c) The SBA has designed the forms set forth below for ease of use for employees in the several membership classes of the Florida Retirement System. As an alternative, an employee not wishing to use the forms may provide the same information requested by the forms available for use for the appropriate membership class in a separate document. Employees may determine their membership class by contacting the agency's human resources office. The forms available are: an EZ Retirement Plan Enrollment Form, Form ELE-1-EZ, rev. 06/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04388>, which is only for regular, special risk, and special risk administrative support class employees; a General Retirement Plan Enrollment Form, Form ELE-1, rev. 07/15, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05800> ~~06/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04389>~~ for regular, special risk, and special risk administrative support class employees; an Elected Officers' Class Retirement Plan Form, Form EOC-1, rev. 07/15 06/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05801> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04390>~~; a Community College Optional Retirement Program (CCORP) Enrollment Form, Form OCC-1, rev. 07/15 06/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05802> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04391>~~; a State Senior Management Service Employees Retirement Plan Enrollment Form, Form SMS-1, Rev. 07/15 06/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05803> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04392>~~; and a Local Senior Management Service Employees Retirement Plan Enrollment Form, Form SMS-3, rev. 07/15 06/14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05804> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04393>~~. All of the preceding forms are hereby adopted and incorporated by this reference.

1. All enrollment forms can be obtained at the sources listed in paragraph (1)(g), above.

2. Only members of the regular, special risk, and special risk administrative support classes of employees may use the EZ form, "EZ Retirement Plan Enrollment Form for Regular, Special Risk and Special Risk Administrative Support Class Employees," Form ELE-1-EZ. If an employee chooses to use the EZ form, only limited information (i.e., name, plan choice, social security number, date of birth and signature) is required. An age appropriate retirement date fund as provided under the Plan provisions is the initial investment option (although that investment option may be changed by the member once the account is funded). A member's initial beneficiary designation will be per Florida law, as provided in Section 121.4501(20), F.S. However, a beneficiary designation may be made as set forth in Rule 19-11.002, F.A.C.

(d)1. The enrollment by form or electronic means shall be complete and the election shall be final if all the required information is clearly indicated and if the enrollment is received by the FRS Plan Choice Administrator by 4:00 p.m. (Eastern Time) on the last business day of the 5th month following the date of hire. The form shall be transmitted via mail, courier, or by fax, as provided on the form. It is the responsibility of the member to ensure that the enrollment form is received by the Plan Choice Administrator no later than 4:00 p.m. (Eastern Time) on the last business day that the member is earning salary and service credit, or the last business day of the 5<sup>th</sup> month following the date of hire, whichever first occurs ~~to 1(888) 310-5559.~~

2. The FRS Plan Choice Administrator shall determine that the employee's enrollment in the FRS Investment Plan is complete and the employee's election is clearly indicated. If the Administrator determines that the enrollment is incomplete, the employee will be required to resubmit a completed enrollment. An incomplete enrollment by form is a form which is missing the name of the member, social security number, plan selection, or signature, or one on which the investment elections total greater than or less than 100%. If the form is incomplete only because the member has made no investment selection, the form will be processed and the member will be defaulted into an age appropriate retirement date fund as provided under the Plan provisions for investing any accumulated benefit obligation and all future contributions. Note that this default selection may be changed by the member at any time once the account is activated. An incomplete enrollment by electronic means is one in which the FRS Plan Choice Administrator has no record of receipt and/or processing of the electronic enrollment.

(e) Upon receipt of the completed enrollment form by the FRS Plan Choice Administrator, the FRS Plan Choice Administrator shall enroll the employee in the indicated FRS retirement plan. Upon completion of the enrollment, but no later than two working days after enrollment, the FRS Plan Choice Administrator shall send confirmation of the effective enrollment to the employee at the employee's address of record and to the Division to inform the Division of the employee's retirement plan choice. The employer shall change its employee records to reflect the employee's plan choice, if applicable.

(f) If an employee terminates employment prior to making a plan choice, the employee will be considered a newly-hired employee if he or she returns to FRS-covered employment, and will be given another opportunity to make a plan choice. Any previous service will be considered as being FRS Pension Plan service.

~~(g)~~ Employers shall remit retirement contributions monthly for their employees and those contributions are due to the Division by the 5th working day of the month following the month for which the contributions are made.

(3) No change.

Rulemaking Authority 121.4501(3)(c)4., (8)(a) FS. Law Implemented 121.051, 121.055, 121.35, 121.4501(2), (3), (4), (5), (6), (8), (15), 121.73, 121.74, 121.78, 215.44(8)(b), 1012.875(3) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, 2-4-10, 12-12-12, 12-16-12, 1-28-14, 8-18-14, \_\_\_\_\_.

19-11.007 Second Election Enrollment Procedures for the FRS Retirement Programs.

(1) through (2) No change.

(3) General Procedures.

(a) All members who wish to change their FRS retirement plan using their 2nd election must use a 2nd election enrollment form or, if moving from the FRS Pension Plan to the FRS Investment Plan or FRS Investment Plan Hybrid Option, may do so online by accessing the Second Choice Service at MyFRS.com. There are two types of enrollment forms. The "2nd Election Retirement Plan Enrollment Form" Form ELE-2, rev. 07/15 ~~06/14~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05805> <http://www.flrules.org/Gateway/reference.asp?No=Ref-04394>, which is hereby adopted and incorporated by reference. This form allows the member to select different investment fund options if the member is changing from the FRS Pension Plan to either the FRS Investment Plan or the FRS Investment Plan Hybrid Option. Alternatively, the member can complete the "2nd Election EZ Retirement Plan Enrollment Form," Form ELE-2EZ, rev. 07/15 ~~06/14~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05806> <http://www.flrules.org/Gateway/reference.asp?No=Ref-04397>,

which is hereby adopted and incorporated by reference. By completing this form, the member is choosing to have the employer and employee contributions and any transfers from the FRS Pension Plan invested in an age appropriate retirement date fund as provided under the Plan provisions. The member may change the investment selection at any time after the FRS Investment Plan or the FRS Investment Plan Hybrid Option account is activated. Activation occurs when contributions are deposited to the member's FRS Investment Plan account.

(b) Both forms are available by calling the toll-free number for the MyFRS Financial Guidance Line: 1(866) 446-9377, Option 4 or for members who are deaf, hard of hearing, or speech-impaired: TRS 711; or by using the MyFRS.com website and clicking on Resources and then on Forms.

(c) Elections made by form must be mailed to the FRS Plan Choice Administrator, P. O. Box 785027, Orlando, Florida 32878-5027; or faxed toll-free to the number provided on the form. It is the responsibility of the member to ensure that the 2<sup>nd</sup> Election Form is received by the Plan Choice Administrator 1(888) 310-5559.

(d) For members transferring to the FRS Pension Plan, if the member's Investment Plan account balance was less than the calculated amount required to buy back into the FRS Pension Plan, the election will require a personal payment. The member will receive notification and proper instructions from the Division detailing where and in what form to send any personal payments. Such payment, if necessary, must be received by the date determined by the Division. If the required amount is not received by the Division by the date due, the election will be voided.

(e) A confirmation statement will be mailed to the member's address of record once the completed form is received and processed.

(f) The member should carefully review the form and be sure that it is signed, dated, and sets forth the member's second election plan choice. A copy of the form should be retained for the member's records.

(g) If the member submits a form that is incomplete, it will not be processed. An incomplete form is a form which is missing the name of the member, social security number, plan selection, or signature, or one on which the total investment elections are greater or less than 100%. The member will be required to resubmit a completed second election enrollment form. If the form is incomplete only because the member has

made no investment selection, the form will be processed and the member will be defaulted into an age appropriate retirement date fund as provided under the Plan provisions ~~the FRS Select Moderate Balanced Fund~~ for investing the member's accumulated benefit obligation and all future contributions. Note that this default selection may be changed by the member at any time once the account is activated.

(h) The second election will become final at 4:00 p.m. (Eastern Time) on the day it is received by the Plan Choice Administrator. Elections received after 4:00 p.m. (Eastern Time) will be considered as being received on the next business day. Elections received on a Saturday, Sunday or holiday will be considered as being received on the next business day.

(4) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(3), (4), (8), (15)(b), (20) FS. History--New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, 1-7-10, 7-12-12, 12-16-12, 12-28-14, 8-18-14, \_\_\_\_\_.

19-11.008 Forfeitures.

(1) Forfeitures after Separation or Retirement from FRS Employment.

(a) If a member terminates FRS-covered employment before vesting in an Investment Plan benefit or any transferred Pension Plan benefit, the member will not be entitled to any benefit, other than employee contributions, which are immediately vested. In such case, the unvested account balance will be placed in a suspense account for a period not to exceed five (5) years from the date of the member's termination. The suspense account shall be invested in the Pyramid Intermediate Duration Pool Fund, where it will accrue actual investment earnings or losses.

(b) through (h) No change.

(2) through (4) No change.

Rulemaking Authority 121.4501(8) FS. Law implemented 112.3173, 121.021(29), (39), 121.091(5), 121.4501(6), (13), 121.591, 732.802 FS. History--New 11-26-07, Amended 12-8-08, 7-12-12, 8-18-14, \_\_\_\_\_.

19-11.011 Employer and Employee Contributions and ABO or Present Value Transfer Procedures.

(1) through (6) No change.

(7) Employer errors or corrections.

(a) Market loss calculations will be applied to contributions and benefit transfers that are late due to an employer error or correction. An employer error or correction is deemed to have occurred if the employer changes previously reported information that causes contribution and benefit transfer to be posted retroactively.

~~(8)(7)~~ Contribution Rates.

(a) The employer and employee contributions received by a member of the FRS Investment Plan prior to effective enrollment in the FRS Investment Plan will be at the rate established pursuant to Section 121.71, F.S. The amount will be transferred into the employee's FRS Investment Plan account as the opening account balance.

(b) After effective enrollment in the FRS Investment Plan, the member shall receive the employer and employee contribution at the rate established by Sections 121.71 and 121.72, F.S. appropriate to that member's class of membership.

~~(9)(8)~~ Asset Transfer and True-Up Procedures for Newly-hired Employees with Previous FRS Service.

(a) For members ~~with previous FRS service~~ who elect to enroll in the FRS Investment Plan who have prior FRS credible service, the Division shall calculate the amount of the member's ABO or present value of the FRS Pension Plan benefit. This amount shall be transferred to the member's FRS Investment Plan account and shall be allocated to each investment product selected by the member.

(b) The Division shall determine the member's ABO or present value as of the last day of the month prior to the employee's effective date of enrollment in the FRS Investment Plan. For example, if the Division receives the enrollment during the month of June, the effective date of enrollment for the employee in the FRS Investment Plan is July 1 and the Division shall calculate the member's ABO or present value, if any, through June 30.

(c) By the 25th day of the effective month of enrollment, the Division shall notify the FRS Investment Plan Administrator of the ABO or present value for each Investment Plan member whose effective date of enrollment is the first day of the month. The Administrator shall notify the SBA of the aggregate ABO or present value of members whose effective date of enrollment is the first day of the month.

(d) On the last business day of the effective month of enrollment in the FRS Investment Plan, the SBA shall effectuate the transfer of the aggregate ABO or present value amount to the FRS Investment Plan Administrator for allocation to the applicable FRS Investment Plan member accounts based on the investment option designated by the member, and if no allocations were provided by the member, then to an age-appropriate retirement date fund ~~the Moderate Balance Fund~~.

(e) The total amount initially credited to each FRS Investment Plan member's account who elected to transfer the ABO or present value from the FRS Pension Plan was an estimate of the member's ABO or present value. Pursuant to Section 121.4501(3)(b)2., F.S., the Division shall re-compute the ABO or present value not later than 60 days after the initial transfer of funds. If the re-computed amount differs from the estimated ABO amount by plus or minus \$10 or more, the Division shall provide the aggregate adjustment amount to be transferred to or from the FRS Investment Plan Administrator for the affected member(s).

(f) The Division shall notify the Administrator of the true-up amounts plus interest by member account within 50 days of the initial transfer. The true-up transfer shall include the true-up amount determined by the Division plus interest at the rates specified in Section 121.4501(3)(b)2., F.S., from the date of the initial transfer to the date of the true-up transfer. The transfer of the true-up amount plus interest shall occur on the 60th day following the initial transfer. In the event the 60th day following the initial transfer falls on a Saturday, Sunday, or a legal holiday, the true-up transfer shall occur on the last business day of the month preceding the Saturday, Sunday, or legal holiday.

(g) The Division shall calculate the interest owed on true-up amounts. If the re-computed ABO is greater than the original amount transferred by plus or minus \$10 or more, the member will be owed a true-up amount plus interest. Interest will be calculated pursuant to Section 121.4501(3)(b)2., F.S. If the re-computed ABO is less than the original amount transferred by plus or minus \$10 or more, the member will owe a true-up amount plus interest and the amount will be deducted from the member's Investment Plan account. Interest will be calculated pursuant to Section 121.4501(3)(b)2., F.S.

(h) The Administrator shall notify the SBA of the aggregate true-up value for those members determined to have a true-up adjustment. On the last business day of the month in which the true-up amount is due, the SBA shall effectuate the transfer of the aggregate true-up amount to the FRS Investment Plan Administrator for allocation to the applicable member accounts based on the investment fund allocations designated by the member(s).

Rulemaking Authority 121.78(3)(c), 121.4501(8) FS. Law Implemented 121.71, 121.72, 121.78, 121.4501 FS. History--New 7-12-12, Amended 12-16-12, \_\_\_\_\_.



19-11.012 Rollovers or Plan to Plan Transfers to or from the FRS Investment Plan.

(1) through (7) No change.

(8)(a) Instructions regarding check delivery and other information relating to the processing of rollovers, including all applicable forms, may be obtained by calling the MyFRS Financial Guidance Line, which is a toll free line: 1(866) 446-9377, Option 4, or, for members who are deaf, hard of hearing, or speech impaired, TRS 711, or by accessing the website at [www.MyFRS.com](http://www.MyFRS.com).

(b) Current members shall use Form IPRO-1, rev. ~~10/14 06/14~~, "Employee Rollover Deposit Instructions and Form," <http://www.flrules.org/Gateway/reference.asp?No=Ref-05807> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04398>~~, which is hereby adopted and incorporated by reference, to effect rollovers described in this rule.

(c) Current DROP members planning to roll over their DROP accumulation shall use Form IP-DROP-AD-1, "DROP Accumulation Direct Rollover Form for Current DROP Members," rev. ~~07/15 06/14~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05808> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04399>~~, which hereby is adopted and incorporated by reference, to effect rollovers described in this rule.

(d) Former DROP members shall use Form IP-DROP-RO-1, "DROP Direct Rollover Form for Former DROP Members," rev. ~~07/15 06/14~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05809> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04400>~~, which hereby is adopted and incorporated by reference, to effect rollovers described in this rule.

(9) through (11) No change.

(12) Monies from a DROP rollover are available for immediate distribution.

~~(13)~~(a) An Investment Plan member electing to transfer to the Pension Plan and who has an excess balance remaining in the Investment Plan account after satisfying any required Pension Plan buy-in amounts, may elect to use all or part of that remaining balance to purchase service credit in the Pension Plan. The member will need to complete Form PRO-2, "Pre-tax Direct Rollover/Transfer Form," rev. 10-10, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01184>, which hereby is adopted and incorporated by reference, to effect this purchase. This form is available in paper form and may be obtained by calling the toll-free MyFRS Financial Guidance Line at 1(866) 446-9377, Option 4 (TRS 711), Monday through Friday, except holidays, 9:00 a.m. to 8:00 p.m. (Eastern time) or by accessing the MyFRS.com website and clicking on "Resources" and then "Forms."

(b) The member must call the Investment Plan Administrator and request that funds be transferred from the Investment Plan to the Pension Plan to effect the purchase of service. The member must confirm that an invoice has been received from the Division of Retirement. The amount to be transferred must be equal to or less than the invoiced amount. If the balance of the member's account is less than the invoice amount, the member may request the total account balance be transferred.

(c) The member must complete the form referenced in paragraph (a) above. The completed form is to be sent to the Investment Plan Administrator.

(d) The Plan Administrator will request authorization to liquidate the requested amount from the SBA. The SBA shall provide a letter of direction to effect the member's request. Upon receipt of the letter, the Plan Administrator will liquidate the funds from the member's account. Upon liquidation, the amount will be received by the Plan Administrator from the Custodian in the form of a check payable to the "Florida Retirement System" and reference the member's name. Upon receipt of the check, the Plan Administrator will send the check and the form by regular U.S. mail to the Division of Retirement as soon as administratively possible. A confirmation of the transaction and the date the check and form were mailed to the Division of Retirement will be sent to the member.

(e) It is the responsibility of the member to confirm receipt of the funds by the Division of Retirement. Rulemaking Authority 121.4501(8), (5)(e) FS. Law Implemented 121.4501(4)(g)5., (5)(e), (21), 121.591 FS. History—New 7-12-12, Amended 12-16-12, 10-15-13, 1-28-14, 8-18-14, \_\_\_\_\_.

19-11.013 FRS Investment Plan Self-Directed Brokerage Account.

(1) An FRS Investment Plan member meeting certain criteria may transfer assets from the member's Investment Plan primary investment account to a self-directed brokerage account ("SDBA") in order to be able to access additional investment opportunities beyond the primary investment funds offered under the Investment Plan.

(a) In order to participate in the SDBA the member must:

1. Maintain a minimum balance of \$5,000 in the Investment Plan's primary investment funds. This minimum amount may be changed at any time.

2. Make initial and subsequent transfers into the SDBA of at least \$1,000. Transfer requests must be in whole dollars. Percentages are not permitted. This minimum amount is subject to change.

3. Pay all trading fees, commissions, administrative fees, and any other expenses associated with participating in the SDBA.

(b) The member must open an account with the SDBA service provider in one of two ways:

1. By accessing and completing the enrollment form online by logging on to MyFRS.com, then choosing ~~Manage My Benefits~~ > Manage Investments > Open Brokerage Account. The enrollment form includes both a Member Service Agreement and Memorandum of Understanding which the member must acknowledge having received and read.

2. By printing and completing a hard copy of the enrollment form, Member Service Agreement and Memorandum of Understanding. The member must return the completed enrollment form to the service provider via fax or mail. The member must acknowledge the Member Service Agreement and Memorandum of Understanding were received and read. A hard copy of the enrollment form can be printed from the Open Brokerage Account link on MyFRS.com or can be obtained from the Investment Plan Administrator.

3. The SDBA account will be established within two days of receipt of either the online or hardcopy enrollment form. Once the account is established, the member will receive a package from the SDBA service provider containing information on how to access and use the SDBA. The SDBA account will be automatically closed if there is a zero balance for 18 consecutive months. To participate in the SDBA in the future, the member will have to open a new SDBA account.

(c) The member is subject to the following fees, transaction changes, expenses:

1. An annual administrative fee of \$25.00 (\$6.25 quarterly) for participating in the SDBA. This fee will be deducted from the member’s primary investment account for each quarter the member maintains a balance in the SDBA. This fee is in addition to all applicable commissions, sales charges and transaction fees. This fee is deducted pro rata across the member’s Investment Plan primary funds.

2. Any and all commissions, sales charges and transaction fees applicable to transactions executed by the member through the SDBA. The member may review all SDBA commissions and fees by accessing the FRS Investment Plan Self-Directed Brokerage Account Commission and Fee Schedule in the “Investment Funds” section on MyFRS.com.

3. Depending on the investments chosen, transaction fees, commissions or sales charges may be charged to the member’s SDBA. These fees are automatically deducted from transaction proceeds or added to the purchases as they are incurred. In addition, investment management fees, 12b-1 fees, or other fees and expenses specific to individual funds may be charged to the member’s SDBA. It is the member’s sole responsibility to be aware of and understand the commissions and fees as described in the Commission and Fee Schedule and in the prospectus of any mutual fund.

(2) through (6) No change.

Rulemaking Authority 121.4501(8), (5)(e) FS. Law Implemented 121.4501(8), (9), (10), (11), (12), (13), (14), (15) FS. History—New 6-5-14. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Joan Haseman, Office of Defined Contribution Programs

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 01, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 5, 2015.

**STATE BOARD OF ADMINISTRATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
19-13.001	Roles and Responsibilities of the State Board of Administration of Florida
19-13.004	Role and Responsibilities of Third Party Vendors

**PURPOSE AND EFFECT:** Rule 19-13.001 is being amended to make some editorial revisions and to indicate that ten Target Date Funds have now replaced the three balanced fund options. Rule 19-13.004 is being amended to state that the Investment Plan Administrator is responsible for providing a Self-Directed Brokerage Account, and an education provider also provides financial planning.

**SUMMARY:** To update certain information regarding the duties and responsibilities of the State Board of Administration and its third party vendors concerning the FRS Investment Plan. There are no other rules incorporating either of these amended rules. The proposed amendments do not have an impact on any other rules.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs caused by the amendments of these rules.

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: 121.4501(8) FS.

LAW IMPLEMENTED: 121.4501(4), (8) (9), (10), (14), (15), (19) 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: Monday, October 5, 2015, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1197, tina.joanos@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1182, ruth.smith@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-13.001 Roles and Responsibilities of the State Board of Administration of Florida.

(1) The State Board of Administration of Florida (“SBA”) is responsible for establishing, implementing, and administering the defined contribution program, referred to as ~~called~~ the “Florida Retirement System Investment Plan” or “Investment Plan”, in accordance with Section 121.4501(1), F.S. The SBA is the Plan Sponsor. The plan documents consist of the Florida Statutes and rules adopted thereunder. The Summary Plan Description (SPD) is a summary of the plan documents for the convenience of members. The SPD can be changed by the SBA at any time without prior notice to Florida Retirement System (FRS) members. The SBA’s primary responsibilities are set out in paragraphs (1)(a) through (1)(n), below. Each of these major responsibilities

involves additional decisions which then in turn need to be implemented. Those decisions, to the extent they are not solely on a case-by-case basis, are adopted by rule. The SBA must ensure that all of the following individual responsibilities are carried out:

(a) Hiring general and specialized consultants to assist in the implementation and on-going operation of the Investment Plan. Their roles and responsibilities are found in Rule 19-13.004, F.A.C.

(b) Hiring a third party administrator (“Administrator”), educational service providers, investment option providers, and contracting with the Division of Retirement (“Division”) within the Department of Management Services to provide certain administrative services. Their roles and responsibilities are found, respectively, in Rules 19-13.004 and 19-13.002, F.A.C.

(c) Adhering to and enforcing the fiduciary standards and responsibilities required by certain sections of the Employee Retirement Income Security Act of 1974, which are incorporated in Florida law in Section 121.4501(15), F.S.

(d) Coordinating with the Division in providing the education component described in Sections 121.4501(10)(c) and (d), F.S., and a communication component to provide information to employers as described in Section 121.4501(10)(f), F.S., ~~and maintaining a contractual relationship with the Division regarding certain administrative activities.~~

(e) Providing information to Investment Plan members on a quarterly basis, pursuant to Section 121.4501(11), F.S.

(f) Obtaining and maintaining the tax qualified status of the Investment Plan and for compliance with the federal Internal Revenue Code.

(g) Directing and monitoring the activities of all service providers ~~vendors~~ providing various services to the operation of the Investment Plan. These service providers ~~vendors~~ include the third party administrator, the education service providers, and the investment product providers.

(h) Directing and monitoring the services provided by ~~activities~~ of the Division with which the SBA has an interagency agreement ~~for provision of services.~~

(i) Movement of assets from the FRS Pension Plan to the FRS Investment Plan upon the election of a member to transfer and making such adjustments to plan accounts and member accounts as are necessary to process election reversals and prior period corrections to contributions and accompanying payroll data.

(j) Developing an investment policy statement for the program.

(k) Choosing, monitoring, and terminating investment options in the Investment Plan; mapping account balances of members in the event of investment option termination; distributing all data regarding these investment options ~~for presentation~~ to member; and rebalancing and reconstituting multiple manager investment options and also the ten (10) Target Date Funds (“TDF”) ~~three balanced~~ options provided in the investment policy statement utilizing information from a registered investment advisor and fiduciary to the Florida Retirement System.

(l) Implementing the confidentiality provisions in Section 121.4501(19), F.S.

(m) Developing all contracts used in the Investment Plan; and

(n) All rulemaking for the Investment Plan.  
 Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(1), (4), (8), (9), (10), (14), (15), (19) FS. History—New 10-21-04, Amended 7-12-12, 12-16-12, \_\_\_\_\_.

19-13.004 Role and Responsibilities of Third Party Vendors.

(1)(a) through (o) No change.

(p) Provide a Self-Directed Brokerage Account (“SDBA”) to eligible FRS Investment Plan members.

(2)(a) No change.

(b) Another education provider furnishes one-on-one employee and employer education and counseling. More specifically, the provider:

1. Conducts seminars and workshops for employees and employers;

2. Provides one-on-one, face-to-face, employee financial counseling, when requested;

3. Provides telephone support of education and guidance regarding:

(I) The defined contribution plan design and the investment options;

(II) Defined benefit/defined contribution choice information;

(III) Retirement planning; ~~and~~

(IV) Financial planning; and

(IV) Support of the online modeling service through which investment guidance or investment advice is rendered.

(c) Other education providers focus on printed educational material. More specifically, the providers ~~companies:~~

1. Create the education campaign and the overall deployment strategy;

2. Research, monitor, and measure the education campaign;

3. Create the look, theme, and branding for the education campaign;

4. Determine message positioning and delivery; and

5. Assist in graphic design and the content of the website.

(d) Another education provider focuses on the MyFRS website. This provider coordinates software application integration and the design and content of the MyFRS website among the other educational service providers, the Administrator, the Division, and the SBA.

(3) Multiple providers hired by the SBA furnish the investment options for Investment Plan members. Section 121.4501, F.S., is generally constructed as an unbundled architecture, meaning that neither the Administrator nor the education providers are permitted to offer investment products, and as a consequence, the SBA has hired multiple institutional investment managers and providers of mutual funds. Some of the providers are unbundled institutional investment managers, which manage assets in a particular asset class and in a particular style, and which are responsible solely for money management. Other providers are bundled providers which provide mutual funds or investment options in collective trusts which are their own funds or funds contracted for or from another money management group. ~~Some bundled providers provide solely their own funds; others provide solely other fund family’s funds; and others provide a combination. An additional investment provider has been hired to offer annuities to retiring members.~~ Each investment manager:

(a) Has authority and discretion, delegated by each manager’s contract, to invest employee payroll contributions deposited with the custodian and recorded by the Administrator for individual Investment Plan accounts;

(b) Transmits product values and performance data to the custodian; and

(c) Is monitored by manager monitoring guidelines incorporated in each of their contracts.

(4) An annuity provider has been hired by the SBA to offer annuities to retiring members.

~~(5)(4)~~ The custodian, hired by the SBA pursuant to Section 121.4501(8), F.S., is required to do the following:

(a) Hold cash, non-cash and all securities delivered to it or which are held in accounts established by it, or in the Federal Reserve book-entry system;

(b) Invest contributions that it receives, transfer amounts among investment funds, or liquidate securities, after receipt of proper instructions from the SBA, Administrator, or Investment Managers;

(c) Release and deliver securities held as directed by the SBA;

- (d) Maintain a database of securities registered in the name of the Investment Plan;
- (e) Remit or credit income;
- (f) Communicate with the SBA regarding registered investment company shares and fund securities;
- (g) Lend securities;
- (h) Determine the value of assets; and
- (i) Calculate rates of return of investment products.

~~(6)~~(5) Miscellaneous consultants have been hired by the SBA to assist the SBA in the operations of the Investment Plan. Their responsibilities may include, but are not limited to, the following:

- (a) Assisting in the selection process for the Administrator, the educational vendors, and the investment product providers;
- (b) Assisting in all general investment product reviews;
- (c) Assisting in the evaluation and selection of annuity product providers;
- (d) Consulting on the educational program and general Investment Plan matters;
- (e) Consulting on unbundled investment fund design;
- (f) Assisting in the selection and evaluation of all investment product providers;
- (g) Assisting in developing and implementing investment product manager monitoring guidelines; and
- (h) Making recommendations for retention and termination of investment product providers.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(4), (8)(b), (e)1., (9)(a), (10) FS. History—New 10-21-04, Amended 7-12-12, 12-16-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Joan Haseman, Office of Defined Contributions Programs  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 01, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 5, 2015

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.215      RULE TITLE: Classification - Transfer of Inmates  
PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to have the rule more accurately reflect Department policy and practice regarding inmate placement and transfer.

SUMMARY: The proposed rule removes reference to the “State Classification Team,” it removes language that seemed to express that keeping an inmate at his institution for “longer” periods of time is an overriding consideration in determining whether to transfer the inmates, and it adds a new “Law Implemented.”

**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: upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS.

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: 944.09, FS.

LAW IMPLEMENTED: 944.09, 944.17, 945.12, 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: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.215 Classification – Transfer of Inmates.  
Upon completion of the reception process, each inmate shall be assigned and transferred to the institution approved-by ~~the State Classification Team~~ that might best facilitate the inmate’s ~~his~~ institutional progress. Inmates may subsequently be transferred from one institution to another to serve the Department’s mission as it relates to the classification and management of the state prison population as well as to meet the needs of the inmate.; ~~however, the goal of the classification system is to retain inmates at institutions for~~

~~longer periods of time in order to reduce transfers and stabilize the inmate population.~~ Inmates participating in academic, vocational, substance abuse or betterment programs will not be transferred to another institution prior to completion of the program unless the program is available at the receiving institution, or for purposes of population management or security and safety concerns specifically set forth in writing. Transfers are subject to review by the inmate grievance procedure.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.17, 945.12 FS. History--New 10-8-76, Formerly 33-6.03, Amended 7-21-91, 10-11-95, Formerly 33-6.003, Amended 9-19-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ricky Dixon, Deputy Secretary  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD:  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June1, 2015.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.820  
RULE TITLE: Maximum Management  
PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to remove express reference to the use of handcuff covers for inmates in maximum management and to set forth how maximum management inmates will be restrained before leaving their cells.  
SUMMARY: The proposed rule will remove express reference to the use of handcuff covers for inmates in maximum management and will make clear that such inmates will be restrained in a manner commensurate to their level of threat prior to leaving their cells.  
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: upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS.

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: 944.09 FS.  
LAW IMPLEMENTED: 944.09 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: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 33-601.820 Maximum Management.
- (1) through (8) No change.
- (9) Security Requirements.
- (a) No change.
- (b) Additionally, the following security precautions shall be followed for maximum management inmates:
  - 1. No change.
  - 2. ~~Before exiting the cell, a~~ Before exiting the cell, a maximum management inmate shall ~~be restrained in a manner commensurate to their level of threat~~ be restrained in a manner commensurate to their level of threat ~~exit the cell only in handcuffs behind the back with handcuff cover~~ and in the presence of a minimum of two officers.
  - 3. through 7. No change.
  - (10) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New 12-7-00, Amended 11-23-03, 4-1-04, 4-13-06, 10-30-06, 4-27-08, 5-18-09, 3-6-14, 7-14-14, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ricky Dixon, Assistant Secretary for Institutions and Re-entry.  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2014

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: RULE TITLE:  
 61K1-3.020 Post-Match Physical Requirements;  
 Suspensions

PURPOSE AND EFFECT: The Commission proposes to promulgate and adopt the new rule to set procedure and requirements for post-match physical requirements and suspensions that match industry standards.

SUMMARY: The new rule will set procedure and requirements for post-match physical requirements and suspensions that match industry standards.

**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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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: 548.003 FS.

LAW IMPLEMENTED: 548.041, 548.046 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: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.020 Post-Match Physical Requirements; Suspensions.

(1) A Ringside physician may issue a medical suspension any time he/she believes it to be in the best interest for the safety of a participant.

(2)As a result of injuries or suspected injuries sustained or suspected to have been sustained in any match, the commission representative shall order a medical examination to be given to any participant or referee at any time, if the commission representative has cause to believe that the health or safety of the participant or referee is in jeopardy.

(3) Whenever a knockout occurs in any match, the ringside physician shall examine the knocked out participant at the time of the knockout and in the dressing room immediately after the match.

(4) In the event of a knockout or other serious injury, the ringside physician shall remain on the premises to provide medical attention as needed.

(5) When the ringside physician is satisfied that the injured or knocked out participant has recovered to the extent that the ringside physician releases the participant from the ringside physician’s care, the ringside physician shall, prior to releasing the participant, advise and discuss with the participant potential symptoms and signs associated with the injury or knockout which would indicate the need to seek immediate medical attention.

(6)The ringside physician shall give to the injured participant Form BPR-0009-458, entitled “Post-Match Physical Examination Report” (3/15), adopted and incorporated herein by reference, which can be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

(7) When a participant is suspended under this rule, the ringside physician who performs the post-match physical examination shall complete Form BPR-0009-478, “Order of Automatic Suspension”, (8/17/15) adopted and incorporated herein by reference, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

The order shall be signed by the executive director or by the representative of the executive director. A copy of the “Order of Automatic Suspension” shall be provided to the participant, and the commission representative.

Rulemaking Authority 548.003 FS. Law Implemented 548.041, 548.046 FS. History– New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 30, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

RULEMAKING AUTHORITY: 548.003 FS.  
LAW IMPLEMENTED: 548.043(2) 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: Paul Waters, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: 61K1-3.027  
RULE TITLE: Weight Class for Boxing, Kickboxing and Mixed Martial Arts

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth the standards for weight class determination for boxing, kickboxing and mixed martial arts matches that match industry standards.

SUMMARY: The rule promulgation and adoption will set forth the standards for weight class determination for boxing, kickboxing and mixed martial arts matches that match industry standards.

**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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.027 Boxing Weight Classes.

(1) Weight Classes:

Name	Weight (lbs)	Weight Differential (lbs)
Flyweight	Up to 112	6
Bantamweight	113 to 118	6
Featherweight	119 to 126	6
Junior Lightweight	127 to 130	6
Lightweight	131 to 135	6
Junior Welterweight	136 to 140	8
Welterweight	141 to 147	8
Junior Middleweight	148 to 154	10
Middleweight	155 to 160	10
Light Heavyweight	161 to 175	12
Cruiserweight	176 to 190	14
Heavyweight	191 and above	No limit

(2) Kickboxing Weight Classes

Name	Weight (lbs)	Weight Differential (lbs)
Atomweight	Less than 108	4
Super Atomweight	109 to 111	4
Flyweight	112 to 114	4
Super Flyweight	115 to 117	4
Bantamweight	118 to 120	5
Super Bantamweight	121 to 124	5
Featherweight	125 to 128	5
Lightweight	129 to 132	6
Super Lightweight	133 to 137	6
Light Welterweight	138 to 142	6
Welterweight	143 to 147	7
Super Welterweight	148 to 153	7



Light Welterweight	154 top 159	7
Middleweight	160 to 165	8
Super Middleweight	166 to 172	8
Light Cruiserweight	173 to 179	8
Cruiserweight	180 to 186	9
Cruiserweight	187 to 194	9
Super Cruiserweight	195-207	9
Heavyweight	208 to 223	12
Super Heavyweight	224 and above	unlimited

(3) Mixed Martial Arts Weight Classes

Name	Weight (lbs)	Weight Differential (lbs)
Flyweight	Up to 125	8
Bantamweight	126 to 135	10
Featherweight	136 to 145	10
Lightweight	146 to 155	10
Welterweight	156 to 170	15
Middleweight	171 to 185	15
Light Heavyweight	186 to 205	20
Heavyweight	206 to 265	20
Super Heavyweight	Over 266	unlimited

(4) No boxing, kickboxing or mixed martial arts match shall be permitted with a weight difference greater than the weight differentials listed above.

Rulemaking Authority 548.003 FS. Law Implemented 548.043(2) FS. History— New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: 61K1-3.028  
RULE TITLE: Boxing and Kickboxing Participants' Apparel

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth the standards for boxing and kickboxing participants' apparel that match industry standards

SUMMARY: The rule promulgation and adoption will set forth the standards for boxing and kickboxing participants' apparel that match industry standards.

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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: 548.003 FS.

LAW IMPLEMENTED: 548.003(2)(c) 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: Paul Waters, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.028 Boxing and Kickboxing Participants' Apparel.

(1) Boxing participants shall wear traditional boxing trunks, the belt of which shall not extend above the waistline;

(2) Kickboxing participants shall wear traditional boxing trunks, kickboxing pants, or Thai boxing shorts, the belt of which shall not extend above the waistline;

(3) Boxing and kickboxing male participants shall wear a groin protector, or protective cup, which shall be firmly adjusted before entering the ring;

(4) Boxing and kickboxing female participants shall wear an abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow; a close fitting tank, halter type top, or other close fitting secure top that prevents injury such as a sports bra; and, a protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips. Breast protectors are optional;

(5) An individually fitted mouthpiece shall be in the participant's mouth at all times during the fight period of each round. Participants shall have a second mouthpiece ringside ready for use at all times during the match;

(6) Boxing participants shall wear shoes made for the purpose of boxing;

(7) Prohibited apparel:

(a) Eyeglasses are prohibited. Boxing and kickboxing participants shall wear soft contact lenses only if needed;

(b) Shoes with spikes, tassels, cleats, or heels;

(c) Any type of apparel with metal straps or buckles;

(d) Necklaces or any other type of jewelry or piercings.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2)(c), FS. History— New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.:           RULE TITLE:

61K1-3.029       Mixed Martial Arts Participants' Apparel

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth the standards for mixed martial arts participants' apparel that match industry standards.

SUMMARY: The rule promulgation and adoption will set forth the standards for Mixed Martial Arts participants' apparel that match industry standards.

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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: 548.003 FS.

LAW IMPLEMENTED: 548.003(2)(c) 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: Paul Waters, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.029 Mixed Martial Arts Participants' Apparel.

(1) Each male mixed martial arts participant shall wear the following:

(a) Shorts approved by the executive director or his or her designee;

(b) A groin protector, or protective cup, which shall be in place before entering the ring;

(c) Knee or ankle support that is form-fitting with no rigid structural or abrasive materials is optional;

(d) An individually fitted mouthpiece, which mouthpiece shall be in the participant’s mouth at all times during the fight period of each round. Participants shall have a second mouthpiece ringside ready for use at all times during the match.

(2) Each female mixed martial arts participant shall wear the following:

(a) A close fitting tank, halter type top, or other close fitting secure top that prevents injury such as a sports bra;

(b) Shorts approved by the executive director or his or her designee;

(c) An individually fitted mouthpiece shall be in the participant’s mouth at all times during the fight period of each round. Participants shall have a second mouthpiece ringside ready for use at all times during the match;

(d) Knee or ankle support that is form-fitting with no rigid structural or abrasive materials is optional;

(e) Breast protectors are optional;

(f) A protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips is optional.

(3) Prohibited apparel:

(a) Eyeglasses are prohibited. Mixed martial arts participants shall wear soft contact lenses only if needed;

(b) Any type of apparel with metal straps or buckles;

(c) Necklaces or any other type of jewelry;

(d) Shoes.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2)(c) FS. History– New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: 61K1-3.030  
RULE TITLE: Boxing and Kickboxing Bandages and Handwraps; Gloves

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth the standards for boxing and kickboxing bandages, handwraps, and gloves that match industry standards.

SUMMARY: The rule promulgation and adoption of the new rule will set forth the standards for boxing and kickboxing bandages, handwraps, and gloves that match industry standards.

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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: 548.003 FS.

LAW IMPLEMENTED: 548.003(2)(c), 548.043 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: Paul Waters, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.030 Boxing and Kickboxing Bandages and Handwraps; Gloves.

(1) Bandages and Handwraps:

(a) All bandages and handwraps shall be restricted to gauze not less 5 yards or more than 10 yards in length and 2 inches in width, held in place by not more than 5 yards of 1 inch surgical tape. No tape may be applied across the knuckles.

(b) All bandages and handwraps shall be applied and adjusted in the dressing room in the presence of the inspector. The inspector shall initial or in some other manner mark the bandage or handwrap on each hand so as to be able to determine at the conclusion of the match whether or not the bandage or handwrap was tampered with after the inspector initially examined the bandage or handwrap.

(2) Gloves:

(a) When both participants in a match weighs 154 pounds or less, both participants shall use 8 ounce gloves.

(b) When one or more of the participants in a match weighs more than 154 pounds, both participants shall use 10 ounce gloves.

(c) Both participants shall wear the same manufacturer of gloves as provided by the promoter unless both participants agree to use different manufacturers of gloves.

(d) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the executive director. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be in good condition. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and not used.

(e) Laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. Velcro shall be located on the back of the wrist and tape shall be applied over the Velcro. The tape used shall be red tape for the red corner participant and blue tape for the blue corner participant.

(f) Participants shall not supply their own gloves.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2)(c), 548.043, FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: 61K1-3.031  
RULE TITLE: Mixed Martial Arts Bandages and Handwraps; Gloves

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth the standards for mixed martial arts bandages, handwraps, and gloves that match industry standards.

SUMMARY: The rule promulgation and adoption of the new rule will set forth the standards for mixed martial arts bandages, handwraps, and gloves that match industry standards.

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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: 548.003 FS.  
LAW IMPLEMENTED: 548.003(2)(c), 548.043 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: Paul Waters, Executive Director, State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.031 Mixed Martial Arts Bandages and Handwraps; Gloves.

(1) Bandages and Handwraps:

(a) All bandages and handwraps shall be restricted to gauze not less than 2.5 yards in length and not more than 5 yards in length and 2 inches in width, held in place by not more than 5 yards of 1 inch surgical tape. No tape may be applied across the knuckles.

(b) All bandages and handwraps shall be applied and adjusted in the dressing room in the presence of the inspector. The inspector shall initial or in some other manner mark the bandage or handwrap on each hand so as to be able to determine at the conclusion of the match whether or not the bandage or handwrap was tampered with after the inspector initially examined the bandage or handwrap.

(2) Gloves

(a) Gloves shall weigh no less than 4 ounces nor more than 8 ounces; however, both participants shall wear the same weight gloves and use the same manufacturer of gloves as provided by the promoter unless both participants agree to use different manufacturers of gloves.

(b) Prior to the beginning of each match each glove of each participant shall be examined and approved or disapproved by the executive director. Any glove intended to be used by a participant in a match shall be whole, clean, in sanitary condition. Gloves shall be in good condition. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used.

(c) If laces are present, laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. If Velcro is present, the chief inspector may require the use of tape to prevent injury or to prevent loosening of the gloves during the match. Whenever the chief inspector decides to require tape, both participants and seconds must be subject to the same requirement. The tape used shall be red tape for the red corner participant and blue tape for the blue corner participant.

(d) Participants shall not supply their own gloves.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2)(c), 548.043, FS. History— New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: RULE TITLE:

61K1-3.042 Amateur Events Held with Professional Events

PURPOSE AND EFFECT: The Commission proposes to promulgate and adopt the new rule to set procedure and requirements for amateur events held with professional events for participants licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensees to match industry standards.

SUMMARY: The new rule will set procedure and requirements for amateur events held with professional events for participants licensed under Chapter 548, F.S., by moving the requirements to a chapter designated strictly for professional licensees to match industry standards.

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business, costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs.

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: 548.003(2) (k) FS.

LAW IMPLEMENTED: 548.003(2)(e), 548.006(1), (4) 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: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Street, Tallahassee, Florida 32399-1016.

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-3.042 Amateur Events held with Professional Events.

Amateur events may be held in the same venue on the same date as professional events under the following conditions:

(1)Amateur events shall conclude before the start of any professional event.

(2)The amateur event shall be followed by an intermission of at least thirty minutes.

(3)Amateurs shall not occupy the same dressing room at the same time as professional participants.

(4)Amateur Sanctioning Organizations are responsible for sanctioning the amateur portion of the event.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003(2)(k), 548.006(1),(4) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Boxing Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:      RULE TITLES:  
62-4.021          Transferability of Definitions  
62-4.130:        Plant Operation - Problems

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-4.021, F.A.C. specifies that definitions used in other chapters of the Department’s rules may be used to clarify the meaning of terms used in Chapter 62-4, F.A.C. Rule 62-4.130, F.A.C. states that a permittee must immediately notify the Department if the permittee is unable to comply with any provisions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause. These rules are being repealed because they are unnecessary and duplicative of other specific permitting programs of the Department of Environmental Protection. Rule 62-4.130, F.A.C. is incorporated by reference in Rules 62-213.440, F.A.C. and 62-210.700, F.A.C. Those rule sections will have to be updated to remove the references to 62-4.130, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of these rules will not have an adverse impact or increase regulatory costs on any entity.

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: 403.021, 403.031, 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 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: Douglas Beason, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL, 32399-3000, Doug.Beason@dep.state.fl.us, (850)245-2292.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-4.021 Transferability of Definitions.

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History--New 3-1-79, Amended 8-31-88, Formerly 17-4.021, Repealed.

62-4.130 Plant Operation - Problems.

Rulemaking Specific Authority 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088 FS. History--New 3-4-70, Revised 5-17-72, Formerly 17-4.13, Amended 8-31-88, Formerly 17-4.130, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Douglas Beason

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-8.001 Intent

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule provides that the intent of Chapter 62-8 is to give guidance to assist city and county tax assessors in making determinations as to what assessment should be made for ad valorem taxes with respect to pollution control devices. This rule is being repealed because it is unnecessary as it is purely informational and repeats statutory language.

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 not have an adverse impact or increase regulatory costs on any entity.

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: 193.621(6) FS.

LAW IMPLEMENTED: 403.021(7), 193.621 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: Preston McLane, 2600 Blair Stone Rd., MS 5505, Tallahassee, FL, 32399-2400, Preston.McLane@dep.state.fl.us, (850)717-9089.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-8.001 Intent.

Rulemaking Authority 193.621(6) FS. Law Implemented 403.021(7), 193.621 FS. History--Formerly 28-8.01, 17-8.01, 17-8.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Preston McLane

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:

62-17.091 Conduct of Studies

62-17.133 Agency Reports

62-17.283 Cure of Defective Notice

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-17.091, F.A.C. states that the Department may contract for joint or independent studies to verify or supplement the studies made by the applicant in support of the application. Rule 62-17.133, F.A.C. specifies the content of reports that agencies must develop in implementing the Florida Electrical Power Plant Siting Act. Rule 62-17.283, F.A.C. specifies that ineffective service or notice to the public may be cured by the order of an administrative law judge. These rules are being repealed because they are unnecessary to administer the program and to meet the statutory mandate. Rule 62-17.133, F.A.C. is

incorporated by reference in Rule 62-17.281. Rule 62-17.281, F.A.C. will have to be updated to remove the reference to Rule 62-17.133, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of these rules will not have an adverse impact or increase regulatory costs on any entity.

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:** 403.504(1), (2) FS.

**LAW IMPLEMENTED:** 403.504(5), (9), 403.507, (2), 403.5065, 403.508, 403.511(5)(b) 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:** Preston McLane, 2600 Blair Stone Rd., MS 5505, Tallahassee, FL, 32399-2400, Preston.McLane@dep.state.fl.us, (850)717-9089

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

**62-17.091 Conduct of Studies.**

Rulemaking Authority 403.504(2) FS. Law Implemented 403.507(2), (3) FS. History—New 5-7-74, Amended 12-27-77, Formerly 17-17.05, Amended 5-9-83, Formerly 17-17.091, Amended 2-1-99, 2-13-08, Repealed.

**62-17.133 Agency Reports.**

Rulemaking Authority 403.504(1) FS. Law Implemented 403.507, 403.511(5)(b) FS. History—New 2-1-99, Amended 2-13-08, Repealed.

**62-17.283 Cure of Defective Notice.**

Rulemaking Authority 403.504(1) FS. Law Implemented 403.504(5), (9), 403.5065, 403.508 FS. History—New 2-1-99, Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Preston McLane

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Secretary Jonathan P. Steverson

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 08, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NOS.: RULE TITLES:**

62-18.520	Instrumentation
62-18.540	Meter Operation
62-18.550	Measurement Sites for New Motor Vehicles
62-18.560	New Motor Vehicle Tests
62-18.570	Vehicle Sound Level

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

**SUMMARY:** Rule 62-18.520, F.A.C. describes specific requirements of equipment used in making vehicle sound measurements for new motor vehicles. Rule 62-18.540, F.A.C. describes specific conditions in the operation of vehicle sound noise measurement meters for new motor vehicles. Rule 62-18.550, F.A.C. establishes specific setbacks and conditions for measurement sites for new motor vehicles that are not included in the statute. Rule 62-18.560, F.A.C. defines specific conditions for noise tests for new motor vehicles. Rule 62-18.570, F.A.C. describes how the sound level reading for new motor vehicles shall be obtained. These rules are being repealed because the Department’s authority to regulate new motor vehicles has been superseded by the federal government and they are no longer necessary to meet the statutory mandate.

**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 these rules will not have an adverse impact or increase regulatory costs on any entity.



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: 403.061, FS.

LAW IMPLEMENTED: 403.061, 403.415(5), 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: Preston McLane, 2600 Blair Stone Rd., MS 5505, Tallahassee, FL, 32399-2400, Preston.McLane@dep.state.fl.us, (850)717-9089

THE FULL TEXT OF THE PROPOSED RULE IS:

62-18.520 Instrumentation.

Rulemaking Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.52, 17-18.520, Repealed.

62-18.540 Meter Operation.

Rulemaking Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.54, 17-18.540, Repealed.

62-18.550 Measurement Sites for New Motor Vehicles.

Rulemaking Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.55, 17-18.550, Repealed.

62-18.560 New Motor Vehicle Tests.

Rulemaking Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.56, 17-18.560, Repealed.

62-18.570 Vehicle Sound Level.

Rulemaking Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.57, 17-18.570, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Preston McLane

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 08, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-45.001	Authority, Intent and Policy
62-45.020	Scope
62-45.030	Prohibitions
62-45.040	Definitions
62-45.050	Permit Requirement
62-45.060	Procedure to Obtain Permit
62-45.070	Phase I
62-45.080	Phase II
62-45.090	Malfunctions or Emergencies
62-45.100	Suspension and Revocation
62-45.110	Modifications
62-45.120	Renewals
62-45.130	Liabilities
62-45.140	Transfer of Permit
62-45.150	General Technical Guidance
62-45.160	Standards for Issuance or Denial of a Permit
62-45.170	Sediment Criteria and Management Practices
62-45.180	Mixing Zones
62-45.190	Port-Wide Long-Term Maintenance Dredged Material Management Plan

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-45.001, F.A.C. describes the authority and intent of Chapter 62-45, F.A.C. to establish a permitting system for maintenance dredging in deep water commercial navigation areas. Rule 62-45.020, F.A.C. specifies that the permit system established under Chapter 62-45, F.A.C. applies only to ports of Ft. Pierce, Jacksonville, Miami, Palm Beach, Panama City, Pensacola, Port Canaveral Port Everglades, Port Manatee, Port St. Joe, St. Petersburg, and Tampa. Rule 62-45.030, F.A.C. describes the prohibitions imposed in Chapter 62-45, F.A.C. Rule 62-45.040, F.A.C. provides definitions for terms used in Chapter 62-45, F.A.C. Rule 62-45.050, F.A.C. specifies that unless exempt, maintenance dredging within port waters shall not be undertaken without a permit issued under Chapter 62-45, F.A.C. or Chapter 62-4, F.A.C. Rule 62-45.060, F.A.C. describes the procedures used to obtain a permit for maintenance dredging. Rule 62-45.071, F.A.C. describes the monitoring and recordkeeping requirements of

Phase I of the permit. Rule 62-45.080, F.A.C. describes the permit conditions of Phase II of the permit. Rule 62-45.090, F.A.C. states that any malfunction of equipment or structures associated with permitted maintenance dredging, maintenance dredging material transportation, or storage resulting in violation of the permit or of water quality standards must be reported to the Department within 24 hours of the violation. Rule 62-45.100, F.A.C. describes the grounds for suspension or revocation of the permit. Rule 62-45.110, F.A.C. specifies the process for requesting a modification of the permit. Rule 62-45.120, F.A.C. states that a permit issued under Chapter 62-45, F.A.C. may not be renewed; however, a permittee may apply for a new permit. Rule 62-45.130, F.A.C. specifies that the permittee is responsible for implementing all terms and conditions of the permit and is liable for any permit violations. Rule 62-45.140, F.A.C. specifies that a permit may not be transferred without written authorization by the Department. Rule 62-45.150, F.A.C. provides general technical guidance for data acquisition, analysis and reporting in connection with the permit. Rule 62-45.160, F.A.C. provides a description of the standards to determine issuance or denial of a permit. Rule 62-45.170, F.A.C. provides criteria to be used in evaluation of maintenance dredging and disposal practices. Rule 62-45.180, F.A.C. specifies the standards by which the Department may propose or approve of mixing zones. Rule 62-45.190, F.A.C. describes the requirements for developing a Port-Wide Long-Term Maintenance Dredged Material Management Plan. These rules are being repealed because the statutory exemption in 403.813(3) has replaced the need for a port maintenance dredging permit or, if necessary, permitting could be accomplished under the Department's Environmental Resource Permitting Program. Chapter 62-45, F.A.C. is incorporated by reference in Rules 62-4.050, 62-312.200, 62-330.100, 62-312.050, and 62-312.082, F.A.C. Those rule sections will have to be updated to remove the references to Chapter 62-45, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of these rules will not have an adverse impact or increase regulatory costs on any entity.

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:** 403.061, 403.087, 403.805 FS.

**LAW IMPLEMENTED:** 403.021, 403.061, 403.087, 403.088, 403.121, 403.141, 403.151, 403.161, 403.816, 403.901-403.915, 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:** Lainie Edwards, 2600 Blair Stone Road, MS 3590, Tallahassee, FL, 32399, Lainie.Edwards@dep.state.fl.us, (850)245-7617.

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

#### 62-45.001 Authority, Intent and Policy.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.01, 17-45.001, Repealed.

#### 62-45.020 Scope.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Amended 10-16-84, Formerly 17-45.02, 17-45.020, Repealed.

#### 62-45.030 Prohibitions.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.088, 403.816 FS. History–New 3-28-84, Formerly 17-45.03, 17-45.030, Repealed.

#### 62-45.040 Definitions.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.04, 17-45.040, Repealed.

#### 62-45.050 Permit Requirement.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.05, 17-45.050, Repealed.

#### 62-45.060 Procedure to Obtain Permit.

Rulemaking Specific Authority 403.061(7), 403.087(6), 403.805(1) FS. Law Implemented 403.087(6), 403.816 FS. History–New 3-28-84, Amended 10-16-84, 8-28-85, Formerly 17-45.06, 17-45.060, Repealed.

#### 62-45.070 Phase I.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Amended 10-16-84, Formerly 17-45.07, 17-45.070, Repealed.

62-45.080 Phase II.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.08, 17-45.080, Repealed.

62-45.090 Malfunctions or Emergencies.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.09, 17-45.090, Repealed.

62-45.100 Suspension and Revocation.

Rulemaking Specific Authority 403.061, 403.087, 403.805 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.121, 403.141, 403.151, 403.161, 403.816, 403.901-403.915 FS. History–New 3-28-84, Formerly 17-45.10, 17-45.100, Repealed.

62-45.110 Modifications.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Amended 10-16-84, Formerly 17-45.11, 17-45.110, Repealed.

62-45.120 Renewals.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.12, 17-45.120, Repealed.

62-45.130 Liabilities.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.13, 17-45.130, Repealed.

62-45.140 Transfer of Permit.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.14, 17-45.140, Repealed.

62-45.150 General Technical Guidance.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.15, 17-45.150, Repealed.

62-45.160 Standards for Issuance or Denial of a Permit.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Amended 10-16-84, Formerly 17-45.16, 17-45.160, Repealed.

62-45.170 Sediment Criteria and Management Practices.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.17, 17-45.170, Repealed.

62-45.180 Mixing Zones.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.061(11), 403.816 FS. History–New 3-28-84, Formerly 17-45.18, 17-45.180, Repealed.

62-45.190 Port-Wide Long-Term Maintenance Dredged Material Management Plan.

Rulemaking Specific Authority 403.061(7), 403.805(1) FS. Law Implemented 403.816 FS. History–New 3-28-84, Formerly 17-45.19, 17-45.190, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lainie Edwards

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathon P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-330.061	Submittal of Applications and Notices to Agency Offices
62-330.602	General Permit for Installation and Maintenance of Intake and Discharge Pipes Associated with Marine Bivalve Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-330.061, F.A.C. describes the process of submitting applications for permits under this chapter and requests for a determination of qualification for an exemption of general permit. The information in subsections (1) and (2) are covered in other rules in this chapter, and subsection (3) is covered in statute, therefore Rule 62-330.061, F.A.C. is no longer necessary. Rule 62-330.602, F.A.C. specifies that a general permit is provided to any person installing or maintaining intake and discharge pipes associated with marine bivalve facilities provided the facility has a valid industrial wastewater general permit. This general permit is no longer necessary as a result of the repeal of the Department’s industrial wastewater general permit under Rule 62-660.821, F.A.C. These activities are regulated by the Florida Department of Agriculture and Consumer Services. Rule 62-330.061 is incorporated by reference in Rules 62-330.061, 62-330.054, and 62-330.056, F.A.C. Those rule sections will have to be updated to remove the references to 62-330.061, F.A.C.

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

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

A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of these rules will not have an adverse impact or increase regulatory costs on any entity.

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:** 373.026, 373.043, 373.044, 373.118, 373.4131, 373.4145, 373.418, 403.805(1), 668.003, 668.004, 668.50 FS.

**LAW IMPLEMENTED:** 373.026, 373.118, 373.426(5), 373.413, 373.4131, 373.4145, 373.416, 373.414(9), 373.418, 373.426, 668.003, 668.004, 668.50 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:** Andrew May, 2600 Blair Stone Road, MS 2500, Tallahassee, FL, 32399, Andrew.May@dep.state.fl.us, (850)245-8495.

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

62-330.061 Submittal of Applications and Notices to Agency Offices.

Rulemaking Authority 373.026, 373.043, 373.044, 373.118, 373.4131, 373.4145, 373.418, 403.805(1), 668.003, 668.004, 668.50 FS. Law Implemented 373.026, 373.118, 373.413, 373.4131, 373.4145, 373.416, 373.426, 668.003, 668.004, 668.50 FS. History—New 10-1-13, Repealed.

62-330.602 General Permit for Installation and Maintenance of Intake and Discharge Pipes Associated with Marine Bivalve Facilities.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.602, Amended 10-1-13, Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Andrew May

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Secretary Jonathan P. Steverson

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 08, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:**       **RULE TITLE:**

62-344.100       Purpose, Intent and Scope

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendment is no repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

**SUMMARY:** This rule merely identifies the purpose, intent, and scope of Chapter 62-344, F.A.C. and the procedures and requirements for the environmental resource permit program. This rule is being repealed because it is unnecessary and it substantially restates section 373.441, F.S. Rule 62-344.100, F.A.C. is incorporated by reference in Rule 62-344.500, F.A.C. Rule 62-344.500, F.A.C. will have to be updated to remove the reference to 62-344.100, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of this rule will not have an adverse impact or increase regulatory costs on any entity.

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:** 373.441(1) FS.

**LAW IMPLEMENTED:** 373.441 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:** Andrew May, 2600 Blair Stone Road, MS 2500, Tallahassee, FL, 32399, Andrew.May@dep.state.fl.us, (850)245-8495.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-344.100 Purpose, Intent and Scope.

Rulemaking Authority 373.441(1) FS. Law Implemented 373.441 FS. History—New 8-29-95, Amended 8-7-12, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Andrew May

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-348.900 Forms

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

**SUMMARY:** This rule provides a list of forms adopted and incorporated by reference in Chapter 62-348, F.A.C. This rule is being repealed because it is unnecessary to list the forms incorporated in Ch. 62-348, F.A.C., and because it is duplicative of other provisions in Chapter 62-348, F.A.C. Rule 62-348.900 is incorporated by reference in Rules 62-348.100, 62-348.200, 62-348-300, 62-348.700, and 62-348.800, F.A.C. Those rules will have to be updated by technical change to provide where the forms may be obtained.

**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 not have an adverse impact or increase regulatory costs on any entity.

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: 373.026(7), 373.043, 373.414, 373.4145, 373.418, 403.0877 FS.

LAW IMPLEMENTED: 373.019, 373.403, 373.413, 373.414, 373.4145, 373.416, 373.421, 373.4211, 373.426, 378.403, 403.031, 403.803 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: Howard Hayes, 3900 Commonwealth Blvd., MS 3577, Tallahassee, FL, 32399-3000, Howard.Hayes@dep.state.fl.us, (850)245-8634.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-348.900 Forms.

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145, 373.418, 403.0877 FS. Law Implemented 373.019, 373.403, 373.413, 373.414, 373.4145, 373.416, 373.421, 373.4211, 373.426, 378.403, 403.031, 403.803 FS. History—New 8-18-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Howard Hayes

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-528.110 Underground Injection Control: Declaration and Intent

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, and no longer necessary. burdensome, and no longer necessary.

**SUMMARY:** This rule sets forth the intent of Chapter 62-528, F.A.C. to establish a State Underground Injection Control Program. This rule is being repealed as it is merely informational in stating the intent of Ch. 62-528, F.A.C., and restates statutory provisions.

**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 not have an adverse impact or increase regulatory costs on any entity.

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: 373.309, 403.061, 403.087, 403.704, 403.721, FS.

LAW IMPLEMENTED: 373.308, 403.021, 403.061, 403.062, 403.087, 403.702, 403.721, 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: Joe Haberfeld, 2600 Blair Stone Road, MS 3530, Tallahassee, FL, 32399, Joe.Haberfeld@dep.state.fl.us, (850)245-8655.

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

62-528.110 Underground Injection Control: Declaration and Intent.

Rulemaking Specific Authority 373.309, 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 373.308, 403.021, 403.061, 403.062, 403.087, 403.702, 403.721 FS. History–New 8-10-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joe Haberfeld

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathon P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-555.500 General

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule provides an introduction to the portion of Chapter 62-555, F.A.C. which addresses construction permitting requirements for all public water system components other than wells. This rule is being repealed because it is merely informational and unnecessary.

**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 not have an adverse impact or increase regulatory costs on any entity.

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: 403.861(2), (6), (9), FS.

LAW IMPLEMENTED: 403.861(2), (6), (7), (10), 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: Jeff Lawson, 2600 Blair Stone Road, MS 3520, Tallahassee, FL, 32399, Jeffery.Lawson@dep.state.fl.us, (850)245-8599.

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

62-555.500 General.

Rulemaking Specific Authority 403.861(2), (6), (9) FS. Law Implemented 403.861(2), (6), (7), (10) FS. History–New 11-19-87, Formerly 17-22.710, Amended 1-18-89, Formerly 17-555.500, Amended 8-28-03, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Lawson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathon P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-625.300 Local Law

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule specifies that Chapter 62-625, F.A.C. does not affect pretreatment requirements established by local law as long as the requirements are not less stringent than state or federal pretreatment standards. This rule is being repealed because it is unnecessary and duplicative of other requirements of Ch. 62-625, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of this rule will not have an adverse impact or increase regulatory costs on any entity.

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: 403.061(7), (31), 403.0885, FS.

LAW IMPLEMENTED: 403.0885, 403.08851, 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: Sharon Sawicki, 2600 Blair Stone Road, MS 3540, Tallahassee, FL, 32399, Sharon.Sawicki@dep.state.fl.us, (850)245-8606

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

62-625.300 Local Law.

Rulemaking Specific Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885, 403.08851 FS. History—New 11-29-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon Sawicki

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathon P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.: RULE TITLE:**

62-660.802: General Permit for a Pesticide Waste Degradation System

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule describes the required conditions which must be met in order to grant a general permit for the construction and operation of a pesticide waste degradation system for the evaporation and degradation of pesticide rinse water generated in the clearing of pesticide application equipment. This rule is being repealed because activities covered by this permit do not discharge pollutants to waters of the state, therefore a permit is unnecessary. Rule 62-660.802, F.A.C. is incorporated by reference in Rule 62-344.500, F.A.C. Rule 62-344.500, F.A.C. will have to be updated to remove the reference to 62-660.802, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of this rule will not have an adverse impact or increase regulatory costs on any entity.

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: 403.051, 403.814, FS.

LAW IMPLEMENTED: 403.051, 403.061, 403.087, 403.088, 403.814, 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: Elsa Potts, 2600 Blair Stone Road, MS 3545, Tallahassee, FL, 32399, Elsa.Potts@dep.state.fl.us, (850)245-8665

THE FULL TEXT OF THE PROPOSED RULE IS:

62-660.802 General Permit for a Pesticide Waste Degradation System.

Rulemaking Specific—Authority 403.051, 403.814 FS. Law Implemented 403.051, 403.061, 403.087, 403.088, 403.814 FS. History—New 11-27-89, Amended 4-2-90, 4-22-93, Formerly 17-660.802, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Elsa Potts

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathon P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-731.040 County Information Sent to the Department

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule specifies that each county must submit a summary of information gathered during the county’s small quantity generator assessment, notification, and verification program to the Department. This rule is being repealed because it is unnecessary and substantially restates provisions of statute. Rule 62-731.040, F.A.C. is incorporated by reference in Rule 62-731.050, F.A.C. Rule 62-731.050, F.A.C. will have to be updated to remove the reference to Rule 62-731.040, F.A.C.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of this rule will not have an adverse impact or increase regulatory costs on any entity.

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: 403.061, 403.721 FS.

LAW IMPLEMENTED: 403.704, 403.7225, 403.7226, 403.7236, 403.74 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: Julie Rainey, 2600 Blair Stone Road, MS 4560, Tallahassee, FL, 32399, Julie.Rainey@dep.state.fl.us, (850)245-8713.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-731.040 County Information Sent to the Department.

Rulemaking Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7226, 403.7236, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.04, 17-31.06, 17-31.040, Amended 8-8-94, Formerly 17-731.040, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tim Bahr

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathon P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.: RULE TITLES:

62-807.460 Conduct of Studies

62-807.690 Evidence of Notice, Additional Notice

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome or no longer necessary.

SUMMARY: Rule 62-807.460, F.A.C. specifies the form and content of information that may be needed to supplement studies made by the applicant in support of an application for corridor certifications under the Natural Gas Pipeline Siting Act. Rule 62-870.690, F.A.C. specifies that failure of service or to give notice to the public or any persons entitled to receive service or notice pursuant to Chapter 62-807 may be cured by the order of the Administrative Law Judge. The rule further specifies that failure to have the notice timely published in the newspaper may be grounds for alteration of a time limitation set forth in the Act. These rules are being repealed because they are unnecessary and not essential to meeting statutory provisions. Rule 62-807.460, F.A.C. is incorporated by reference in Rules 62-807.480 and 62-807.610. Those rules will have to be updated to remove the reference to Rule 62-807.460, F.A.C.



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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: repeal of these rules will not have an adverse impact or increase regulatory costs on any entity.

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:** 403.9404(1), (2) FS.

**LAW IMPLEMENTED:** 403.9411(1), 403.9414 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:** Preston McLane, 2600 Blair Stone Road, MS 5505, Tallahassee, FL, 32399, Preston.McLane@dep.state.fl.us, (850)717-9089.

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

62-807.460 Conduct of Studies.

Rulemaking Authority 403.9404(1) FS. Law Implemented 403.941 FS. History—New 8-12-93, Formerly 17-807.460, Amended 3-3-15, Repealed.

62-807.690 Evidence of Notice, Additional Notice.

Rulemaking Authority 403.9404(1), (2) FS. Law Implemented 403.9411(1), 403.9414 FS. History—New 8-12-93, Formerly 17-807.690, Amended 3-3-15, Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Preston McLane

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Secretary Jonathon P. Steverson

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 8, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Beaches and Coastal Systems**

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

62B-55.001 Purpose and Intent

62B-55.009 Monitoring and Reporting Guidance

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

**SUMMARY:** Rule 62B-55.001, F.A.C. describes the purpose and intent of Chapter 62B-55, F.A.C. to designate coastal areas utilized by sea turtles for nesting and to establish guidelines for local government regulations that control beachfront lighting to protect hatching sea turtles. This rule is being repealed as it is purely informational and unnecessary. Rule 62B-55.009, F.A.C. specifies that the information that must be compiled on an annual basis and submitted to the department such as the number of lighting applications reviewed, potential violations reported and investigated and the disposition of all potential violations. This rule is being repealed because this information is no longer necessary to the Department as the FWC has assumed responsibilities associated with lighting issues in beach front communities.

**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 these rules will not have an adverse impact or increase regulatory costs on any entity.

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:** 161.63, FS.

**LAW IMPLEMENTED:** 161.63, 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: Tony McNeal, 2600 Blair Stone Road, MS 3522, Tallahassee, FL, 32399, Tony.McNeal@dep.state.fl.us, (850)245-7665.

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-55.001 Purpose and Intent.

Rulemaking Specific Authority 161.163 FS. Law Implemented 161.163 FS. History–New 3-30-93, Formerly 16B-55.001, Repealed.

62B-55.009 Monitoring and Reporting Guidance.

Rulemaking Specific—Authority 161.63 FS. Law Implemented 161.163 FS. History–New 3-30-93, Formerly 16B-55.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony McNeal

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 08, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Beaches and Coastal Systems**

RULE NOS.: RULE TITLES:

62B-56.010 Scope

62B-56.040 Consultations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62B-56.010, F.A.C. describes the scope of Chapter 62B-56, F.A.C. which is to cover all sand-filled geotextile containers used as the core of a restored dune to protect upland structures and provide requirements and procedures for the issuance, denial, transfer, modification, revocation, and suspension of Construction and Maintenance Permits for sand-filled geotextile containers. This rule is being repealed as it is purely informational and unnecessary. Rule 62B-56.040, F.A.C. describes how an applicant may request consultation with the Department on a permit application. This rule is being repealed because it is purely informational as a permit applicant may always request Department consultation on a permit application and a rule is unnecessary.

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 these rules will not have an adverse impact or increase regulatory costs on any entity.

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: 161.053(20), 161.085(5), FS. LAW IMPLEMENTED: 161.053(2), (4), 161.085(9), 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: Tony McNeal, 2600 Blair Stone Road, MS 3522, Tallahassee, FL, 32399, Tony.McNeal@dep.state.fl.us, (850) 245-7665

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-56.010 Scope.

Rulemaking Authority 161.053(20), 161.085(5) FS. Law Implemented 161.053(2), (4), 161.085(9) FS. History–New 6-22-09, Repealed.

62B-56.040 Consultations.

Rulemaking Authority 161.053(20), 161.085(5) FS. Law Implemented 161.085(9) FS. History–New 6-22-09, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony McNeal

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 08, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Resource Management**

RULE NO.: RULE TITLE:

62C-36.009 Inspections

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule specifies that inspections shall be conducted pursuant to Section 378.407, Florida Statutes. This rule is being repealed because it is unnecessary and is duplicative of other sections of Chapter 62C-36 and 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: repeal of this rule will not have an adverse impact or increase regulatory costs on any entity.

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: 378.404 FS.

LAW IMPLEMENTED: 378.407, 378.411 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: Howard Hayes, 2600 Blair Stone Road, MS 3577, Tallahassee, FL, 32399, Howard.Hayes@dep.state.fl.us, (850)245-8634.

THE FULL TEXT OF THE PROPOSED RULE IS:

62C-36.009 Inspections.

Rulemaking Specific Authority 378.404 FS. Law Implemented 378.407, 378.411 FS. History--New 7-16-87, Formerly 16C-36.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Howard Hayes

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 09/08/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Resource Management**

RULE NO.: RULE TITLE:

62C-39.009 Inspections

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule specifies that inspections shall be conducted pursuant to Section 378.407, Florida Statutes. This rule is being repealed because it is unnecessary and is duplicative to provisions in other sections of Chapter 62C-39, F.A.C. and 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: repeal of this rule will not have an adverse impact or increase regulatory costs on any entity.

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: 378.404 FS.

LAW IMPLEMENTED: 378.407 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: Howard Hayes, 2600 Blair Stone Road, MS 3577, Tallahassee, FL, 32399, Howard.Hayes@dep.state.fl.us, (850)245-8634.

THE FULL TEXT OF THE PROPOSED RULE IS:

62C-39.009 Inspections.

Rulemaking Authority 378.404 FS. Law Implemented 378.407 FS. History--New 1-19-89, Formerly 16C-39.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Howard Hayes  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Secretary Jonathan P. Steverson  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: September 08, 2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Office of the Secretary**

RULE NOS.:      RULE TITLES:  
62S-3.001        Definitions  
62S-3.002        Operations, Activities and Recreation on  
                    Lands Under the Management of the Office  
                    of Greenways and Trails  
62S-3.003        Determination and Applicability of Fines

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-211 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62S-3.001, F.A.C. provides definitions for terms that are used in Chapter 62S-3, F.A.C. Rule 62S-3.002, F.A.C. provides guidelines for operation, activities, and recreations on the land managed by the Office of Greenways and Trails. Rule 62S-3.003, F.A.C. specifies how fines are determined and applied on lands managed by the Office of Greenways and Trails when any person violates the rules found in Chapter 62S-3, F.A.C. These rules are being repealed because they are unnecessary and duplicative of rules found in Chapter 62D-2, F.A.C. which governs the management of lands by the Division of Recreation and Parks.

**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 these rules will not have an adverse impact or increase regulatory costs on any entity.

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: 260.016 FS.  
LAW IMPLEMENTED: 253.05, 253.7821, 260.016 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: Tom Linley, 3800 Commonwealth Blvd., MS 535, Tallahassee, FL, 32399-3000, Tom.Linley@dep.state.fl.us, (850)245-3084.

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

62S-3.001 Definitions.  
Rulemaking Specific Authority 260.016 FS. Law Implemented 253.7821, 260.016 FS. History–New 10-21-01, Amended 11-29-06, Repealed.

62S-3.002 Operations, Activities and Recreation on Lands Under the Management of the Office of Greenways and Trails.  
Rulemaking Specific Authority 260.016 FS. Law Implemented 253.7821, 260.016 FS. History–New 10-21-01, Amended 11-29-06, Repealed.

62S-3.003 Determination and Applicability of Fines.  
Rulemaking Specific Authority 260.016 FS. Law Implemented 253.7821, 260.016 FS. History–New 10-21-01, Amended 7-30-03, 11-29-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tom Linley  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Jonathan P. Steverson  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 08, 2015

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.:      RULE TITLE:  
65A-4.221        Drug Testing for Temporary Cash Assistance Applicants

PURPOSE AND EFFECT: Department proposes to repeal this rule because the implementing law was determined to be unlawful by a Federal District Court ruling.

SUMMARY: Department proposes to repeal this rule because the implementing law was determined to be unlawful by a Federal District Court ruling.

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

The Agency has determined that this will 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: A checklist was prepared by the Agency to determine the need for a SERC.

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: 445.0652 FS.

LAW IMPLEMENTED: 414.0652, 414.45 FS.

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

DATE AND TIME: September 28, 2015, 10:00 a.m. - 11:00 a.m.

PLACE: 1317 Winewood Blvd Tallahassee, FL 32399 Building 3 Room 410

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: Victor Walker, Economic Self-Sufficiency Program, (850)717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, victor.walker@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Victor Walker, Economic Self-Sufficiency Program, (850)717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, victor.walker@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.221 Drug Testing for Temporary Cash Assistance Applicants.

Rulemaking Authority 414.0652, 414.45 FS. Law Implemented 414.0652 FS. History—New 3-6-12. Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Victor Walker

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2015

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Vessel Registration and Boating Safety

RULE NO: RULE TITLE

68D-24.020 Suwannee and Santa Fe River Boating Restricted Areas.

PURPOSE AND EFFECT: To address possible rule changes affecting vessel speed during flood conditions within the Santa Fe River and the southern portion of the Suwannee River updating maps and making other changes to rule language where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUMMARY: The rule amendment proposes deregulating approximately 10 miles of remote, uninhabited stretches of the Suwannee River from the boating restricted area which activates during high water events. The affected section of the river is Zone 4, which extends from CR 340 downstream to Fowlers Bluff. There are no other proposed changes to Zone 4. The proposed rule amendment would also revise the boating restricted area within the Santa Fe River which activates during high water events. Instead of the current 36-mile zone from River Rise to its confluence with the Suwannee River, the Santa Fe River would be divided into four zones. Each zone would activate and deactivate independently, which would more accurately reflect the public safety needs during various high water events occurring within the basin.

The revisions would also incorporate federally adopted gauge datum, resolve an incorrect reference to mean sea level in the current rule and update maps for consistency and to reflect changes in the restricted areas.

### 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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required. 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: 327.04, 327.46, FS.

LAW IMPLEMENTED: 327.46, 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: Captain Gary Klein, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600 (waterway.mangement@myfwc.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.020 Suwannee and Santa Fe River Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic during flood events, the Suwannee and Santa Fe River Boating Restricted Areas are established, which shall include all associated and navigable tributaries, creeks, coves, bends, and backwaters unless otherwise designated or excluded, as follows:

Suwannee River Idle Speed No Wake Zones –

(a) Zone 1: All waters in and adjacent to the ~~Suwannee r~~River from the centerline of the U.S. 90 Bridge at Ellaville south to the centerline of the S.R. 51 Bridge at Luraville, in effect and enforceable when the ~~Suwannee r~~River level is forty-seven feet (47') (MSL) or higher (NGVD 29) or 46.25' or higher (NAVD 88) as indicated by ~~on~~ the Ellaville gauge (USGS 02319500), as depicted in Drawing A.

(b) Zone 2: All waters in and adjacent to the ~~Suwannee r~~River from the centerline of the S.R. 51 Bridge at Luraville to a line drawn perpendicular to the centerline of the ~~Suwannee r~~River at Little River Spring, in effect and enforceable when the ~~Suwannee r~~River level is twenty-six feet (26') (MSL) or higher (NGVD 29) or 25.25' or higher (NAVD 88) as indicated by ~~on~~ the Branford gauge (USGS 02320500), as depicted in Drawing B.

(c) Zone 3: All waters in and adjacent to the ~~Suwannee r~~River from a line drawn perpendicular to the centerline of the ~~Suwannee r~~River at Little River Spring to the centerline of the C.R. 340 Bridge at Rock Bluff, in effect and enforceable when the ~~Suwannee r~~River level is twenty-four feet (24') (MSL) or higher (NGVD 29) or 23.25' or higher (NAVD 88) as indicated by ~~on~~ the Branford gauge (USGS 02320500), as depicted in Drawing C.

(d) Zone 4: All waters in and adjacent to the ~~Suwannee r~~River from the centerline of the C.R. 340 Bridge at Rock Bluff to a line drawn perpendicular to the centerline of the ~~Suwannee r~~River approximately one-mile 300' southwest of the ~~Fowler Bluff~~ New Clay Landing Boat Ramp, from a line drawn perpendicular to the centerline of the river approximately 6,000' north of the Camp Azalea Boat Ramp to a line drawn perpendicular to the centerline of the river approximately 1,300' south of the Yellow Jacket Landing, and from a line drawn perpendicular to the centerline of the river approximately 2,000' northeast of the Fowler's Bluff Boat Ramp to a line drawn perpendicular to the centerline of the river approximately one mile southwest of the Fowler's Bluff Boat Ramp, in effect and enforceable when the ~~Suwannee r~~River level is nine feet (9') (MSL) or higher (NGVD 29) or 8.35' or higher (NAVD 88) as indicated by ~~on~~ the Wilcox gauge (USGS 02323500), as depicted in Drawing D.

Santa Fe River Idle Speed No Wake Zones –

(e) Zone 5: All waters in and adjacent to the ~~Santa Fe r~~River from ~~a line drawn perpendicular to the centerline of the Santa Fe River at the River Rise in O'Leno State Park downstream westerly to the centerline of the U.S. 27 Bridge confluence of the Suwannee and Santa Fe Rivers~~, in effect and enforceable when the ~~Santa Fe r~~River is 35' seventeen feet (17') (MSL) or higher (NGVD 29) or 34.20' or higher (NAVD 88) as indicated by ~~on~~ the ~~High Springs Three Rivers Estates~~ gauge (USGS 02321975), as depicted in Drawing E.

(f) Zone 6: All waters from the centerline of the U.S. 27 Bridge downstream to a line drawn perpendicular to the centerline of the river, shoreline to shoreline, one-half mile upstream from the S.R. 47 Bridge, in effect and enforceable when the river is 24' or higher (NGVD 29) or 23.25' or higher (NAVD 88) as indicated by the Fort White gauge (USGS 02322500), as depicted in Drawing F.

(g) Zone 7: All waters in and adjacent to the river from a line drawn perpendicular to the centerline of the river, shoreline to shoreline, one-half mile upstream from the S.R. 47 Bridge, downstream to a line drawn perpendicular to the centerline of the river, shoreline to shoreline, from the

westernmost point of the unnamed island located at 29° 54.527' N, 82° 46.074' W, in effect and enforceable when the river is 19.5' or higher (NGVD 29) or 18.75' or higher (NAVD 88) as indicated by the Three Rivers Estates gauge (USGS 02322703), as depicted in Drawing G.

(h) Zone 8: All waters in and adjacent to the river from a line drawn perpendicular to the centerline of the river, shoreline to shoreline, from the westernmost point of the unnamed island located at 29° 54.527' N, 82° 46.074' W downstream to the confluence of the Suwannee and Santa Fe Rivers, to include the Ichetucknee River upstream to the U.S. 27 Bridge, in effect and enforceable when the river is 17' or higher (NGVD 29) or 16.25' or higher (NAVD 88) as indicated by the Three Rivers Estates gauge (USGS 02322703), as depicted in Drawing H.

(2) When in Effect – The boating restricted areas established in subsection (1) shall be active and enforceable only when the water levels are as specified in each paragraph. For purposes of this rule, all referenced river levels are provided in both the North American Vertical Datum of 1988 (NAVD 88) feet above mean sea level (MSL), and the National Geodetic Vertical Datum of 1929 (NGVD 29).

(1) The boating restricted areas described in Rule 68D-24.020, F.A.C., are depicted in the following drawings: Drawings A through C; No change.

**SEE PUBLISHED RULE FOR MAPS**

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 5-3-94, Formerly 16N-24.020, 62N-24.020, Amended 3-16-06, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED**

**RULE:** Major Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

waterway.management@myfwc.com (850)488-5600.

**NAME OF AGENCY HEAD WHO APPROVED THE**

**PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY**

**HEAD:** September 3, 2015

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** April 7, 2015

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Florida Real Estate Appraisal Board**

**RULE NO.:** RULE TITLE:

61J1-2.005 Inactive Registration  
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. 114, June 12, 2015 issue of the Florida Administrative Register.

The change is in response to concerns stated by the Joint Administrative Procedures Committee in a letter dated July 9, 2015.

The changes are needed to modify the language in 61J1-2.005(3) to delete reference to “licensed or” and to correct reference to “FREAB 14” to read correctly as “FREAB 16.” The changes are as follows:

61J1-2.005(2) shall read as:

(2) At any time after obtaining registration as an appraiser, the registrant may request inactive status by submitting to the Board DBPR form FREAB 16 ~~14~~ found in Rule 61-35.026, F.A.C. The fee to change licensure status is found in Rule 61J1-2.001, F.A.C.

61J1-2.005(5) shall read as:

(5) A registered appraiser, whose registration is designated inactive pursuant to subsection (1), (2) or (3), may request an active registration on DBPR form FREAB 16 ~~14~~. If the inactive duration is less than 2 years and does not extend beyond 1 biennial renewal cycle (registration period), no additional education or fee is required.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Juana Watkins, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: RULE TITLE:

61K1-3.006: Contracts Between Manager and Participant  
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. 126, June 30, 2015 issue of the Florida Administrative Register.

The change is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 8, 2015. The change is as follows:

651K-3.006(1) shall read as:

(1) All contracts entered into between a manager and a participant shall utilize Form BPR-0009-451, "Letter of Agreement Between Participant and Manager," revised April, 2015, adopted and incorporated herein by reference, which may be obtained from the Commission Board office, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05437> or at [http://www.myfloridalicense.com/dbpr/pro/sbc/documents/451\\_letter\\_of\\_agreement\\_part\\_and\\_man.pdf](http://www.myfloridalicense.com/dbpr/pro/sbc/documents/451_letter_of_agreement_part_and_man.pdf).

Law Implemented shall read as: 548.05, ~~548.056~~, FS

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: RULE TITLE:

61K1-3.006 Contracts Between Manager and Participant  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 126, June 30, 2015 issue of the Florida Administrative Register.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 8, 2015.

The SUMMARY OF STATEMET OF ESTIMATED REGULATGORY COSTS AND LEGISLATIVE RATIFICATIONS shall read as:

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 the Commission meeting, the Commission determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses or the business that employ them. The rule imposes no additional regulation or costs on licensees. The rule will not increase any fees, business, costs, personnel costs, will not decrease the profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-1016.

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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 BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on August 03, 2015, the
Florida Department of Business and Professional Regulation,
Division of Hotels and Restaurant, received a petition for a
Routine Variance for paragraph 61C-1.004(1)(a), Florida
Administrative Code, Section 5-203.13, 2009 FDA Food
Code, Paragraph 4-301.12(A), 2009 FDA Food Code and
subsection 61C-4.010(5), Florida Administrative Code from
Sheraton Lake Buena Vista Springboard Market Place located
in Orlando. The above referenced F.A.C. addresses the
requirement that dishwashing facilities for manually washing,
rinsing and sanitizing equipment and utensils are provided and
that at least one service sink is provided for the cleaning of
mops or similar cleaning tools and the disposal of mop water.
They are requesting to share the three-compartment and mop
sinks located within an adjacent establishment under the same
ownership.

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

A copy of the Petition for Variance or Waiver
may be obtained by contacting:
Bianca.Kirkland@myfloridalicense.com

Division of Hotels and Restaurants, 1940 North Monroe
Street, Tallahassee, Florida 32399-1011

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on August 31, 2015, the
Florida Department of Business and Professional Regulation,
Division of Hotels and Restaurant, received a petition for an
Emergency Variance for paragraph 61C-1.004(1)(a), Florida
Administrative Code, Section 5-203.13, 2009 FDA Food
Code, subsection 61C-4.010(7) Florida Administrative Code
and subsection 61C-4.010(6), Florida Administrative Code
from EMKO located in West Palm Beach. The above

referenced F.A.C. addresses the requirement that at least one
service sink is provided for the cleaning of mops or similar
cleaning tools and the disposal of mop water and one
accessible bathroom be provided for use by customers. They
are requesting to share the mop sink and bathrooms for use by
customers only located within an adjacent establishment under
the same ownership.

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

A copy of the Petition for Variance or Waiver
may be obtained by contacting:
Bianca.Kirkland@myfloridalicense.com

Division of Hotels and Restaurants, 1940 North Monroe
Street, Tallahassee, Florida 32399-1011

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 September 9, 2015 the Division issued an order. The Final
Order was in response to a Petition for a temporary Variance
from Arlington by the River Condominium Assoc., filed
August 11, 2015, and advertised on August 18, 2015 in Vol.
41, No. 160, 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 3.11.3 ASME A17.3, 1996 edition, as
adopted by paragraph 61C-5.001(1)(a) Florida Administrative
Code from providing fire fighter service 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 (VW2015-200).

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.

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 September 9, 2015 the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Plaza 300 Associates, LLC, filed August 11, 2015, and advertised on August 18, 2015 in Vol. 41, No. 160, 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 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code providing fire fighter service 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 (VW2015-201).

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.

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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 September 9, 2015 the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Bethel Baptist, filed August 12, 2015, and advertised on August 18, 2015 in Vol. 41, No. 160, 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 303.3d ASME A17.1, 1988 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code from providing supply line shutoff valve 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 (VW2015-202).

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.

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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-2.003 Definitions

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on May 11, 2015, by Nathan Allan Lawrence. The Notice of Petition for Waiver or Variance was published in Volume 41, Number 93, of the May 13, 2015, Florida Administrative Register. The Petitioner was seeking a waiver or variance of subsection 64B3-2.003(6), Florida Administrative Code, which defines academic science as a science course with a chemical or biological science prefix. Acceptable courses include general chemistry, organic chemistry, biochemistry, qualitative or quantitative analysis, general biology, zoology, physiology, comparative anatomy, bacteriology, parasitology, cell biology, physics and immunology. For purposes of this rule, the courses of geology, astronomy, entomology, oceanography, marine biology and physical science or remedial, preparatory or introductory science courses shall not be acceptable. The Board considered the instant Petition at a duly-noticed public meeting held August 7, 2015, in Orlando, Florida.

The Board's Order, filed on August 27, 2015, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from subsection 64B3-2.003(6), F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting:

Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-3.003: Examination for Licensure

NOTICE IS HEREBY GIVEN that on September 09, 2015, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for waiver or variance filed by Nicole Irene Santana, seeking a variance or waiver of paragraph 64B4-3.003(2)(b), F.A.C., which requires that applicants for licensure as a mental health counselor take the National Clinical Mental Health Counseling Examination (NCMHCE) developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon the level of appropriateness for good client care. The minimum pass level shall be the recommended cut-off score provided by the NBCC and established according to a content-based modified Angoff procedure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on August 19, 2015, the Board of Medicine, received a petition for waiver or variance filed by Rajagopal Kuppuswami Girijashanker, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.0141 Standards for Telemedicine Practice

NOTICE IS HEREBY GIVEN that on September 08, 2015, the Board of Medicine, received a petition for waiver or variance filed on behalf of Matthew Nguyen, M.D., and The Children’s Home Society of Florida., from Rule 64B8-9.0141, F.A.C., with regard to the prescribing of controlled substances through the use of telemedicine. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.024: Staffing Requirements

NOTICE IS HEREBY GIVEN that on August 25, 2015, the Department of Children and Families, received a petition for waiver of paragraph 65C-15.024(2)(a), Florida Administrative Code, from Children’s Harbor, Inc. Rule 65C-14.024(2)(a), F.A.C., states the facility shall have adequate staffing coverage at all times to provide the services identified in the agency’s statement of purpose. The formula shall be appropriate to the facility’s purpose, the types, ages, and functioning levels of the children in care. The staff to child ratio shall assure the children’s safety, protection and privacy, as well as physical, hygienic, emotional and developmental needs. The staff to child ratio shall be at least: One direct care staff member or trained volunteer to 6 children, when children 6 years of age or older are awake, and 1 to 12 when children are sleeping.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on August 28, 2015, the Department of Children and Families, received a petition for waiver of subsection 65C-15.17(3), Florida Administrative Code, from Lutheran Services Florida, Inc. and Tara Wharton - Price. Subsection 65C-15.017(3), F.A.C., requires staff who perform casework services in licensed child-placing agencies to possess at least a bachelor’s degree in social work or a related field from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017: Personnel

NOTICE IS HEREBY GIVEN that on September 01, 2015, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Jewish Family & Community Services and Kendra Bradley. Subsection 65C-15.017(3), F.A.C. requires staff who perform casework services in licensed child-placing agencies to possess to least a bachelors degree in social work or a related field from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg., 2, Room 204, Tallahassee, FL 32399-0700.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida National Register Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2015, 1:00 p.m. until conclusion

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review 12 nomination proposals for listing in the National Register of Historic Places.

A copy of the agenda may be obtained by contacting: Desiree Estabrook at 1(800)847-7278 or via email: Desiree.Estabrook@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Desiree Estabrook at 1(800)847-7278 or via email: Desiree.Estabrook@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Desiree Estabrook at 1(800)847-7278 or via email: Desiree.Estabrook@dos.myflorida.com.

#### DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida National Register Review Board announces a public meeting to which all persons are invited.

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For more information, you may contact: Desiree Estabrook at 1(800)847-7278 or via email: Desiree.Estabrook@dos.myflorida.com.

#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 7, 2015, 12:00 noon - 1:00 p.m.

PLACE: Conference Call (888)670-3525 code (7513637441)

GENERAL SUBJECT MATTER TO BE CONSIDERED: FRC Executive Committee - General Executive Business

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** October 7, 2015, 12:00 noon - 1:00 p.m.

**PLACE:** Conference Call (888)670-3525 code (7513637441)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** FRC Executive Committee - General Executive Business

A copy of the agenda may be obtained by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at (850)245-3317 or at roy.cosgrove@vr.fldoe.org

**DEPARTMENT OF EDUCATION**

Florida School for the Deaf and the Blind

The Florida School for the Deaf and the Blind announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, September 25, 2015, 9:00 a.m.

**PLACE:** Moore Hall, Center for Leadership and Development (CLD room) first floor on the campus of the Florida School for the Deaf and the Blind.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Matters pertaining to the day-to-day business of the Florida School for the Deaf and the Blind

A copy of the agenda may be obtained by contacting: Cindy Brueckner, Executive Assistant to the President, Dr. Jeanne Prickett - by calling (904)827-2210 or by email at: bruecknerc@fsdb.k12.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cindy Brueckner, Executive Assistant to the President, Dr. Jeanne Prickett - by calling (904)827-2210 or by email at: bruecknerc@fsdb.k12.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cindy Brueckner, Executive Assistant to the President, Dr. Jeanne Prickett - by calling (904)827-2210 or by email at: bruecknerc@fsdb.k12.fl.us

**DEPARTMENT OF CITRUS**

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

**DATE AND TIME:** September 23, 2015, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Commission will convene for the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, issues pertaining to Chapter 601, F.S., rulemaking; and any other matter addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Becky Benton, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831 or rbenton@citrus.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at dscrews@citrus.myflorida.com or (863)537-3984. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Council Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 5, 2015; 10:30 a.m.

PLACE: 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting. Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting. Meeting on monthly Council business; Call in number 1(888)670-3525, Conference Code 2488435943 then #.

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. 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: (954)985-4416.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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

DATE AND TIME: Tuesday, September 22, 2015, 5:05 p.m.

PLACE: This is a meeting conducted by means of communications media technology at District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meeting via telephone or web conferencing technology. Public should attend in person at the District Headquarters.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Official presentation of the fiscal year (FY) 2015-2016 final millage rate and final budget and opportunity to receive public comment prior to consideration and adoption by the Governing Board.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4470, or by visiting the District's website at floridaswater.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: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: September 21, 2015, 2:00 p.m.

Loxahatchee River Management Coordinating Council Meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Meet to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

A copy of the agenda may be obtained by contacting: Kathy LaMartina, (561)602-8407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk's office (561)682-2087. 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: Kathy LaMartina, (561)602-8407 or writing to: Kathy LaMartina, SFWMD, 421 SW Camden Ave., Stuart, FL 34994, or [klamart@sfwmd.gov](mailto:klamart@sfwmd.gov), (772)221-4060

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Tuesday, September 22, 2015, 10:00 a.m.-12:00 noon.

Everglades Technical Oversight Committee

PLACE: District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: District Website (<http://www.sfwmd.gov/toc>) or write Kim Chuirazzi, South Florida Water Management District, MS 4442, P.O. Box 24680, West Palm Beach, FL 33416-4680.

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: Kim Chuirazzi, (561)682-2425, South Florida Water Management District, MS 4442, P.O. Box 24680, West Palm Beach, FL 33416-4680.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: Wednesday, October 7, 2015, 2:00 p.m. ET

PLACE: 4050 Esplanade Way, Suite 315K, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with section 120.525, Florida Statutes, a bid opening is hereby noticed within the timeline for the Request for Proposal No. 04-80101507-SA-B. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: To obtain a copy of the ITB timeline you may contact, Jerilyn Bailey at (850)488-2773, [jerilyn.bailey@dms.myflorida.com](mailto:jerilyn.bailey@dms.myflorida.com). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: . 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 MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: Wednesday, October 7, 2015, 2:30 p.m. ET

PLACE: 4050 Esplanade Way, Suite 315K, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with section 120.525, Florida Statutes, a bid opening is hereby noticed within the timeline for the Request for Proposal No. 05-80101507-IVV-B. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: To obtain a copy of the ITB timeline you may contact, Jerilyn Bailey at (850)488-2773, [jerilyn.bailey@dms.myflorida.com](mailto:jerilyn.bailey@dms.myflorida.com). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jerilyn Bailey at (850)488-2773, [jerilyn.bailey@dms.myflorida.com](mailto:jerilyn.bailey@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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The The Florida Building Commission, “the Commission”, Electrical Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2015 at 9:00 AM- until completion.

PLACE: This will be a concurrent meeting with the Swimming Pool TAC. Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the Teleconference number for Audio Only and the Webinar for Visual Only. To join the online meeting (Now from mobile devices!)

Electrical TAC/ Swimming Pool

1. Please join my meeting.

<https://global.gotomeeting.com/join/569554501>

2. To call in using your telephone in the United States (toll-free): 1 866 899 4679

Access Code: 569-554-501

Audio PIN: Shown after joining the meeting

Meeting ID: 569-554-501

Public point of access: Office of Codes and Standards, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This meeting is to be held concurrently with the Swimming Pool TAC to evaluate the need to require low voltage lighting for private swimming pools.

A copy of the agenda may be obtained by contacting: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. 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: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", SWIMMING POOL Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2015, 9:00 a.m. until completion.

PLACE: This will be a concurrent meeting with the Electrical TAC. Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the Teleconference number for Audio Only and the Webinar for Visual Only.

To join the online meeting (Now from mobile devices!)

Swimming Pool/ Electrical TAC

1. Please join my meeting.

<https://global.gotomeeting.com/join/569554501>

2. To call in using your telephone in the United States (toll-free): 1(866)899-4679

Access Code: 569-554-501

Audio PIN: Shown after joining the meeting

Meeting ID: 569-554-501

Public point of access: Office of Codes and Standards, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This meeting is to be held concurrently with the Electrical TAC to evaluate the need to require low voltage lighting for private swimming pools.

A copy of the agenda may be obtained by contacting: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. 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: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

The Florida Building Commission, “the Commission”, Product Approval Program Oversight Committee, announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 5, 2015, 10:00 a.m. until completion.

**PLACE:** Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (Now from mobile devices!) GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings.

**Product Approval POC**

1. Please join my meeting.

<https://global.gotomeeting.com/join/475604789>

2. To call in using your telephone in the United States (toll-free): 1 866 899 4679

Access Code: 475-604-789

Audio PIN: Shown after joining the meeting

Meeting ID: 475-604-789

GoToMeeting®

Online Meetings Made Easy® Not at your computer? Click the link to join this meeting from your iPhone®, iPad®, Android® or Windows Phone® device via the GoToMeeting app.

Public point of access: Florida Building Commission, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider and discuss the following items for the Commission: Product Approval and Entities Statistical Report; Report on conditional approval from the August 2015 Meeting; Review of product approval and entity applications; and other business for the Commission as listed on the agenda.

A copy of the agenda may be obtained by contacting: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)717-1824 or visit the calendar on our website at: <http://www.floridabuilding.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. 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: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)717-1824 or visit the calendar on our website at: <http://www.floridabuilding.org>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

**RULE NOS.: RULE TITLES:**

61K1-3.006 Contracts Between Manager and Participant

61K1-3.015 Insurance Requirements

61K1-3.018 Emergency Equipment; Other Equipment and Services

61K1-3.019 Arena Equipment; Ring Requirements; Floor Plan and Apron Seating

61K1-3.026 Disciplinary Guidelines

The State Boxing Commission announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, October 23, 2015; 9:00 a.m. – 12:00 noon.

**PLACE:** 1940 North Monroe Street, Tallahassee, Florida 32399

**PHONE NUMBER:** 1(888)670-3525

**PARTICIPANT CODE:** 6740308491 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules 61K1-3.006, 61K1-3.015, 61K1-3.018, 61K1-3.019 and 61K1-3.026, F.A.C. will be considered. If you would like to participate in the call, please contact Lina Hurtado at (850)488-8500, at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: The Florida Department of Business and Professional Regulation (850)488-8500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Department of Business and Professional Regulation at (850)488-8500. 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: The Florida Department of Business and Professional Regulation at (850)488-8500.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: PLEASE NOTE DATE CHANGE

Monday, September 21, 2015, 2:00 p.m.

PLACE: Juvenile Welfare Board Building, 14155 58th Street North, Clearwater, FL 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pinellas Alliance Business

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727)373-7842

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephanie Allen at (727)373-7842. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA HOUSING FINANCE CORPORATION**

The FLORIDA HOUSING FINANCE CORPORATION announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2015, 8:30 a.m. until adjourned

PLACE: Hyatt Regency Coral Gables, 50 Alhambra Plaza, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.

3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.

4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.

5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.

6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.

7. Consideration of all necessary actions with regard to the Multifamily Bond Program.

8. Consideration of approval of underwriters for inclusion on approved master list and teams.

9. Consideration of all necessary actions with regard to the HOME Rental Program.

10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.

11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.

12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.

13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.

14. Consideration of all necessary actions with regard to the Homeownership Programs.

15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.

16. Consideration of Appeals from Requests for Applications funding selection with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the September 18, 2015, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org), two days prior to the meeting.

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

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: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

**FLORIDA HOUSING FINANCE CORPORATION**

The FHFC II, INC. announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2015, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

PLACE: Hyatt Regency Coral Gables, 50 Alhambra Plaza, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC II, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the September 18, 2015, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org), two days prior to the meeting.

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

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: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

**FLORIDA HOUSING FINANCE CORPORATION**

The FHFC III, INC. announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2015, 11:00 a.m., or upon adjournment of the FHFC II, Inc. Board of Directors meeting, until adjourned.

PLACE: Hyatt Regency Coral Gables, 50 Alhambra Plaza, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC III, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the September 18, 2015, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org), two days prior to the meeting.

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

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: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at [www.floridahousing.org](http://www.floridahousing.org).

OTHER AGENCIES AND ORGANIZATIONS

Pasco-Pinellas Area Agency on Aging  
The AREA AGENCY ON AGING OF PASCO-PINELLAS announces a public meeting to which all persons are invited.

DATE AND TIME: September 21, 2015, 9:30 a.m.

PLACE: 9549 Koger Blvd., Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696 ext. 233

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brenda Black at (727)570-9696 ext. 233. 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: Brenda Black at (727) 570-9696 ext. 233

OTHER AGENCIES AND ORGANIZATIONS

Global 5 Communications

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

DATE AND TIME: Wednesday, Sept. 16, 5:00 p.m. to 8:00 p.m.

PLACE: Wyndham Orlando Resort, 8001 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No 432193-1-52-01

Project Description: I-4 from west of Kirkman Road to east of State Road 434

Public Meeting, Orange County

The FDOT is conducting a public meeting to give the public the opportunity to see the improvements planned in their area and discuss the project with the team. The I-4 Ultimate project includes the design and reconstruction of I-4 from west of Kirkman Road to east of State Road 434. The project improves 21 miles of I-4, reconstructing 15 major interchanges, constructing more than 140 bridges, adding four dynamic priced toll Express Lanes in the median and completely rebuilding the general use lanes along the corridor.

The meeting begins at 5:00 p.m. and will be an open house format. A video will be played throughout the meeting, and attendees will have the opportunity to ask questions regarding the construction. Participants may provide public comments directly to public-information staff at any time during the meeting. Written comments from all interested parties will be accepted by the department at the public meeting and for a period of ten (10) days after the public meeting. Comments should be addressed to: Loreen Bobo, I-4 Ultimate Construction Program Manager, Florida Department of Transportation, 1551 Sandspur Road, Suite 120, Maitland, FL 32751. All comments, written and oral, will become part of the project's public record.

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: Jennifer Smith, FDOT Title VI Coordinator, (386)943-5367. 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: Loreen Bobo, I-4 Ultimate Construction Program Manager, at (407)670-2341 or via email at [loreen.bobo@dot.state.fl.us](mailto:loreen.bobo@dot.state.fl.us).

**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**

**OTHER AGENCIES AND ORGANIZATIONS**

City of Hollywood

City of Hollywood - Notice of Receipt of Unsolicited Proposal and Invitation to Submit Proposal

CITY OF HOLLYWOOD, FLORIDA

NOTICE OF RECEIPT OF UNSOLICITED PROPOSAL AND INVITATION TO SUBMIT PROPOSAL

The City of Hollywood, Florida ("City") and the Hollywood Community Redevelopment Agency ("CRA") own non-contiguous, but proximate parcels of land totaling approximately 4.11 acres on Adams Street between 24<sup>th</sup> Street and Dixie Highway. These parcels were purchased utilizing a variety of sources and, as a result, if were to be redeveloped, a Project will be required to have a significant affordable housing component. These sources include Community Development Block Grant ("CDBG") and Neighborhood Stabilization Program 1 ("NSP 1") funds, which mandate that if a Project is to be rental housing, all units may not exceed 120% of the area median income as designated by the United States Department for Housing and Urban Development ("HUD"), with a minimum of 51% of the units must be occupied by tenants whose household income does not exceed 80% of the area median income. If a Project is intended to be homeownership housing, each unit must be occupied by owners whose household income does not exceed 80% of the area median income.

The City and the CRA, have received an unsolicited proposal submitted by Pinnacle Housing Group (“Pinnacle”) pursuant to Section 287.05712, Florida Statutes, entitled “Public-Private Partnerships,” for the above described property. The unsolicited proposal proposes to develop 100 Affordable Senior Citizen rental housing units consisting of three buildings across the various/parcels owned by the City of Hollywood and CRA. The three buildings will consist primarily of one-bedroom units, with 62 planned. The remaining 38 units will be two-bedrooms. There is also a proposed fourth building that is identified as future retail with frontage towards Dixie Highway which is the property owned by the CRA. Pinnacle proposes to acquire these parcels through a Purchase and Sale agreement for a maximum ceiling of \$2,000,000 or lease these parcels through a nine-year term with cumulative capital lease payments in the amount of \$1,900,000, from the City and the CRA. Pinnacle proposes to apply for an allocation of 9% Housing Tax Credits from the Florida Finance Corporation but qualifies that this approach represents a funding source and does not constitute a financing plan.

A copy of Pinnacle Housing Group’s detailed unsolicited proposal may be reviewed on the City’s website at [www.hollywoodfl.org](http://www.hollywoodfl.org) or by requesting it on BidSync at [www.bidsync.com](http://www.bidsync.com). A copy of the unsolicited proposal is also available at the City of Hollywood’s City Clerk’s Office located at 2600 Hollywood Blvd., Room 221, Hollywood, Florida 33022.

The City and CRA have determined that this unsolicited proposal is sufficient for consideration on a preliminary basis and will accept other proposals for the same Project purpose during this notification period. No final decision has been made relative to accepting this or any other proposal for this Project.

Anyone that has an interest in submitting a competing proposal under the provisions of Section 287.05712, Florida Statutes, is hereby invited to submit a proposal in compliance with the provisions of Section 287.05712(5), Florida Statutes. The submitted proposal shall include five (5) hard copies and one (1) electronic copy, and shall be submitted no later than 3:00 p.m. on October 2, 2015, to: City of Hollywood, City Clerk’s Office, 2600 Hollywood Blvd, Room 221, Hollywood, Florida 33020. Proposals received after 3:00 p.m. on October 2, 2015 will be rejected.

## OTHER AGENCIES AND ORGANIZATIONS

Daytona State College

DAYTONA STATE COLLEGE

Engineering Services

RFQ #16-003

Pursuant to the provisions of Section 287.055, Florida Statutes, the “Consultants’ Competitive Negotiations Act”, Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring engineering services. The project consists of Engineering services for the replacement of the current chillers at our ATC building with a new thermal ice storage system. Firms desiring consideration must submit proposals no later than 12:00 noon on October 14, 2015, to the Facilities Planning Department, Daytona State College, Building 430A/Room 100, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting [niese@daytonastate.edu](mailto:niese@daytonastate.edu) or by visiting our website at <http://www.daytonastate.edu/fp/proposals.html>.

## Section XII Miscellaneous

### DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-144

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-144 on September 8, 2015, in response to an application submitted by The Point Improvement Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application did not meet the statutory requirements for covenant revitalization because the application did not contain: (i) copies of amendments of the governing documents as required by section 720.406(1)(b), Florida Statutes; (ii) a legal description of the parcels affected in accordance with 720.406(1)(c), Florida Statutes; or (iii) an affidavit verifying compliance with section 720.404, Florida Statutes, in violation of sections 720.406(1)(b) and (e), and section 720.404(1)(c), Florida Statutes. Further, the revived declaration contained covenants that are more restrictive on the parcel owners than the covenants in the previous declaration in violation of section 720.404(3), Florida Statutes. Accordingly, the Department’s Final Order denied the application for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 cE. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

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.

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