

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: **RULE TITLES:**
 12D-9.007 Role of the Clerk of the Value Adjustment Board
 12D-9.015 Petition; Form and Filing Fee
 12D-9.019 Scheduling and Notice of a Hearing

PURPOSE AND EFFECT: In response to a Joint Administrative Procedure Committee (JAPC) staff review, the Department is amending the listed rules. The proposed amendment to Rule 12D-9.007, F.A.C., is to remove subsection (15), which does not meet the definition of a rule based on a JAPC staff finding. The proposed amendment to Rule 12D-9.015(2)(e), F.A.C., is to implement Section 10 of Chapter 2016-128, L.O.F., which amended Section 194.032(2), F.S., removing the requirement of a check box for the petitioner to request a copy of the property record card on the petition forms. Section 194.032(2)(a), F.S., instructs the property appraiser, when he or she receives a petition from the clerk, to provide a copy of the property record card or notify the petitioner the property record card is available online. The purpose of the proposed amendment to paragraph 12D-9.019(5)(b), F.A.C., is to implement Section 8 of Chapter 2013-109 and Section 2 of Chapter 2012-193, L.O.F., to add amended provisions from Chapter 194, F.S., and remove outdated language. This amendment will allow the value adjustment board (VAB) to hear a petition within a block of time and limit the petitioner’s wait time to two hours after the scheduled time for the hearing to commence. The effect of amending these rules is to have statutorily current procedures for VAB activities and proceedings available to all interested parties.

SUBJECT AREA TO BE ADDRESSED: The subject area of the proposed rule amendments is addressing JAPC findings in the value adjustment board proceedings.

RULEMAKING AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.155, 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 195.022, 196.151, 197.2425 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: November 1, 2016, 10:00 a.m.
PLACE: Capital Circle Office Complex, Building 1, Room 1220, 2450 Shumard Oak Blvd., Tallahassee, Florida

The agenda for this hearing will include specific information about how to participate in this electronic meeting and will be on the Department’s website at <http://dor.myflorida.com/dor/property/legislation/rules/>.

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: Mike Cotton, Property Tax Oversight Program, Department of Revenue, P.O. Box 3000, Tallahassee, Florida 32315-3000, at CottonM@dor.state.fl.us or (850)617-8870. 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: Mike Cotton, Property Tax Oversight Program, Department of Revenue, P.O. Box 3000, Tallahassee, Florida 32315-3000, at CottonM@dor.state.fl.us or (850)617-8870.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: **RULE TITLE:**
 61G5-20.008 Employment of Applicants for Licensure as a Cosmetologist Prior to Licensure;
 Employment of Applicants for Registration as a Specialist Prior to Registration

PURPOSE AND EFFECT: Delete references to repealed rule 61G5-18.0055 F.A.C., clarify language and include applicants for body wrapping.

SUBJECT AREA TO BE ADDRESSED: Employment of applicants for registration as a specialist prior to registration.

RULEMAKING AUTHORITY: 477.016, 477.019(4), 477.0201(6), 477.025(2) FS.

LAW IMPLEMENTED: 477.019(4), 477.0201(6) 477.025(2) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-14.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the development to review and update the rule language.

SUBJECT AREA TO BE ADDRESSED: Range of penalties for disciplinary violations.

RULEMAKING AUTHORITY: 456.073(3), 456.079, 468.1685(1) FS.

LAW IMPLEMENTED: 456.072, 456.073(3), 456.079, 468.1685(4), (5), (6), 468.1755(1)(a), (j), (q) 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: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)245-4393.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:
68B-60.003 Size Limits

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address creation of a new rule within the Commission’s barracuda chapter, 68B-60, FAC, to implement a slot size limit in south Florida. This rule development is proposed due to stakeholder concerns about the status of the barracuda population in south Florida and requests for a size limit received at public workshops and publicly attended Commission meetings.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed in this rule development notice is a regional size limit for barracuda.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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 FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:
69K-27.001 Embalmer Apprentice Program.

PURPOSE AND EFFECT: The Board proposes the substantial rewrite of the rule to modify the language and incorporate forms DFS-N1-1755, “Application for Embalmer Apprentice License,” and DFS-N1-1733, “Application to Extend Embalmer Apprenticeship,” into the rule.

SUMMARY: The substantial rewrite of the rule will modify the language and will incorporate forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, and the substance of the rule amendment, determined that a Statement of Estimated

Regulatory Costs (SERC) was not necessary because the rule does not impose additional rights, obligations, or duties on any persons or any businesses, and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 497.103, 497.371 FS.

LAW IMPLEMENTED: 497.371 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: Ellen Simon, Assistant Director, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@MyfloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 69K-27.001, F.A.C., follows. See Florida Administrative Code for present text.

69K-27.001 Embalmer Apprenticeship Program.

(1) Persons desiring to become an embalmer apprentice shall submit to the Division of Funeral, Cemetery, and Consumer Services an Application For Embalmer Apprentice License, (Rev. 8/2010), Form DFS-N1-1755, incorporated herein by reference, and may be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or from the Board office or on the Board's website, <http://www.myfloridacfo.com>, together with a fifty dollar (\$50.00) nonrefundable application fee. No embalmer apprentice license shall be issued unless the applicant is at least 18 years of age, has received a high school diploma or equivalent degree, and is determined to be of good character and has not demonstrated a history of lack of trustworthiness or integrity in business or professional matters.

(2) Embalmer apprentice licenses shall be issued for a period of three years.

(3) An embalmer apprentice license may be extended for an additional two years past the initial three year licensure period, if during the additional two years the apprentice is enrolled in and attending a course in mortuary science or funeral service education at any mortuary college or funeral service education college or school. Such extension may not be applied for or granted earlier than 180 days before the

expiration of the original three year apprentice license. To obtain such extension the embalmer apprentice licensee shall at least 60 days prior to the expiration of their initial three year embalmer apprentice license, file with the Division an Application to Extend Embalmer Apprenticeship, (Rev. 7/2012), Form DFS-N1-1733, incorporated herein by reference, and may be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or from the Board office or on the Board's website, <http://www.myfloridacfo.com>, together with evidence of the required college or school enrollment and attendance. The evidence of the required college or school enrollment and attendance shall consist of a dated letter or report from the college or school, on the letterhead of the college or school, indicating that the person seeking the extension is currently enrolled in or has been accepted for enrollment in said college or school. An extension under this paragraph shall terminate at the earlier of the two year extension period, or when the apprentice ceases to be enrolled in and attending the mortuary college or funeral service education college or school. If during an extension granted under this paragraph the apprentice ceases to be enrolled in and attending the mortuary college or funeral service education college or school, the apprentice shall within 30 days of such cessation of enrollment and attendance, cease their apprentice activities and notify their apprentice supervisor and the Division of such cessation of enrollment and attendance.

(4) An embalmer apprenticeship may be performed only at a training agency approved under Section 497.375(2) and Rule 69K-18.004, F.A.C. All embalmer apprentice activities shall be under the direct supervision of a Florida licensed embalmer in good standing who shall provide quarterly reports to the Division pursuant to Rule 69K-18.002(9), F.A.C., concerning the activities engaged in by the embalmer apprentice during the preceding calendar quarter.

(5) If an embalmer apprentice license is extended for two years based upon the apprentice being enrolled in and attending a course in mortuary science or funeral service education at any mortuary college or funeral service education college or school, during such extension the apprentice's supervising embalmer shall assure that the embalmer apprentice remains enrolled in his or her educational program.

(6) If an embalmer apprentice is unable to perform as an embalmer apprentice for a portion of his or her embalmer apprenticeship license period due to illness or personal injury, he or she may request an extension of the apprenticeship for a period equal to the period in which he or she was unable to perform. The embalmer apprentice may seek such extension by filing with the Division, prior to the expiration of his or her original embalmer apprentice license period, an Application to Extend Embalmer Apprenticeship due to illness or injury,

form DFS-N1-1733 available on the Division's website, together with a statement of a medical care provider documenting the illness or injury and its duration.

(7) No person shall be issued more than one embalmer apprentice license in his or her lifetime.

Rulemaking Specific Authority 497.103, 497.371 FS. Law Implemented 497.371 FS. History—New 8-18-82, Formerly 21J-27.01, Amended 11-15-92, Formerly 21J-27.001, Amended 7-14-99, Formerly 61G8-27.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Division of Funeral, Cemetery, and Consumer Services
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Division of Funeral, Cemetery, and Consumer Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 31, 2016

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:
 6M-4.610 Statewide Provider Contract for the School Readiness Program
 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. 42 No. 172, September 2, 2016 issue of the Florida Administrative Register. The changes are as follows:

6M-4.610 Statewide Provider Contract for the School Readiness Program

- (1) General Provisions.
 - (a) through (g) No change.
 - (2) No change.
 - (3) School Readiness Program Ineligibility. For the purpose of this subsection "individual associated with a provider" means an individual or family member of an individual who, regardless of compensation, holds a management position, oversees the operations of a provider, or is an officer, shareholder, beneficial owner or member of the board of directors of a provider. A provider shall not be eligible to contract to offer the SR program if any of the following circumstances apply:
 - (a) through (d) No change.

(e) The provider is currently eligible to participate in the program pursuant to Section 1002.88 (2), F.S.

(f) An individual associated with the provider was or is associated with another provider that is currently eligible to participate in the program pursuant to Section 1002.88 (2), F.S.

(g) For multi-site providers, such as corporate chains or school districts, School Readiness program ineligibility in paragraphs (e) and (f) above, is per site and may not apply to all locations unless specifically determined otherwise by the coalition. In determining ineligibility of multi-site providers, the coalition shall consider the following factors: the severity of the provider's actions leading to the ineligibility, the health, safety and welfare of children enrolled at the provider sites, the financial impact of the provider's actions, the impact that ineligibility would have upon the local community, consistency with coalition's actions against other providers for similar violations of the Contract or program requirements, the length of time that provider provided services under the Contract with the coalition, and whether the provider had previously violated the terms of the Contract and prior contracts with the coalition.

(4) Transfer of ownership. In the event of a change of ownership, sale, sale of assets, conveyance of ownership or other transfer of ownership interest, the provider shall notify the coalition no later than 30 calendar days prior to the transfer of ownership. The coalition and the new owner shall execute a new contract for SR services, provided the new owner meets the eligibility requirements pursuant to subsection (2) of this rule and Section 1002.88, F.S., and is not disqualified from contracting pursuant to subsection (3) of this rule. Upon a request to contract due to a transfer of ownership, the coalition shall have up to 30 calendar days to execute or decline the contract. This timeline may be extended if all prerequisite requirements have not been met.

Rulemaking Authority: 1001.213(2), 1002.82(2)(m) FS. Law Implemented: 1002.82(2)(m), (6), 1002.82, ~~1002.83(7)~~, 1002.84(8), (10), (15), (17), 1002.85(2)(h), 1002.87(2), 1002.88, 1002.91, 1002.97(3) F.S. History—New 2-18-15, Amended _____.

On Form OEL-SR20:

- Section I. No change.
- Section II. 7. (a) through (c) No change.
- Section II 7. (d) Eligibility pursuant to the successful completion of terms of existing corrective action plans or probations. PROVIDER represents that PROVIDER agrees to successfully complete previous corrective action or terms of probation due to noncompliance determinations from a prior Contract, as applicable, for the duration of this Contract. PROVIDER also represents that currently PROVIDER, or an owner, officer, or board director thereof, has not had their

eligibility to provide School Readiness services revoked. For multi-site PROVIDERS, such as corporate chains or school districts, eligibility revocation is per site and not all locations unless specifically determined otherwise by the coalition pursuant to criteria referenced in Paragraph 60 of this contract.

Section II. 7. (e) No change.

Section III. through Section VI. No change.

Section VII. 39. through 45. No change.

Section VII. 46. Co-payment. As required by s. 1002.84(8), F.S., PROVIDER shall collect the assessed parent co-payment or graduated phase-out co-payment in accordance with Rule 6M-4.400, F.A.C., from the parent.

a. Co-payment Amount. The amount of the co-payment or graduated phase-out co-payment which must be collected for each child is included on his or her child care certificate. In the event that an assessed parent co-payment or graduated phase-out co-payment is changed by COALITION, COALITION will send the PROVIDER written notice of the change. Only co-payment or graduated phase-out co-payment changes from the COALITION are valid.

b. Co-payment Assessment and Collection. Assessed parent co-payments or graduated phase-out co-payments are automatically deducted from PROVIDER's monthly reimbursement. PROVIDER is required to collect parent co-payments or graduated phase-out co-payments.

c. Co-payment Documentation. PROVIDER must give the parent a receipt for each co-payment or graduated phase-out co-payment made by the parent and retain receipt records for all child care co-payments or graduated phase-out co-payments. Upon request, PROVIDER shall provide a current accounting and copy of co-payment or graduated phase-out co-payments receipt records to the COALITION. COALITION will use this documentation to ensure parents who transfer their children to another child care provider have met their co-payment or graduated phase-out co-payment obligations before receiving additional school readiness services.

Section VII. 47.through 53. No change.

Section VIII. through IX. No change.

Section X. 56. through 59. No change.

Section X. 60. Revocation of Eligibility.

a. In accordance with s. 1002.88(2), F.S., if PROVIDER's Contract is terminated under paragraph 56, 57, or 58, COALITION may revoke PROVIDER's eligibility to deliver School Readiness Program for a period of five (5) years. The only statutorily authorized period of revocation is five (5) years (s. 1002.88(2), F.S.). In determining whether to revoke PROVIDER'S eligibility, the COALITION shall consider the following factors: the severity of the PROVIDER'S actions leading to the termination of the contract, the health, safety and welfare of children enrolled at the PROVIDER, the financial impact of the PROVIDER'S actions, the impact that

the revocation would have upon the local community, consistency with COALITION'S actions against other PROVIDERS for similar violations of the Contract or program requirements, the length of time that PROVIDER provided services under contract with the COALITION, and whether the PROVIDER had previously violated ~~the~~ these terms of this Contract and prior contracts with the COALITION. COALITION shall provide notice of its intent to revoke PROVIDER'S eligibility at the same time that it provides written notice of intent to terminate the contract to PROVIDER.

b. The PROVIDER agrees that in the event that this contract is terminated under the provisions of paragraphs 57, 58 or 59, and the PROVIDER'S eligibility is not revoked for a period of five (5) years under paragraph 60, part a., the parties may not enter into another contract for the school readiness services for the remainder of the contract term of this contract.

Section X. 61. through 67. No change.

Section XI. through XIV. No change.

Exhibit 1: No change.

Exhibit 2: Nos. 1through 6 No change.

No. 7. Current Sunbiz print-out identifying the office, director or authorized person(s), if applicable.

Exhibits 3 through 5: No change.

On Form OEL-SR 20A:

Section I. through II. No change.

Section III. Add a new box between Location of Provider's Principal Office (1) and Curriculum (13) entitled "Adding or Deleting Provider Locations Listed on Exhibit I." and providing space to recite: "The added/deleted location(s) is and address(es): _____" and "Reason for modification: _____"

Section III. Remainder of boxes: No change

Section IV. No change

Form OEL-SR 20L, Form OEL-SR 20LE, and Form OEL-SR 20FFN: No change

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: 6M-8.301
 RULE TITLE: Standard Statewide Provider Contract for the VPK Program

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. 42 No. 171, September 1, 2016 issue of the Florida Administrative Register.

The following changes have been made:

6M-8.301 Statewide Provider Agreement for the VPK Program

(1) through (7) No change.

(8) For the purpose of this subsection “individual associated with a provider” means an individual or family member of an individual who, regardless of compensation, holds a management position, oversees the operations of a provider, or is an officer, shareholder, beneficial owner or member of the board of directors of a provider. A provider shall not be eligible to contract to offer the VPK program if any of the following circumstances apply:

(a) No change.

(b) An individual associated with the provider was, or is, associated with another provider that is on the United States Department of Agriculture National Disqualified List;

(c) No change.

(d) An individual associated with the provider was, or is, associated with another provider that has been terminated from participation in the program due to fraud and is currently not eligible to participate in the VPK program.

(e) The provider is currently ineligible to participate in the program pursuant to Section 1002.67(4), F.S.

(f) An individual associated with the provider was, or is, associated with another provider that is currently ineligible to participate in the program pursuant to Section 1002.67(4), F.S.

(g) For multi-site providers, such as corporate chains or school districts, VPK program ineligibility identified in paragraphs (e) and (f) above is per site and may not apply to all locations unless specifically determined otherwise by the coalition. In determining ineligibility of multi-site providers, the coalition shall consider the following factors: the severity of the provider’s actions leading to the ineligibility, the health, safety and welfare of children enrolled at the provider sites, the financial impact of the provider’s actions, the impact that ineligibility would have upon the local community, consistency with coalition’s actions against other providers for similar violations of the Contract or program requirements, the length of time that provider provided services under the contract with the coalition, and whether the provider had previously violated the terms of the Contract and prior contracts with the coalition.

(h) For providers removed from eligibility due to noncompliance specifically related to VPK pre- and post-assessment or VPK readiness rates under Section 1002.67(4), F.S., the removal from eligibility applies to VPK program type (school-year or summer) and therefore, in paragraphs (e) and (f) above, ineligibility to contract is per program type.

(9) Transfer of ownership. In the event of a change of ownership, sale, sale of assets, conveyance of ownership or other transfer of ownership interest, the provider shall notify the coalition no later than 30 calendar days prior to the transfer of ownership. The coalition and the new owner shall execute a new contract for VPK services, provided the new owner meets the eligibility requirements of Sections 1002.55, 1002.61, and 1002.63, F.S., and is not disqualified from contracting pursuant to subsection (8) of this rule. Upon receipt of a request for a new contract due to a transfer of ownership, the coalition shall have up to thirty (30) calendar days to execute or decline a new contract. This timeline may be extended if all prerequisite requirements have not been met.

(10) No change.

On Form OEL-VPK 20:

Paragraphs 1 through 55: No change.

Paragraph 56: separated the paragraph into two parts, adding a. at the beginning of the current paragraph and adding language in part b, which states: b. The PROVIDER agrees that in the event that this contract is terminated under the provisions of paragraphs 54 or 55, and the PROVIDER’s eligibility is not revoked for a period of five (5) years under paragraph 56 part a, the parties may not enter into another contract for VPK services for the remainder of the contract term of this contract.

All remaining paragraphs and exhibits: No change.

DEPARTMENT OF JUVENILE JUSTICE

Detention Services

RULE NOS.:	RULE TITLES:
63G-1.011	Definitions
63G-1.013	Calculating Estimated Funding
63G-1.016	Monthly Reporting
63G-1.017	Monthly/Annual Reconciliation and Dispute Resolution

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40 No. 95, May 15, 2014 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on October 11, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Anchor Point at 1028 Apollo Beach Blvd, Apollo Beach, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 2.2.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires removing foreign equipment from the elevator machine room which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2016-231).

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

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF CITRUS

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

DATE AND TIME: October 26, 2016, 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: Heather Facey, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831 or hfacey@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

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2016, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: the North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2016, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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

North Central Florida Regional Planning Council
The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2016, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District
The Suwannee River and the St. Johns River water management districts announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, November 3, 2016, 1:00 p.m.

PLACE: Suwannee River Water Management District Headquarters, 9225 CR 49, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss the draft North Florida Regional Water Supply Plan (NFRWSP) and to conduct a workshop for the public on the draft NFRWSP. The workshop will have an open session where the public can interact with staff to learn more about the NFRWSP and water supply planning. Then staff will conduct a presentation on the NFRWSP with a follow up period for public comment pertaining to the NFRWSP.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the workshop.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kristi Cushman, 4049 Reid Street, Palatka, FL 32177, (386)329-4308, email: kcushman@sjrwm.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.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: Amy Brown, Suwannee River Water Management District, (386)362-1001. 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

St. Johns River Water Management District
The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 2, 2016, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to conduct administrative and procedural matters related to the committee and have discussions about: the NFSEG Groundwater Model Development status, discussion on Water Supply/Resource

Development Project options and the SAC's recommendation regarding Water Supply/Resource Development Project selection and exclusion criteria. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: the St. Johns River Water Management District, Attention: Kristi Cushman, 4049 Reid Street, Palatka, FL 32177, (386)329-4308, kcushman@sjrwmd.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.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: Amy Brown, Suwannee River Water Management District, (386)362-1001. 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: October 27, 2016, 9:00 a.m., Big Cypress Basin Board meeting

PLACE: Collier County Government Center - Commission Chambers, 3299 Tamiami Trail East, Naples, FL 34112-5746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Big Cypress Basin Board business.

A copy of the agenda may be obtained by contacting: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov, or <https://www.sfwmd.gov/bcb>.

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: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 2, 2016, 9:00 a.m. – 10:00 a.m.

PLACE: Tampa Bay Water's Administration Office, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for The Request for Proposals for Programs Evaluation Criteria Update, Contract No. 2017-017. As a part of the selection process, the Selection Committee will meet, if deemed necessary, to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATE AND TIME: November 8, 2016, 10:30 a.m.

PLACE: Conference call dial-in number: 1(888)670-3525, participant code: 5652080150

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Education Advisory Committee to consider items relating to the education requirements to sit for the CPA examination.

A copy of the agenda may be obtained by contacting: Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Barbara Whitney. 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: Barbara Whitney, Regulation Specialist II, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-4.001 Amateur Sanctioning Organization Licensure, Criteria for Approval and Denial

The Florida State Boxing Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 4, 2015, 10:00 a.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 6740308491 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting including amateur sanctioning organization biennial reviews, license application reviews, discipline cases and to discuss Section 61K1-3.016, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Lina Hurtado, (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 24 hours before the workshop/meeting by contacting: Lina Hurtado, (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: Lina Hurtado, (850)488-8500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Greenways and Trails Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 2, 2016, 1:00 p.m.

PLACE: Council Chamber at City Hall; 555 S. Washington Avenue, Titusville, Florida 32796

DATE AND TIME: November 3, 2016, 8:30 a.m.

PLACE: Council Chamber at City Hall; 555 S. Washington Avenue, Titusville, Florida 32796

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by contacting: Britney Moore, Office of Greenways and Trails, Division of

Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Britney.Moore@dep.state.fl.us, (850)245-3069. The agenda and meeting materials will be available and posted at the Office of Greenways and Trails' website (FloridaGreenwaysandTrails.com) 7 days prior to the meetings.

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: Britney Moore, Office of Greenways and Trails, Division of Recreation and Parks, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, Britney.Moore@dep.state.fl.us, (850)245-3069. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

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

DATE AND TIME: November 15, 2016, 12:00 Noon

PLACE: Conference number: 1(888)670-3525, participant code: 7342425515

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained at <http://floridaspodiatricmedicine.gov/>.

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

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

The Florida Department of Health, Division of Children’s Medical Services, Early Steps Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 26, 2016, 2:00 p.m. – 3:30 p.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 6272156732#

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Early Steps Best Practices Workgroup is convening to review the draft Individualized Family Support Plan.

A copy of the agenda may be obtained by contacting: Kelly.Rogers@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kelly.Rogers@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kelly.Rogers@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: November 16, 2016, 1:00 p.m.

PLACE: In person: 9393 North Florida Avenue, Room 808, Tampa, FL; telephone conference: 1(888)670-3525, participant code: 1119788458

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting is a Critical Incident Rapid Response Team (CIRRT) advisory committee meeting.

A copy of the agenda may be obtained by contacting: Beth Pasek, (813)337-5703.

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: Beth Pasek, (813)337-5703. 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: Beth Pasek, (813)337-5703.

FLORIDA TELECOMMUNICATIONS RELAY, INC.

The Florida Telecommunications Relay, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: October 18, 2016, 9:30 a.m.

PLACE: Florida Telecommunications Relay, Inc., 1820 E Park Ave., Suite 101, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: James Forstall, Executive Director, (850)270-2614, jforstall@ftri.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 24 hours before the workshop/meeting by contacting: James Forstall, Executive Director, (850)270-2614, jforstall@ftri.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).

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: James Forstall, Executive Director, (850)270-2614, jforstall@ftri.org.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Brandon T. Crossland, Esq. and Mark Westbrook, In Re: ARDA Resort Owners Coalition, Incorporated; Ventura Condominium Association, Inc.; Caribbean Beach Club Association, Inc.; Lehigh Resort Club Condominium Association, Inc.; Docket No. 2016033188, on July 14, 2016. The following is a summary of the agency’s disposition of the petition:

Section 718.112(2)(l), Florida Statutes, does not impose an independent obligation on Petitioners to retrofit with a fire sprinkler system. There is no conflict between Sections 721.24 and 718.112(2)(l), Florida Statutes, as they apply to the petitioners’ respective timeshare condominiums. Section 721.24, Florida Statutes, provides an affirmative duty for various firesafety systems, while Section 718.112(2)(l), Florida Statutes, provides a process for residential

condominium associations to forego retrofitting if otherwise obligated to retrofit. The amended statement was filed with the Agency Clerk on October 12, 2016. The original statement was amended slightly to correct one footnote.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; Danielle.Walker@myfloridalicense.com.

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

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

Florida Association of Independent Charter Schools and Aspira Raul Arnaldo Martinez Charter School and Miami Community Charter Middle School vs. Florida Department of Education and State of Florida Board of Education; Case No.: 16-5765RP; proposed Rule No.: 6A-2.0020

Tampa Bay Downs, Inc., and TBDG Acquisition, LLC, d/b/a TGT Poker and Racebook vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7022RP; proposed Rules 61D-11.001, 61D-11.002, 61D.11.005(9)

The Seminole Tribe of Florida vs. Department of Environmental Protection and Florida Environmental Regulation Commission; Case No.: 16-4431RP; proposed Rule No.: 62-302.530

Martin County, a Political Subdivision of the State of Florida vs. Department of Environmental Protection and Florida Environmental Regulation Commission; Case No.: 16-4912RP; proposed Rule No.: 62-302.530

Children of Light Academy, Inc. vs. Department of Children And Families; Case No.: 16-5438RX; Rule No.: 65C-22.006(3)(C)4

School District of Lee County vs. Department of Education; Case No.: 16-5753RU

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

The Seminole Tribe of Florida vs. Department of Environmental Protection and Florida Environmental Regulation Commission; Case No.: 16-4431RP; Rule Nos.: 62-302.400 and 62-302.530; Neither DEP’s Notice of Change for proposed rule 62-302.400 nor the revised SERC provided Petitioners with the right to challenge proposed rule 62-302.530. Accordingly, it is ORDERED that the motions to dismiss are GRANTED and the petitions are DISMISSED.

The City of Miami vs. Department of Environmental Protection and Florida Environmental Regulation Commission; Case No.: 16-4836RP; Rule Nos.: 62-302.400 and 62-302.530; Neither DEP’s Notice of Change for proposed rule 62-302.400 nor the revised SERC provided Petitioners with the right to challenge proposed rule 62-302.530. Accordingly, it is ORDERED that the motions to dismiss are GRANTED and the petitions are DISMISSED.

Florida Pulp and Paper Association Environmental Affairs, Inc. vs. Department of Environmental Protection and Florida Environmental Regulation Commission; Case No.: 16-4875RP; Rule Nos.: 62-302.400 and 62-302.530; Neither DEP’s Notice of Change for proposed rule 62-302.400 nor the revised SERC provided Petitioners with the right to challenge proposed rule 62-302.530. Accordingly, it is ORDERED that the motions to dismiss are GRANTED and the petitions are DISMISSED.

Martin County vs. Department of Environmental Protection and Florida Environmental Regulation Commission; Case No.: 16-4912RP; Rule Nos.: 62-302.400 and 62-302.530; Neither DEP’s Notice of Change for proposed rule 62-302.400 nor the revised SERC provided Petitioners with the right to challenge proposed rule 62-302.530. Accordingly, it is ORDERED that the motions to dismiss are GRANTED and the petitions are DISMISSED.

Daytona Beach Kennel Club, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7011RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

Jacksonville Kennel Club, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7012RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

Melbourne Greyhound Park, LLC vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7013RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

Bonita-Fort Myers Corporation vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No. 15-7014RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

Investment Corporation of Palm Beach vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7015RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

West Flagler Associates, LTD. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7016RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

Tampa Bay Downs, Inc., and TBDG Acquisition, LLC, d/b/a TGT Poker and Racebook vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 15-7022RP; proposed repeal of rules 61D-11.001(17) and 61D-11.002(5) dealing with “designated player” games, was an invalid exercise of delegated legislative authority.

Section IX

**Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X

**Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI

**Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

University of South Florida

NOTICE TO PROFESSIONAL CONSULTANTS

NOTICE TO PROFESSIONAL CONSULTANTS REQUEST
FOR QUALIFICATIONS

The University of South Florida St. Petersburg (USFSP), announces that continuing professional services are required for the following discipline:

Mechanical Electrical, and Plumbing Engineering (Up to 2) University of South Florida, St. Petersburg Campus, St. Petersburg, Florida (with ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction and additions for USFSP facilities that have a basic construction budget that does not exceed \$2,000,000 or survey or studies for which the fee for professional services that does not exceed \$200,000. Projects for USFSP facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial contract period of one (1) year with an Owner’s option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Mechanical Electrical, and Plumbing Engineering services only. The Consultant(s) receiving the award will not have an exclusive contract to perform services for these projects; the USFSP may have additional continuing service Consultant(s) under contract during the same time period. Services required to be provided under the Continuing Service Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University’s space management program. Any new construction projects should have the ability to be USGBC LEED certified, to a minimum

certification level of Silver, if required by the Owner and shall be included as part of basic services and will not be considered as an additional service.

The Mechanical Electrical, and Plumbing Engineer Continuing Services contract shall be in compliance with the selection provisions in Section 287.055, Florida Statutes, and Board of Governors Regulation 14.005.

It is the University's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the selected firms based upon an hourly/unit costs for services document to be provided at the time of negotiations.

In addition to General Liability and Automobile Liability insurance, Blanket Professional Liability insurance will be required for this Contract in the amount of \$250,000 and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for considerations to provide professional services shall submit a Request for Qualification submittal consisting of the information as required in the Submittal Requirements of the Request for Qualifications (RFQ) dated September, 2016, including a letter of interest, a completed USFSP Professional Qualifications Supplement (PQS) for Mechanical Electrical, and Plumbing Engineer Continuing Services dated September, 2016 with attachments, and any required or additional information within the proposal limits as described in the RFQ. Applications on any other form may not be considered. The Request for Qualifications (RFQ) dated September, 2016 and the USFSP Professional Qualifications Supplement dated September, 2016 which includes project information and selection criteria, may be obtained electronically at <http://www.usfsp.edu/facilities/planning-construction/>. Requests for any other project information, or any questions, must be submitted in writing to India Smith, issmith@usfsp.edu. Applications which do not comply with the above instructions may be disqualified. Submittals are part of the public record. Application materials will not be returned. An applicant must be properly registered to practice its profession in the State of Florida at the time of application. If the applicant is a corporation it must be chartered by the Florida Department of State to operate in Florida at the time of application.

Pre-Submittal Meeting: All interested firms are encouraged to attend the Pre-Submittal Meeting to be held at 10:30am EST, November 2, 2016, at the: University of South Florida, St. Petersburg Campus, Davis Hall, Room 130, 140 7th

Avenue South, to review the scope and requirements of this project. (Directions and parking information can be obtained: <http://www.usfsp.edu/visit/>. Daily parking permits can be obtained in Bayboro Hall, Room 132).

Request for Meetings: Requests for meetings by individual firms will not be granted. No communication shall take place between the applicants and the Selection Committee members, and employees of USFSP, except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and written clarifications and questions from the applicant.

Submission: One (1) original and five (5) spiral-bound copies of the submittals are to be submitted to the attention of: John Dickson, Director, Facilities Services, University of South Florida St. Petersburg, 140 7th Avenue South, Terrace 100, St. Petersburg, FL 33701 by 2:00 PM EST, November 16, 2016. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Submittals that do not comply with the above instructions may be disqualified. Submittals are not to exceed 40 single-sided pages or 20 double-sided pages, including the "USFSP Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively.

The University reserves the right to suspend, discontinue or cancel the selection process at any time and reject any or all submissions without obligation to the respondent. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications including experience and ability, design ability, past performance, workload, volume of USFSP work (including USF Foundation), and location, in meeting the goals and objectives of the of the project and USF Strategic Plan.

As part of the USF Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. USF is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (MBE) in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or to participate in design and/or construction-related services. MBE participation information for this contract shall be provided by the Mechanical Electrical, and Plumbing Engineer in response to a periodic request from the University's Supplier Diversity Manager's office.

The plans and specifications for the USFSP projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

**THE GOVERNING BOARD OF THE ST. JOHNS RIVER
WATER MANAGEMENT DISTRICT REQUEST FOR
QUALIFICATIONS-28743**

The District issued Request for Qualifications (RFQ) No. 28743 to procure the services of a professional surveying and mapping firm to collect and process digital topographic data (LiDAR) for "Areas of Interest" within or adjacent to the District's 18-county boundaries. The date and time for negotiations is extended to 11:00 am, October 24, 2016. District staff will meet with the top-ranked respondent for this RFQ to negotiate fees and project costs beginning at 11:00 a.m., on October 24, 2016, at District headquarters, 4049 Reid Street, Palatka, Florida 32177 (C.R. 147).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Innovative Technologies For Petroleum Cleanup – Shell-
McClellan 628517046

NOTICE OF Request for Proposal: On behalf of the Florida Department of Environmental Protection's the Procurement Office is soliciting formal, competitive, sealed replies for bid number DEP RFP 2017021C, Innovative Technologies For Petroleum Cleanup – Shell- McClellan 628517046.

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

**Section XII
Miscellaneous**

NONE

**Section XIII
Index to Rules Filed During Preceding
Week**

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