

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.:       RULE TITLE:  
6A-1.099812    Education Accountability for Department of  
                    Juvenile Justice Education Programs

PURPOSE AND EFFECT: The purpose and effect of this rule development is to fulfill requirements under Section 1003.52(16)(d), Florida Statutes, to adopt rules that establish a performance rating system based on student performance measures that identifies high-performing juvenile justice education programs and identifies low-performing programs.

SUBJECT AREA TO BE ADDRESSED: The rule articulates the measures, scoring criteria and associated performance ratings to be used in the Department of Juvenile Justice Education Program accountability system, and requires the district superintendent to identify an accountability contact person responsible for activities related to the accountability system.

RULEMAKING AUTHORITY: 1003.52(16) FS.

LAW IMPLEMENTED: 1003.52(16) FS.

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

DATES AND TIMES: April 6, 2016, 2:30 p.m. – 3:30 p.m. and April 7, 2016, 10:00 a.m. – 12:00 Noon

PLACES: April 6 - Ronald Blocker Educational Leadership Center at 445 West Amelia Street, first floor Board Room, Orlando, FL 32801. April 7 - Webinar with conference line. To participate virtually, register for the webinar at <https://attendee.gotowebinar.com/register/3117240082953071876>; once registered, a confirmation email will be sent with directions for joining the webinar. To join the conference line, call 1(888)670-3525, and enter the participant passcode: 461-675-2002#. To participate in person, Florida Department of Education, Turlington Building, 325 W. Gaines St., Room 1706, Tallahassee, FL 32399.

The workshops listed above will be held to collect public input and feedback for this rule, as well as Rule 6A-1.099813, F.A.C. Education Program Improvement Process for Department of Juvenile Justice Programs, as the subject areas addressed in the rules are closely related and reciprocal.

Members of the public unable to attend one of the workshops listed above may submit comments concerning this rule development to [arm@fldoe.org](mailto:arm@fldoe.org) or at <https://app1.fldoe.org/rules/default.aspx>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jason Gaitanis, Policy Research and Accountability Coordinator, Florida Department of Education, Florida Department of Education, 325 West Gaines Street, Suite 544, Tallahassee, Florida, 32399-0400, (850)245-0437

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

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.:       RULE TITLE:  
6A-1.099813    Education Program Improvement Process  
                    for Department of Juvenile Justice Programs

PURPOSE AND EFFECT: The purpose of this rule development is to set forth the education program improvement process for Department of Juvenile Justice education programs pursuant to ss. 1003.51 and 1003.52, Florida Statutes, to delineate the responsibilities of the Department of Juvenile Justice education program, school district, Department of Education, and Department of Juvenile Justice; use the education program performance rating system established in Rule 6A-1.099812, F.A.C., to identify low-performing Department of Juvenile Justice education programs; set timelines for the process, as well as consequences for continued low performance; and establish intervention and support strategies, including the submission of corrective action plans.

SUBJECT AREA TO BE ADDRESSED: Education program improvement implementation.

RULEMAKING AUTHORITY: 1003.51 FS.

LAW IMPLEMENTED: 1003.51, 1003.52 FS.

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

DATES AND TIMES: April 6, 2016, 2:30 p.m. – 3:30 p.m. and April 7, 2016, 10:00 a.m. – 12:00 Noon

PLACES: April 6 - Ronald Blocker Educational Leadership Center at 445 West Amelia Street, first floor Board Room, Orlando, FL 32801. April 7 - Webinar with conference line. To participate virtually, register for the webinar at <https://attendee.gotowebinar.com/register/3117240082953071876>; once registered, a confirmation email will be sent with directions for joining the webinar. To join the conference line, call 1(888)670-3525, and enter the participant passcode: 461-675-2002#. To participate in person, Florida Department of Education, Turlington Building, 325 W. Gaines St., Room 1706, Tallahassee, FL 32399.

The workshops listed above will be held to collect public input and feedback for this rule, as well as Rule 6A-1.099812, F.A.C. Education Accountability for Department of Juvenile Justice Education Programs, as the subject areas addressed in the rules are closely related and reciprocal.

Members of the public unable to attend one of the workshops listed above may submit comments concerning this rule development to [bsi@fldoe.org](mailto:bsi@fldoe.org) or at <https://app1.fldoe.org/rules/default.aspx>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shannon Houston, Senior Educational Programs Director, Bureau of School Improvement, Florida Department of Education, 325 West Gaines Street, Suite 314, Tallahassee, FL 32399, (850)245-0007 or [shannon.houston@fldoe.org](mailto:shannon.houston@fldoe.org).

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 STATE

#### Division of Cultural Affairs

RULE NOS.:	RULE TITLES:
1T-1.001	Division of Cultural Affairs
1T-1.036	Arts and Cultural Grants
1T-1.039	Cultural Facilities Program
1T-1.040	Fast Track Grants

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to establish in rule the most recent guidelines, forms and Grant Award Agreements for the Cultural Endowment Program, General Program Support, Specific Cultural Project, Fast Track Grants, and Cultural Facilities.

**SUMMARY:** The guidelines and incorporated material for grant programs are being updated for the upcoming grant cycle.

**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 completion of the SERC checklist, it was determined that this rule amendment will not have a direct or indirect adverse financial impact on small businesses.

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:** 265.605, 265.701(5), 265.284(3)(j), 265.286(1), 265.286(11) FS.

**LAW IMPLEMENTED:** 265.284, 265.286, 286.011, 286.012, 265.601-603, 265.605-606, 265.701 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: Carlos A. Rey, Florida Department of State, 500 S. Bronough St., Tallahassee, FL 32304, (850)245-6536, [Carlos.Rey@dos.myflorida.com](mailto:Carlos.Rey@dos.myflorida.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

1T-1.001 Division of Cultural Affairs.

(1) Florida Council on Arts and Culture.

(a) Membership and duties of the Florida Council on Arts and Culture (Council) shall be in accordance with Section 265.285, F.S.

(b) Officers. The Chairperson, Vice Chairperson, and Secretary of the Council shall be elected annually by the Council membership and may be re-elected for subsequent terms. In the event of the resignation or term-expiration of an officer, interim elections may be held.

(c) The Chairperson has the authority to appoint standing and ad hoc committees of the Council, as well as appoint task forces made up of members of the Council and the general public. Standing and ad hoc committees, or task forces may report any recommendations to the Council at the next scheduled Council meeting. Recommendations shall be final upon approval by the Council, unless rejected by the Secretary of State.

(d) The Council shall meet in accordance with Section 265.285(1)(b), F.S. Notice shall be provided and meetings shall be conducted in accordance with Section 120.525, F.S.

(2) Cultural Endowment Program. The purpose of this program is to create an endowment matching funds program that will provide programming ~~operating~~ resources to participating cultural organizations. All endowment applicants must meet the requirements set forth in the program guidelines <http://dos.florida-arts.org/grants/guidelines/endowment.guidelines.cfm>, effective ~~XX/XX 07/15~~, which are available from the Division at <http://dos.myflorida.com/cultural/grants/grant-programs/cultural-endowment/> and are hereby incorporated by reference.

(3) The following forms must be used in the administration of the Cultural Endowment Program and are hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-05449> and available at <http://dos.myflorida.com/cultural/grants/grant-programs/cultural-endowment/>:

(a) Cultural Endowment Application Form (CA2E037, [new hyperlink https://www.flrules.org/Gateway/reference.asp?No=Ref-05448](https://www.flrules.org/Gateway/reference.asp?No=Ref-05448), eff. XX/XX 07/15) and available at <http://dos.myflorida.com/media/31122/cepapplformca2e037.pdf>.

(b) The Cultural Endowment Agreement (CA2E039, [new hyperlink https://www.flrules.org/Gateway/reference.asp?No=Ref-05447](https://www.flrules.org/Gateway/reference.asp?No=Ref-05447), eff. XX/XX 07/15).

(c) Annual Report Form (CA2E100, [new hyperlink https://www.flrules.org/Gateway/reference.asp?No=Ref-05446](https://www.flrules.org/Gateway/reference.asp?No=Ref-05446), eff. XX/XX 7/15).

Rulemaking Authority 265.605(1), 265.701(5) FS. Law Implemented 265.285, 265.601-.603, 265.605-.606, 265.701 FS. History—New 11-23-82, Formerly 1T-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-2-05, 5-16-05, 6-21-05, 12-20-05, 5-22-06, 6-5-06, 6-27-06, 8-20-07, 9-16-07, 1-8-08, 7-8-08, 9-8-08, 3-5-09, 6-17-09, 10-27-09, 7-13-10, 7-5-15, xx-xx-xx.

1T-1.036 Arts and Cultural Grants.

(1) This rule provides the requirements for grant programs administered by the Division of Cultural Affairs (Division). Each program is governed by guidelines which contain eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the 2017-2018 ~~2016/2017~~ guidelines for the General Program Support Guidelines, which are available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org), effective XX/XX, and are hereby incorporated by reference:

(a) The General Program Support Program provides general program support for local arts agencies, state service organizations, and organizations that have general program activity in any of the art and cultural disciplines in Section 265.283(7), F.S.

(b) Specific Cultural Projects Program, provides funding for arts in education, underserved cultural community development, and other nonprofit public or private organizations having specific cultural project activity in any of the arts and cultural disciplines in Section 265.283(7), F.S.

Grant administration procedures are also included as part of the guidelines.

(3) The following application form is available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) and is hereby incorporated by reference: General Program Support and Specific Cultural Projects Program Application (Form CA2E145), [new hyperlink](#) effective XX/XXXX 05/2015.

(4) The following forms are used in the administration of all grant programs in this rule and are hereby incorporated by reference and available at [www.Florida-arts.org](http://www.Florida-arts.org):

(a) Final Report Form (Form CA2E004), [new hyperlink](#), effective XX/XXXX 05/2015.

(b) Grant Award Agreement (Form CA2E142), [new hyperlink](#), effective XX/XXXX 05/2015.

(c) Grant Funds Expenditure Log (CA2E136), [new hyperlink](#), effective 03/2014), <http://www.flrules.org/Gateway/reference.asp?No=Ref-03726>.

(d) Contract Details (CA2E159), [new hyperlink](#), effective 05/2015).

~~(e) Contract Details Amendment (CA2E160), effective 05/2015.~~

~~(e)(f)~~ Project Progress Report (Form CA2E162), [new hyperlink](#), effective 05/2015).

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 10-27-09, Amended 6-1-10, 4-2-12, 6-10-13, 3-16-14, 5-27-15, xx-xx-xx.

1T-1.039 Cultural Facilities Program.

(1) This rule provides the requirements for the Cultural Facilities Program administered by the Division of Cultural Affairs (Division). All grant applicants must meet the requirements set forth in the guidelines, ([new hyperlink https://www.flrules.org/gateway/reference.asp?NO=Ref-05282](#), effective XX/XXXX 04/15), which are available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) and are hereby incorporated by reference. The program guidelines contain eligibility requirements, application review procedures, evaluation and funding criteria, and application forms. All grant awards are subject to the approval of the Secretary of State and Legislative appropriation.

(2) The Cultural Facilities Program Application (Form CA2E147), [\(new hyperlink https://www.flrules.org/gateway/reference.asp?NO=Ref-05289](#), effective XX/XXXX 04/15) is available from the Division on line at [www.Florida-arts.org](http://www.Florida-arts.org), and is hereby incorporated by reference.

(3) The following forms must be used in the administration of the Cultural Facilities Program and are hereby incorporated by reference and available at [www.Florida-arts.org](http://www.Florida-arts.org):

(a) Cultural Facilities Report Form (Form CA2E048), [new hyperlink](#)

<https://www.flrules.org/gateway/reference.asp?NO=Ref-05274>, effective ~~XX/XXXX~~ 04/15).

(b) Grant Amendment Request (Form CA2E047), new hyperlink

<https://www.flrules.org/gateway/reference.asp?NO=Ref-05278>, effective ~~XX/XXXX~~ 04/15).

(c) Grant Award Agreement (Form CA2E038), new hyperlink

<https://www.flrules.org/gateway/reference.asp?NO=Ref-05279>, effective ~~XX/XXXX~~ 04/15).

Rulemaking Authority 265.701(5) FS. Law Implemented 265.701 FS. History—New 7-13-10, Formerly 1T-1.001(3), Amended 6-5-12, 6-13-13, 3-16-14, 4-29-15, ~~xx-xx-xx~~.

1T-1.040 Fast Track Grants.

(1) This rule provides the requirements for the Fast Track Grants Program administered by the Division of Cultural Affairs (Division). The guidelines contain eligibility requirements, application review procedures, evaluation criteria, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the 2016-2017 guidelines for the Fast Track Grants Program, new hyperlink <https://www.flrules.org/gateway/reference.asp?NO=Ref-05276>, effective ~~XX/XXXX~~ 4/2015, which are available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) and are hereby incorporated by reference.

(3) The following application form is available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) and is hereby incorporated by reference: Fast Track Grants Program Application (Form CA2E157), new hyperlink <https://www.flrules.org/gateway/reference.asp?NO=Ref-05273>, effective ~~XX/XXXX~~ 4/2015).

(4) The following forms are used in the administration of the Fast Track Grant Program in this rule and are hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-02707>.

(a) Final Report Form (Form CA2E004), new hyperlink <https://www.flrules.org/gateway/reference.asp?NO=Ref-05277>, effective ~~XX/XXXX~~ 4/2015).

(b) Grant Funds Expenditure Log (CA2E136), new hyperlink, effective 03/2014, <https://www.flrules.org/Gateway/reference.asp?No=Ref-03513>).

(c) Grant Award Agreement (Form CA2E142), new hyperlink <https://www.flrules.org/gateway/reference.asp?NO=Ref-05290>, effective ~~XX/XXXX~~ 4/2015).

(d) Contract Details (CA2E159), new hyperlink, 4-29-15).

~~(e) Contract Details Amendment (CA2E160), <https://www.flrules.org/gateway/reference.asp?NO=Ref-05273>, effective 4/2015.~~

~~(e)(f) Project Progress Report (Form CA2E162), <https://www.flrules.org/gateway/reference.asp?NO=Ref-05280>, effective 4/2015).~~

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 8-12-12, Amended 6-10-13, 3-16-14, 4-29-15, ~~xx-xx-xx~~.

NAME OF PERSON ORIGINATING PROPOSED RULE: Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 11/16/15

**DEPARTMENT OF VETERANS' AFFAIRS**

**Division of Veterans' Benefits and Assistance**

RULE NOS.:	RULE TITLES:
55A-7.003	Definitions
55A-7.007	General Eligibility for Appointment and Retention Preference
55A-7.008	Persons Eligible for Appointment and Retention Preference
55A-7.009	Announcements, Applications and Due Process
55A-7.010	Employment Preference When Using a Numerically Based Selection Process
55A-7.011	Employment Preference When Numerically Based Selection Process Is Not Used
55A-7.0111	Reinstatement or Reemployment; Promotion Preference
55A-7.013	Documentation of Preference Claim
55A-7.015	Preference in Retention
55A-7.016	Enforcement of Preference

PURPOSE AND EFFECT: The proposed amendments will update rules in Chapter 55A-7, F.A.C., to conform with current statutory provisions of Chapter 295, Fla. Stat. (2015).

SUMMARY: The Florida Legislature modified provisions in the Florida Statutes causing some rule provisions to become inconsistent. Chapter 55A-7 addresses requirements for the State of Florida and its political subdivisions to grant Veterans' Preference points in the appointment and retention processes for specified employees, and provide a certification form to facilitate the process.

**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: Since the proposed rule amendments only revise existing procedures for Florida state and local governments and do not impact the small business or the private sector, there are no new adverse economic and non-economic impacts, just the refinement of current rules to align with Florida Statutes. Any resulting regulatory cost increases that may occur from training and implementation of the amended rules are anticipated to be minimal.

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:** 295.07(2) FS.

**LAW IMPLEMENTED:** 295.065, 295.065, 295.07, 295.08, 295.085, 295.09, 295.11, 295.123, 295.14 FS.

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

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: Linda Williams, Florida Department of Veterans' Affairs, 11351 Ulmerton Road, Room 311-K, Largo, Florida 33778, williamsL3@fdva.state.fl.us/ or (727)518-3202, ext. 5611. 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:** Linda Williams, Florida Department of Veterans' Affairs, 11351 Ulmerton Road, Room 311-K, Largo, Florida 33778, williamsL3@fdva.state.fl.us or (727)518-3202, ext. 5611

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

55A-7.003 Definitions.

As used in the rules of chapter 55A-7, F.A.C.:

(1) "Appointment" means employment of a preference-eligible applicant into a vacant position with the state or political subdivisions of the state after the effective date of these rules.

(2) "Armed Forces" or "armed services" means the Army, Navy, Air Force, Marine Corps and Coast Guard of the United States.

(3) "Augmented Rating" means the final numerical score received by a preference-eligible applicant after it is increased by Veterans' Preference points in accordance with s. 295.08, F.S. and subsection 55A-7.010, of this chapter ~~Rule 55A-7.010, F.A.C., of this chapter.~~

(4) "Complaint Lacking Merit" means a complaint lacking a basis in law and/or fact, and which is so insufficient in that there is little if any prospect that it can be successfully resolved in favor of the veteran.

(5) "Death under Combat Related conditions" means the death was determined by the Department of Defense or U.S. Government to have been incurred as the direct result of armed conflict, while engaged in hazardous service, in the performance of duties under conditions simulating war, or through an instrumentality of war.

~~(6)(5)~~ "Department" means the Florida Department of Veterans' Affairs.

~~(7)(6)~~ "Department of Defense" means the United States Department of Defense.

~~(7) "Examination" means any selection device which results in a numerical score and by which applicants are determined eligible for consideration for a specific position. These devices will include the following:~~

~~(a) A written or proficiency assessment of an applicant's knowledge, skills, and abilities;~~

~~(b) An assessment of the essential knowledge, skills, abilities, and other job related requirements possessed by an applicant; or~~

~~(c) An evaluation of the applicant's training and experience.~~

(8) "DVA" means the United States Department of Veterans' Affairs.

(9) "Examination" means any selection device which results in a numerical score and by which applicants are determined eligible for consideration for a specific position. These devices will include the following:

(a) A written or proficiency assessment of an applicant's knowledge, skills, and abilities;

(b) An assessment of the essential knowledge, skills, abilities, and other job-related requirements possessed by an applicant; or

(c) An evaluation of the applicant's training and experience.

(10) “Family Member” for the purpose of Veterans’ Preference, includes the mother, father, legal guardian, or unmarried widow or widower of a veteran.

(11) “Florida National Guard” means either the Florida Air National Guard or Florida Army National Guard.

(12)(8) “Minimum Qualifications” means a specification of the kinds of experience, training, education, and licensure or certification (if applicable) that provides appropriate job-related evidence that an applicant possesses the minimum required knowledge, skills, and abilities necessary to the discharge of the duties involved.

(13)(9) “Numerically Based Selection Process” means an examination resulting in a numerical score that is used to determine the qualifications for entrance into employment which is the sole criterion for making an employment selection decision from a pool of candidates who meet minimum qualifications.

(14) “Preference-Eligible Applicant” or “Preferred Applicant” means an applicant eligible for preference in appointment or employee eligible for preference in retention pursuant to s. 295.07, F.S., including certain servicemembers and veterans, and the spouse and family members of the servicemembers and veterans.

(15) “Reserve Component of the United States Armed Forces” means the United States Army Reserve, Navy Reserve, Air Force Reserve, Marine Corps Reserve and Coast Guard Reserve.

(16) “Servicemember” as found in s. 295.065, F.S., includes a person currently serving in the active military, naval, or air service under honorable status or a “veteran” as defined in s. 1.01(14), F.S.

(17)(10) “Vacant Position” means a position which the covered employer has announced as being open for recruitment and available to all applicants. A position that is announced as being open to current employees only, to be filled by the reassignment, promotion or demotion of an employee is not a vacant position for the purpose of this chapter.

(11) “DVA” means the United States Department of Veterans’ Affairs.

(18)(12) “Veteran” or “Wartime Veteran” is as defined in s. 1.01(14), F.S.

(a) The term “veteran” means a person who served in the active military, naval, or air service, and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. Active duty for training may not be allowed for veterans’ preference eligibility.

(b) To receive benefits as a “Wartime Veteran,” a veteran as described in (a) must have served at least one day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the following periods of wartime service:

1. Spanish-American War: April 21, 1898, to July 4, 1902, and including the Philippine Insurrection and the Boxer Rebellion.

2. Mexican Border Period: May 9, 1916, to April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders of, or in the waters adjacent to Mexico.

3. World War I: April 6, 1917, to November 11, 1918; extended to April 1, 1920, for those veterans who served in Russia; also extended through July 1, 1921, for those veterans who served after November 11, 1918, and before July 2, 1921, provided such veterans had at least one day of service between April 5, 1917, and November 12, 1918.

4. World War II: December 7, 1941, to December 31, 1946.

5. Korean War: June 27, 1950, to January 31, 1955.

6. Vietnam War: February 28, 1961, to May 7, 1975.

7. Persian Gulf War: August 2, 1990, to January 2, 1992.

8. Operation Enduring Freedom: October 7, 2001, and ending on the date thereafter prescribed by presidential proclamation or by law.

9. Operation Iraqi Freedom: March 19, 2003, and ending on the date thereafter prescribed by presidential proclamation or by law.

(a) The veteran must have served at least 1 day during a wartime period to be eligible for veterans’ preference. Active duty for training shall not be allowed for eligibility.

(b) A veteran who has served in a campaign or expedition for which a qualifying campaign badge or expeditionary medal has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, is eligible for preference pursuant to Section 295.07, F.S.

(19) “Veterans’ Preference” means laws enacted to prevent veterans from being penalized in their civilian careers for their time in military service. Veterans’ Preference laws recognize the economic loss suffered by citizens who have served their country in uniform, restore veterans to a favorable competitive position for public employment, and acknowledge the larger obligation owed to disabled veterans. Preference shall be awarded as detailed in s. 295.08, F.S., when numerically based selection is used and s. 295.085, F.S. when numerically based selection is not used.

Rulemaking Authority 295.07(2) F.S.. Law Implemented 1.01(14), 295.065, 295.07 FS.(2)(e) F.S.—History—New 3-30-88, Formerly 22VP-1.003, Amended 2-12-90, 6-21-92, 7-12-93, 12-27-98, 7-26-00, 6-11-08,\_\_\_\_\_.

55A-7.007 General Eligibility for Appointment and Retention Preference.

Chapter 55A-7, F.A.C., sets forth procedures for providing preference and priority in the employment selection and retention practices of agencies of the State and its political subdivisions as defined in s. 1.01(8), F.S., applying such rules to those certain servicemembers, veterans, spouses and family members of servicemembers and veterans specified in s. 295.07(1), F.S., who ~~This chapter shall apply to any veteran or the spouse of any veteran who:~~

(1) ~~Have~~ Has not been classified by any branch of the Armed Forces of the United States as a deserter; or

(2) ~~Have~~ Has not received a discharge under less than honorable conditions upon separation from the Armed Forces.

(3) ~~Have~~ not been designated as exempt pursuant to s. 295.07(4), F.S. Who is a resident of the State of Florida.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.065, 295.07(4), 295.123, 295.07(3) FS. History—New 3-30-88, Formerly 22VP-1.007, Amended 12-27-98,\_\_\_\_\_.

55A-7.008 Persons Eligible for Appointment and Retention Preference.

The following persons shall be eligible to receive preference in appointment and retention in employment pursuant to s. 295.07, F.S.:

(1) Disabled veterans who have served on active duty in any branch of the United States Armed Forces and who:

(a) Have a presently existing service-connected disability which is compensable under public laws administered by the DVA; or

(b) Are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the DVA and the Department of Defense.

(2) The spouse of any person:

(a) Who has a total and permanent service-connected disability and who, because of this disability, cannot qualify for employment; or

(b) Who is missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

(3) A wartime veteran as defined in s. 1.01(14), F.S., and subsection 55A-7.003(19), F.A.C., who has served in active duty during a specified wartime period for at least one day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specified periods of wartime service; however, active duty for training is not allowed for eligibility.

(4) The unremarried widow or widower of a veteran who died of a service-connected disability.

(5) The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the Department of Defense. A veteran who has served in a campaign or expedition for which a qualifying campaign badge or expeditionary medal has been authorized (including any armed forces expeditionary medal or the global war on terrorism medal).

(6) A veteran as defined in s. 1.01(14), F.S., and subsection 55A-7.003(19), F.A.C., who has served in active duty as specified; however, active duty for training is not allowed for eligibility.

(7) A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

Rulemaking Authority 295.07(2) ~~085(2)~~ FS. Law Implemented 295.07(1) and (3) FS. History—New 3-30-88, Formerly 22VP-1.008, Amended 2-12-90, 6-21-92, 6-11-08,\_\_\_\_\_.

55A-7.009 Announcements, Applications and Due Process.

(1) The employer shall give notice in all written announcements and audio and video advertisements of employment opportunities subject to preference under s. 295.07, F.S., vacancies in covered positions that preference in initial appointment will be given to preference-eligible applicants ~~veterans and spouses of veterans.~~

(2) ~~The covered~~ employer shall inform preference-eligible applicants at the time of application of the right to an investigation by the Department if a non-preference eligible applicant is appointed to a position, the time limits for requesting such investigation, and the address to which the request for an investigation should be sent.

(3) Any employment application forms for positions that are subject to Veterans' Preference under s. 295.07, F.S. Forms provided for application for covered employment shall ask whether the applicant is claiming Veterans' Preference, and shall state that required documentation must accompany application or be submitted prior to the application closing or deadline date and time.

(4) ~~The Each covered~~ employer shall ensure that records are maintained which document the manner of the selection and the propriety of the selection process and decision in accordance with federal and state laws.

(5) In the event that a preference-eligible applicant is not selected for a position, the employer shall notify the applicant within 14 business days of the hiring decision which shall be determined by the employer upon submitting an offer of employment to a selected applicant for the position and receiving an acceptance by the selected applicant for a date certain to start work.

(6) The employer is required to document and justify the decision to hire a non-preference eligible applicant over the preference-eligible applicant because the decision may be challenged by the preference-eligible applicant and subjected to review by the Department of Veterans' Affairs pursuant to s. 295.11, F.S., resulting in findings as to the merits which will be sent to the complaining applicant and the employer. If appealed further, the Department's opinion may be sent to the Public Employees Relations Commission.

(7) Jurisdiction to effectuate the purposes of ss. 295.07-295.09, F.S., shall vest with the Public Employees Relations Commission which shall render a final decision under the powers and duties authorized by ss. 295.11 and 447.207(9)(c), F.S. Its decision shall be final agency action which shall be reviewable pursuant to s. 447.504, F.S., in the district courts of appeal pursuant to s. 120.68, F.S.

Rulemaking Authority 295.07(2) F.S., Law Implemented 295.065, 295.11 F.S., History—New 3-30-88, Formerly 22VP-1.009, Amended 2-12-90, 7-12-93, 6-11-08, \_\_\_\_\_.

55A-7.010, Employment Preference When Using a Numerically Based Selection Process.

(1) The names of persons, unless exempt under s. 295.07(4), F.S., who receive a qualifying examination score for a position, are also eligible to receive Veterans' Preference points or augmentation to be added to the final examination score as defined in subsection 55A-7.003(9), F.A.C., and shall be added to an appropriate register in order of the augmented score which is sum of examination score and applicable augmentation unless subject to (2)(c) of this rule. In all covered positions for which an examination, as defined in subsection 55A-7.003(7), F.A.C., of this chapter, is used to determine the qualifications for entrance into employment with a covered employer, the score of a preference eligible applicant who obtains a qualifying score on the examination shall be augmented as follows:

(2) 15 points of augmentation shall be added for:

(a) Those disabled veterans:

1. Who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the DVA; or

2. Who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the DVA or Department of Defense.

(b) The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action,

captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

(c) Except for classes of positions with Federal Government designations of professional or technician, all persons eligible for a 15-point preference whose service-connected disabilities have been rated to be 30% or more shall be placed at the top of the appropriate register or employment list in accordance with his or her respective augmented rating score in addition to the preference points.

(3) 10 points of augmentation shall be added for:

(a) A wartime veteran as defined in s. 1.01(14), F.S., and subsection 55A-7.003(19), F.A.C., and who has served at least one day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specified periods of wartime service. However, active duty for training is not allowed for eligibility under this paragraph.

(b) The unremarried widow or widower of a veteran who died of a service-connected disability.

(c) The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.

(4) 5 points of augmentation shall be added for:

(a) A veteran as defined in s. 1.01(14), F.S., and subsection 55A-7.003(19), F.A.C., not including wartime veterans who are eligible for 10 points of augmentation under (3) in this rule. However, active duty for training is not allowed for eligibility under this paragraph.

(b) A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

(5) Augmented scores are to be added to a qualified candidate's examination score of 100 or more in addition to the applicable veteran's preference points as follows: 15 points for (2)(a) or (b); 10 points for (3)(a), (b), or (c); 5 points for (4)(a) or (b). However, where the highest possible examination score is less than 100, an alternative procedure makes it permissible to apply percentages to calculate additions to points instead, as follows: 15 percent for persons described in (2)(a) or (b) of this rule; 10 percent for persons described in (3)(a), (b), or (c) of this rule; and 5 percent for persons described in (4)(a) or (b) of this rule.

(6) Appointments to positions under local merit system rules are to be made from the appropriate register or employment list in accordance with these augmented ratings.

(7) Employers shall comply with the requirements of any applicable collective bargaining agreements whenever such agreements provide better preference augmentation than this rule.

~~(a) Where the highest possible examination score is 100, ten points shall be added to the scores of applicants eligible under subsections 55A-7.008(1) and (2), F.A.C.; five points shall be added to the scores of applicants eligible under subsections 55A-7.008(3), (4) and (5), F.A.C.;~~

~~(b) Where the highest possible examination score is other than 100, then 10 percent or 5 percent shall be added to the applicant's score under paragraph (a) or (b) above, as appropriate to give the preference-eligible applicant the equivalent of 10 points or 5 points on a scale of 100.~~

~~(2) The names of persons eligible to receive a 10 point preference whose service connected disabilities have been rated by the DVA or the Department of Defense to be 30 percent or more shall be placed at the top of the appropriate register or employment list in the order of their augmented ratings. This subsection shall not apply to classes of positions with Federal Government designations in the U.S. Department of Labor, Employment and Training Administration's Dictionary of Occupational Titles of professional or technician.~~

~~(3) The names of all other preference-eligible applicants shall be placed on the appropriate register or employment list in the order of their augmented ratings.~~

~~(4) Appointments to positions are required by the local merit system rules to be made from the appropriate register or employment list in the rank order of their augmented ratings. Rulemaking Authority 295.07(2) FS. Law Implemented 295.08 FS. History—New 3-30-88, Formerly 22VP-1.010, Amended 2-12-90, 7-12-93, 12-27-98, 6-11-08, \_\_\_\_\_.~~

55A-7.011 Employment Preference When Numerically Based Selection Process Is Not Used.

(1) When open positions are not filled based upon examination scores or numerically-based selection, and are not among the exempt positions described in s. 295.07(4), F.S., Veterans' Preference in appointment, employment, and retention requires that a preference-eligible applicant be given special consideration and priority at each step of the selection process.

(2) Preference-eligible applicants who meet the minimum qualifications for the open position shall be considered for selection prior to all other applicants and shall be granted an interview.

(3) When two equally-qualified preference-eligible applicants are considered for an open position, selection preference shall be awarded first to paragraphs (a) and (b) of this subsection, and second to paragraphs (c) through (g) of this subsection:

(a) Those disabled veterans who possess the minimum qualifications necessary to discharge the duties:

1. Who have served on active duty in any branch of the United States Armed Forces, have received an honorable

discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the United States Department of Veterans Affairs; or

2. Who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the United States Department of Veterans Affairs and the United States Department of Defense.

(b) The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power who possesses the minimum qualifications necessary to discharge the duties.

(c) A wartime veteran as defined in s. 1.01(14), F.S., and subsection 55A-7.003(19), F.A.C., who has served at least one day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specified periods of wartime service.

(d) The unmarried widow or widower of a veteran who died of a service-connected disability.

(e) The mother, father, legal guardian, or unmarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the Department of Defense.

(f) A veteran as defined in s. 1.01(14), F.S., and subsection 55A-7.003(18), F.A.C. However, active duty for training may not be allowed for eligibility under this paragraph.

(g) A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

(4) At each stage of the hiring process, if a preference-eligible applicant meets minimum qualifications necessary to discharge the duties of the position, he or she will advance to the next step in the public employer's selection process.

(5) If, at any step in the selection process, a determination is made that the preference-eligible applicant is not qualified to advance to a subsequent step in the selection process, a higher level of management having authority to overturn the initial determination shall review such determination to ensure that the determination was correct.

(6) Appointments to positions under local merit system rules are to be made from the appropriate register or employment list in accordance with these augmented ratings.

(7) Employers shall comply with the requirements of any applicable collective bargaining agreements whenever such agreements provide better preference augmentation than this rule.

(8) Veterans' Preference does not require the employment of a preferred applicant over a nonpreferred applicant who is the most qualified applicant for the position, and if a preference-eligible applicant is not selected for a position, an employer may then consider other applicants.

~~(1) In all covered positions for which an examination, as defined in subsection 55A 7.003(7), F.A.C., is not used to determine the qualifications for employment, preference in appointment, employment and retention shall be given first to those persons included under subsections 55A 7.008(1) and (2), F.A.C., and second to those persons included under subsections 55A 7.008(3), (4) and (5), F.A.C., provided such persons possess the minimum qualifications necessary to the discharge of the duties involved.~~

~~(2) Preference in appointment and employment requires that a preferred applicant be given special consideration at each step of the employment selection process but does not require the employment of a preferred applicant over a nonpreferred applicant who is the most qualified applicant for the position. Granting of an interview is one example of the type of special consideration which may be given to a preferred applicant. If, at any stage of the hiring process, a preference eligible veteran meets minimum qualifications for an open position, then he or she will advance to the next step in the public employer's selection process. If, at any step in the selection process, a determination is made that the veteran is not qualified to advance to a subsequent step in the selection process, such determination will receive a review at a higher level of management having authority to overturn the initial determination, to ensure whether the determination was correct. In the event of any investigation conducted pursuant to Section 295.11, F.S., the Department of Veterans' Affairs shall require that the agency or political subdivision which is party to such investigation demonstrate how its policies were effectuated at each step of the employment selection process, including why an interview was not provided, in regard to the individual preference eligible applicant or employee who requested the investigation.~~

~~(3) The employer is required to document and justify the decision to hire a nonpreferred applicant over the preferred applicant, subject to the review of that decision by the Department of Veterans' Affairs as provided at Rule 55A-7.016, F.A.C., of this chapter, and ultimately by the Public Employees Relations Commission.~~

~~Rulemaking Authority 295.07(2) FS. Law Implemented 295.085, 295.11(4) FS. History—New 3-30-88, Formerly 22VP-1.011, Amended 2-12-90, 7-12-93, 12-27-98, 12-28-04, 6-11-08,\_\_\_\_\_.~~

55A-7.0111 Reinstatement or Reemployment; Promotion Preference.

(1) When an employee in a ~~covered~~ position leaves employment of the state or its political subdivisions for the purpose of serving in the Armed Forces of the United States and is separated therefrom with an honorable discharge, the state or its political subdivision shall reinstate or reemploy such person under the following conditions:

(a) Reinstatement or reemployment is made to the same or to an equivalent position.

(b) Reinstatement or reemployment is made within one year of the date of separation from the military service, or, in the case of extended active duty for a required military purpose other than for training, within one year of the date of discharge or separation subsequent to the extension.

(2) Persons reinstated or reemployed under this ~~rule~~section shall be awarded preference in promotion, and shall be promoted ahead of all other employees who are as well or less qualified for the position. When a numerically based selection process is used an examination, as defined in Rule 55A 7.003, F.A.C., is utilized, such persons shall be eligible for preference points and ranking on the register as provided by Rule 55A-7.010, F.A.C., of this chapter. When a numerically based selection process is not used, Rule 55A-7.011, F.A.C., applies. Eligibility for preference in promotion shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

(3) If the reinstated or reemployed person is not promoted, the person retains promotion preference eligibility until the first promotion following reemployment is satisfied.

(4) Where the reinstated or reemployed person is not promoted and the register is vacated to establish a new register for the next promotion, such person shall retain eligibility for preference points and ranking on the new register as provided by Rule 55A-7.010, F.A.C.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.08, 296.085, 295.09 FS. History—New 3-30-88, Formerly 22VP-1.0111, Amended 6-11-08,\_\_\_\_\_.

55A-7.013 Documentation of Preference Claim.

(1) An applicant ~~for a covered position~~ who believes he or she is entitled to Veterans' Preference in employment shall indicate such preference on the application form.

(2) The applicant claiming preference is responsible for providing required documentation at the time of making an application for a vacant position, or prior to the closing date of the vacancy announcement.

(3) The ~~covered~~ employer shall inform applicants of requirements for documentation of eligibility for preference in accordance with subsection (7) below.

(4) The ~~covered~~ employer shall determine whether an applicant is eligible for Veterans' Preference.

(5) The ~~covered~~ employer shall document the employee's election of Veterans' Preference ~~preference.~~

(6) Intentional misrepresentation of ~~any~~ the claim for preference shall disqualify the applicant from claiming Veterans' Preference on future applications, and if employed, shall be subject to disciplinary action by the ~~covered~~ employer, including dismissal.

(7) Documentation shall include a Veterans' Preference Certification, FDVA form VP-1, found at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06654>, and the following:

(a) Veterans, disabled veterans, and spouses of disabled veterans shall furnish a Department of Defense document, commonly known as form DD-214 or military discharge papers, or equivalent certification from the DVA, listing military status, dates of service and discharge type.

(b) Disabled veterans shall also furnish a document from the Department of Defense, the DVA, or the Department certifying that the veteran has a service-connected disability.

(c) Spouses of disabled veterans shall also furnish either a certification from the Department of Defense or the DVA that the veteran is totally and permanently disabled or an identification card issued by the Department; spouses shall also furnish evidence of marriage to the veteran and a statement that the spouse is still married to the veteran at the time of the application for employment; the spouse shall also submit proof that the disabled veteran cannot qualify for employment because of the service-connected disability.

(d) Spouses of persons on active duty shall furnish a document from the Department of Defense or the DVA certifying that the person on active duty is listed as missing in action, captured in line of duty, or forcibly detained or interned in line of duty by a foreign government or power; such spouses shall also furnish evidence of marriage and a statement that the spouse is married to the person on active duty at the time of that application for employment.

(e) The mother, father, legal guardian, or unremarried widow or widower of a deceased veteran shall furnish a document from the Department of Defense showing the death of the service member while on duty status under combat-related conditions or the DVA certifying the service-connected death of the veteran, and The mother, father, or legal guardian shall provide evidence of familial relationship, and the unremarried widow or widower shall further furnish evidence of marriage and confirmation that the spouse has not remarried certified by a completed [FDVA form VP-3](#), found at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06656>, in addition to the [FDVA form VP-1](#), first appearing in subsection (7) of this rule, confirming that the spouse has not remarried. ~~certifying the service-connected death of the veteran, and shall further furnish evidence of marriage and a statement that the spouse is not remarried.~~

(f) The current member of any reserve component of the United States Armed Forces shall provide a completed Certification of Current Member of Reserve Component of the United States Armed Forces or The Florida National Guard, [FDVA form VP-2](#), found at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06655>, signed by an immediate military supervisor, in addition to the [FDVA form VP-1](#), first appearing in subsection (7) of this rule. Rulemaking Authority 295.07(2) FS. Law Implemented 295.065, 295.07, 295.11 FS. History—New 3-30-88, Formerly 22VP-1.013, Amended 2-12-90, 7-12-93, 12-27-98, 6-11-08,\_\_\_\_\_.

#### 55A-7.015 Preference in Retention.

(1) An employer shall provide no less than 60 days notice to affected employees prior to beginning implementation of a workforce reduction or layoff plan. This notice shall describe the different categories of preference-eligibility, shall provide employees a minimum of 30 days to provide documentation of eligibility, and designate an appropriate point of contact within organization for employees to submit this documentation.

(2)(1) In all ~~covered~~ positions where workforce reduction plans or layoffs are necessitated, employers shall credit the amount of time the preference-eligible employee served on active duty in the U.S. Armed Forces as years of service with the employer for the purposes of determining seniority. Service shall be credited on a year-for-year and month-for-month basis ~~special consideration in the retention of employees shall be given first to those persons included under subsections 55A-7.008(1) and (2), F.A.C., and second to those persons included under subsections 55A-7.008(3), (4) and (5), F.A.C., of this chapter. The point system procedures described in Rule 55A-7.010, F.A.C., may also be utilized by covered employers. In the event that a point system is not utilized by the covered employer, the employer must demonstrate how special consideration was afforded at each step in the retention process.~~

(3) A numerically-based process may be used for retention, pursuant to s. 295.08, F.S.

(4) If a numerically-based process is not used, the covered employer shall give preference and priority to retention of preference-eligible employees in the following manner:

(a) Employees who are not eligible for preference shall be considered first for layoff, before preference-eligible employees.

(b) If there are no other non-preference employees, then preference-eligible employees can be considered for layoff.

(c) In the event two equally-qualified preference-eligible employees are considered for layoff, retention shall be awarded first to disabled veterans under s. 295.07(1)(a), F.S., or spouses under s. 295.07(1)(b), F.S.

(5) Preference-eligible employees who have previously provided proof of eligibility to the covered employer, and have this documentation as part of their personnel file, are not required to resubmit proof of eligibility for retention.

(6)(2) Each covered employer shall ensure that records are maintained which document the manner of the retention and the propriety of the retention process and decision in accordance with federal and state laws.

(7) In the event that a preference-eligible employee is not selected for retention, the employer shall notify the applicant within seven days of the retention decision.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.07, 295.08, 295.085 385.085 FS. History--New 3-30-88, Formerly 22VP-1.015, Amended 7-12-93, 6-11-08,\_\_\_\_\_ .

#### 55A-7.016 Enforcement of Preference.

(1) Employers are required to document and justify the decision to hire a nonpreferred applicant over a preferred applicant.

(2) When a preference-eligible applicant receives notice of a hiring decision from an employer, and believes that he or she was not afforded employment preference in accordance with applicable Florida law and regulation, he or she may file a written complaint requesting an investigation to the Florida Department of Veterans' Affairs, Division of Benefits and Assistance, 9500 Bay Pines Blvd., Room 214, St. Petersburg, Florida 33708.

(3) In the event of any investigation conducted pursuant to s. 295.11, F.S., in response to the individual preference-eligible applicant's or employee's complaint, the Department of Veterans' Affairs shall require the agency or political subdivision to demonstrate how its employment selection or retention process gave due consideration to Veterans' Preference and the particular preference-eligible person at each step of the process.

(4)(1) Such complaint shall be filed within 60 calendar days from the date that the notice is received by the preference-eligible applicant pursuant to ss. 120.569 and 120.57, F.S. The day of receipt will be presumed to be the date on the employer's letter plus five calendar days for mail unless the applicant provides proof that the applicant received the notice earlier. An applicant eligible for veterans' preference who believes he or she was not afforded employment preference in accordance with this chapter may file a complaint with the Department at 9500 Bay Pines Blvd., Room 214, St. Petersburg, Florida 33708, requesting an investigation. When the applicant has received notice of a hiring decision from a covered employer,

~~the complaint shall be filed within 21 calendar days from the date that the notice is received by the applicant. The day of receipt by the applicant of the hiring decision will be presumed to be the date on the employer's letter plus 5 calendar days for mail unless there is definitive proof that the applicant received the notice earlier. When the applicant has not received notice of a hiring decision within two calendar months of the receipt of the application by the employer, the applicant shall contact the employer to determine if the position has been filled by a nonpreferred applicant. After having determined from information supplied by the employer that the position has been filled by the appointment of a nonpreferred applicant, the preferred applicant may file a complaint within three calendar months of the date the application was received by the employer. Receipt by the employer will be presumed to be the date stamp utilized by the employer to document mail receipt on the date shown on the application, if no other proof of receipt is available. If the position has not been filled, the time period for filing a complaint is extended to provide the preferred applicant one calendar month after having determined that the position has been filled. It is the responsibility of the preferred applicant to maintain contact with the employer to determine if the position has been filled.~~

(5) Prior to filing a complaint, it is the responsibility of the preference-eligible applicant to contact the designated Human Resources or other contact person at least one time after 30 days after the closing date of the position advertisement or the interview date, whichever is later in time, if the applicant has not received notice of a hiring decision. Such designated person shall provide notice regarding the status on the hiring decision, and shall document the applicant's contact with that office in writing. If a hiring decision has been made without the required notification by the employer, the time for an appeal is tolled and the preference-eligible applicant may file a complaint with the Department, as stated above, at any time within 6 calendar months from the date that the status is confirmed by the employer.

~~(6)(2) Within ten calendar days of receipt of receiving the complaint, the Department shall send a written acknowledgment of receipt to the complainant and the employer, advising that the complaint will be investigated acted upon in accordance with Chapter 55A-7, F.A.C., a copy of the findings shall be furnished to the complainant.~~

~~(7)(3) Within 20 40 calendar days of receipt of the complaint, the Department shall designate a Department representative who will be responsible for conducting the investigation and requesting information from the employer within ten days of assignment.~~

(8)(4) Within 30 calendar days of the Department initiating a request for documentation a request by the Department, the

employer or hiring authority shall furnish the following information:

(a) The documentation regarding the position and any materials concerning the hiring decision including advertisement of the position, applications of top applicants, interview notes, offers of employment, acceptance of offer letters, any other relevant documentation; required by subsection 55A 7.015(2), F.A.C., whichever applies.

(b) A plain statement justifying the hiring decision; and-

(c) If applicable, a statement as to whether the essential job functions can or cannot be performed by the preference-eligible applicant. If a statement is provided advising the essential job functions cannot be performed by the preference-eligible applicant, then the hiring entity must also provide information as to the type of employment accommodation which was considered and/or discussed with the applicant.

~~(9)(5)~~ After investigation and review of the complaint and documentation provided by the complainant and employer ~~Within 30 calendar days of receipt of the information from the covered employer,~~ the Department may ~~shall~~ issue its opinion ~~investigative findings~~ by certified mail, return receipt requested, and shall provide copies to the complainant and the employer. The opinion report shall include the following:

(a) The name of the individual supplying the information from the employer.

(b) The nature of the information supplied.

(c) The rationale the agency used for not selecting the veteran.

(d) Whether the position was subject to employment preference under chapter 295, F.S. Rule 55A 7.010 or 55A 7.011, F.A.C., of this chapter.

(e) The nature of the preference for which the applicant is claiming.

(f) The criteria applied for the case such as a description of numerical or non-numerical evaluation criteria.

~~(g)(f)~~ A statement as to whether preference was properly afforded to the applicant.

~~(h)(g)~~ An opinion ~~factual finding~~, based on information considered, as to whether the veteran's complaint has merit or is valid, invalid, and whether it lacks merit.

~~(10)(6)~~ If the complaint is found to lack merit be invalid, the Department shall also notify the complainant, advising that the complainant may petition the Public Employees Relations Commission for a hearing, within 20 calendar days from the date of receipt of the findings, and the address to which the petition should be sent.

~~(11)(7)~~ If the complaint is found to have merit, be valid, at the time of issuing its opinion findings to the complainant and employer, the Department shall solicit from the employer a statement as to the action the employer proposes to take to resolve the complaint. The employer shall send a written

statement of the proposed action to the complainant by certified mail, return receipt requested, within ~~30~~ 20 calendar days of the date the Department's findings are issued, and the employer shall furnish a copy to the Department. The complainant, if not satisfied with the proposed action, shall notify the Department in writing within ~~15~~ 10 calendar days. The Department shall notify the complainant within ~~ten~~ 10 calendar days of receipt of the complainant's notice, by ~~letter sent~~ certified mail, return receipt requested, of the right to petition the Public Employees Relations Commission for a hearing within ~~45~~ 20 calendar days from the receipt of such letter, and the address to which the petition shall be sent.

~~(12)(8)~~ If the complaint is found to have merit be valid and the employer fails to send a written statement of the proposed action to the complainant within ~~30~~ 20 calendar days of the date the Department's findings are issued to the complainant and employer, the complainant shall, within ~~15~~ 10 calendar days, advise the Department of the employer's failure to effect a resolution satisfactory to the complainant. The Department shall notify the complainant within ~~ten~~ 10 calendar days of receipt of the complainant's notice, by ~~letter, sent~~ certified mail, return receipt requested, of the right to petition the Public Employees Relations Commission for a hearing within ~~45~~ 20 calendar days from receipt of such letter, and the address to which the petition should be sent.

(13) After such review, a preference-eligible applicant may appeal to the Public Employees Relations Commission in accordance with ss. 447.201-447.609, F.S. Upon obtaining jurisdiction, the Public Employees Relations Commission will hear and determine penalties for violation of preference statutes and rules, and may order remedies pursuant to s. 295.14, F.S., including but not limited to compensation for lost wages, reasonable attorney fees and costs, which determination is conclusive on the agency, employee, and officer concerned.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.11, 295.14 FS. History--New 3-30-88, Formerly 22VP-1.016, Amended 2-12-90, 7-12-93, 12-27-98, 6-11-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Charles Faircloth, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Mike Prendergast, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 1, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 2, 2015

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-9.011 Radiography Training for Dental Assistants

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete redundant language already found in statutes and other rules. The rule amendment updates language regarding radiographic images.

SUMMARY: Redundant language already found in statutes and other rules will be deleted. Language regarding radiographic images will be 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 466.004, 466.017(7) FS.

LAW IMPLEMENTED: 466.017(7) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-9.011 Radiography Training for Dental Assistants.

~~(1) Licensed dentists may position and expose dental radiographic films pursuant to Section 466.017, F.S.~~

~~(2) Dental hygienists may position and expose dental radiographic films pursuant to Section 466.023, F.S., and Chapter 64B5-16, F.A.C.~~

~~(1)(3)~~ Dental assistants may position and expose dental radiographic images ~~films~~ only if they have been certified by the Department as dental radiographers or have graduated from a Board-approved dental assisting school or program.

~~(2)(4)~~ Dental assistants may be certified as dental radiographers if they comply with the following requirements:

(a) No change.

(b) Document having completed at least 3 months of continuous on-the-job training through assisting in the positioning of digital radiographic sensors and positioning and exposing of dental radiographic images ~~film~~ under the direct supervision of a Florida licensed dentist; and

(c) Document successful completion of a Board-approved course which meets the requirements of subsection 64B5-9.011~~(3)(5)~~, F.A.C. within 12 months after completion of the on-the-job training required by paragraph 64B5-9.011~~(2)(b)(4)(b)~~, F.A.C.

~~(3)(5)~~ Only courses which provide training in the following areas may receive Board approval:

(a) through (b) No change.

(c) Hands-on instruction in the positioning of digital dental radiographic sensors and films through the use of appropriate mannequins that will provide the didactic objectives;

(d) No change.

(e) Radiographic images, films, and processing;

(f) through (h) No change.

~~(4)(6)~~ No change.

Rulemaking Authority 466.004, 466.017(7) FS. Law Implemented 466.017(7) FS. History—New 9-20-80, Amended 1-28-81, Formerly 21G-9.11, Amended 12-31-86, 1-18-89, 4-24-91, Formerly 21G-9.011, 61F5-9.011, 59Q-9.011, Amended 6-12-00, 5-20-01, 12-11-12,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 7, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-12.0185 Standards for Board Approval of Pro Bono Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to add pro bono programs that have been approved by the Board.

SUMMARY: Pro bono programs that have been approved by the Board will be added to the rule.

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

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

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

RULEMAKING AUTHORITY: 456.013(9) FS.

LAW IMPLEMENTED: 456.013(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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-12.0185 Standards for Board Approval of Pro Bono Programs.

(1) No change.

(2) The following pro bono programs are found by the Board to meet the foregoing requirements and are hereby approved by the Board:

(a) through (b) No change.

(c) Florida Dental Association Foundation and Florida Mission of Mercy.

(3) No change.

Rulemaking Authority 456.013(9) FS. Law Implemented 456.013(9) FS. History--New 2-15-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 7, 2016

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-13.0045 Minor Violations

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete a reference to a rule that has been repealed and to update citations and delete obsolete provisions.

SUMMARY: A reference to a rule will be deleted due to that rule being repealed. Citations will be updated and obsolete provisions deleted.

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

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

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

RULEMAKING AUTHORITY: 456.073(3) FS.

LAW IMPLEMENTED: 456.073(3) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-13.0045 Minor Violations.

(1) Subject to the limitations imposed by this rule, the following violations are designated as minor for the purposes of Section 456.073(3), F.S.

(a) No change.

(b) Violation of Section 466.028(1)(d), F.S., by the following errors or omissions:

1. through 2. No change.

~~3. Violation of Rule 64B5-4.004, F.A.C., so long as there is no allegation of consumer injury as a result of the violation and the advertisement which is in violation is capable of being withdrawn from circulation to the public within 15 days of issuance of the notice of noncompliance.~~

(c) No change.

(d) Violation of Section 466.028(1)(~~mm~~aa), F.S., by violating Rule 64B5-17.0011, F.A.C., which requires the licensee to notify the Board of changes of address.

(e) No change.

(2) through (3) No change.

~~(4) Notices of noncompliance issued shall be reviewed by the Probable Cause Panel in any consideration of subsequent allegations of similar violations by the licensee.~~

Rulemaking Authority 456.073(3) FS. Law Implemented 456.073(3) FS. History—New 7-9-90, Formerly 21G-13.0045, 61F5-13.0045, 59Q-13.0045, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 7, 2016

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### Section III

#### Notice of Changes, Corrections and Withdrawals

NONE

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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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on March 17, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Larson Building located in Tallahassee, Florida. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.2.2.5, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators sump and pump operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2016-064).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. [hdr.elevators@myfloridalicense.com](mailto:hdr.elevators@myfloridalicense.com).

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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 March 17, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Palazzo in Pelican Preserve located in Ft. Myers, Florida. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 3.4.5 as adopted by subsection 61C-5.001(1), F.A.C., that requires a minimum of 48 inch clearance at the top of the car 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, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2016-063).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, [hdr.elevators@myfloridalicense.com](mailto:hdr.elevators@myfloridalicense.com).

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-610.462 Reliability and Operator Staffing

The Department of Environmental Protection hereby gives notice:

That it has issued an order on March 16, 2016, granting Sweetwater Community, Inc. Petition for a Variance. The Petition was received on January 4, 2016. Notice of receipt of this Petition was published in the Florida Administrative Register on January 11, 2016. The petition requested a variance from subsection 62-610.462(3), F.A.C., to reduce the minimum operator staffing requirements from 6 hours per day for 7 days per week to 3 hours per days for 5 days per week and 1 hour visits on each weekend day. No public comment was received. The Order, file number FLA013082-009-DWF/VO, granted the Petition to Rule 62-610.462(3), F.A.C., based on a showing that Petitioner demonstrated that a strict application of the rule would result in substantial hardship to Petitioner because Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Jacquelyn Champion, Department of Environmental Protection, 13051 N. Telecom Parkway, Florida 33637, telephone: (813)470-5918, Jacquelyn.Champion@dep.state.fl.us during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.007 Continuing Education During Initial Licensure Period

NOTICE IS HEREBY GIVEN that on March 21, 2016, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Kerry Kagan, D.C. The petitioner is seeking a waiver or variance of subsection 64B2-13.007(1), F.A.C., which requires that during the first twelve (12) months after initial licensure, practitioners are required to attend one (1) full day at a Florida Board of Chiropractic Medicine meeting at which disciplinary hearings are conducted as provided in subsection 64B2-13.004(8), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.007 Continuing Education During Initial Licensure Period

NOTICE IS HEREBY GIVEN that on March 21, 2016, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Kristy A. Harvell. The petitioner is seeking a waiver or variance of Rule 64B2-13.007, F.A.C., which requires that during the first twelve (12) months after initial licensure, practitioners are required to attend one (1) full day at a Florida Board of Chiropractic Medicine meeting at which disciplinary hearings are conducted as provided in subsection 64B2-13.004(8), F.A.C. Subsection (2) states that initial licensure practitioners who reside out of the state may satisfy this requirement within twelve (12) months after locating to the State of Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces three public customer meetings in the following docket to which all persons are invited.

DATES AND TIMES: Tuesday, April 12, 2016, 9:00 a.m.; Tuesday, April 12, 2016, 6:00 p.m.; Wednesday, April 13, 2016, 6:00 p.m.

PLACES: April 12, 2016, 9:00 a.m., Summertree Recreation Facility, 12005 Paradise Point Way, New Port Richey, FL 34654; April 12, 2016, 6:00 p.m., West Pasco Government Center, Commission Chambers Board Room, 8731 Citizens Drive, New Port Richey, FL 34654; April 13, 2016, 6:00 p.m., Marion County Commission Auditorium, McPherson Complex, 601 SE 25th Avenue, Ocala, FL 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 150269-WS – Application for limited proceeding water rate increase in Marion, Pasco, and Seminole Counties, by Utilities, Inc. of Florida.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff, John Slemkewicz at (850)413-6420 or Martha Barrera at (850)413-6212.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

**EMERGENCY CANCELLATION OF MEETING**

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

**PUBLIC SERVICE COMMISSION**

The Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 5, 2016, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

A copy of the agenda may be obtained by contacting: The Florida Public Service Commission Conference’s Notice, Agenda, related documents, and contact information may be obtained from: [www.floridapsc.com](http://www.floridapsc.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 5 days before the workshop/meeting by contacting: the Office of Commission Clerk. 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).

**PUBLIC SERVICE COMMISSION**

The Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 5, 2016, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Room 105, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda may be obtained by contacting: Internal Affairs Agendas and Florida Public Service Commission’s contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.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 5 days before the workshop/meeting by contacting: the Office of Commission Clerk. 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).

**EXECUTIVE OFFICE OF THE GOVERNOR**

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: April 11, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Room 120L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-15-16-060) for FDEM Food and Beverage Service.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division 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 Review (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: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, Phone: (850)410-1391, Email: [Tara.Walters@em.myflorida.com](mailto:Tara.Walters@em.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: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, Phone: (850)410-1391, Email:

Tara.Walters@em.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

Board of Professional Engineers

The Florida Engineers Management Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 13, 2016, 10:00 a.m. or soon thereafter

PLACE: Crowne Plaza Orlando Universal, 7800 Universal Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation. This meeting will be available by conference call also. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 48 hours prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

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

DATE AND TIME: Wednesday, April 13, 2016, 1:00 p.m. or soon thereafter and Thursday, April 14, 2016, 8:30 a.m. or soon thereafter

PLACE: Crowne Plaza Orlando Universal, 7800 Universal Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee and/or Educational Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2016, at the conclusion of the FBPE Board Meeting

PLACE: Crowne Plaza Orlando Universal, 7800 Universal Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission Education Program Oversight Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2016, 8:30 a.m.

PLACE: Meetings to be conducted using communications media technology: webinar and teleconference. To access the webinar go to <https://global.gotomeeting.com/join/148382085>. To access the audio using the teleconference, you may call: 1(877)309-2073. The Meeting ID/access code for webinar or conference call is: 148382085.

Public point of access: Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Suite 90A, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discuss “accreditor” and “course” applications for recommendation to the Florida Building Commission and other matters in accordance with the meeting agenda.

A copy of the agenda may be obtained by contacting: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, calling (850)487-1823 or by accessing the Commission website: <https://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, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (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: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, call (850)717-1823 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIMES: May 24, 2016, 1:00 p.m. – 2:00 p.m. and 2:00 p.m. – 4:00 p.m.

PLACE: Douglas Building, Conference Room 137A 3900 Commonwealth Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A workshop will commence at 1:00 p.m. and continue until not later than 2:00 p.m., to present the revised Clean Water State Revolving Fund (CWSRF) Fiscal Year 2016 Intended Use Plan for public review and comment, and then, beginning at 2:00 p.m. and continuing until not later than 4:00 p.m., a public meeting will be held to discuss the issues and recommendations for management of the FY 2016 CWSRF priority list of projects to be funded with loans under Chapter 62-503, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Michael Isaacson, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station #3505, Tallahassee, Florida 32399 3000, phone: (850)245-2928 or e-mail [michael.isaacson@dep.state.fl.us](mailto:michael.isaacson@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Isaacson as shown above. 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: Tim Banks, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station #3503, Tallahassee, FL 32399 3000, phone: (850)245-2969 or e-mail [timothy.banks@dep.state.fl.us](mailto:timothy.banks@dep.state.fl.us).

#### DEPARTMENT OF ECONOMIC OPPORTUNITY

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

DATES AND TIMES: April 6, 2016, 2:00 p.m.; May 6, 2016, 2:00 p.m.

PLACE: 4025 Esplanade Way, Room 320N, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department of Economic Opportunity (DEO) announces two public meetings to review the draft Annual Action Plan that will be submitted to the U.S. Department of Housing and Urban Development. The first meeting is a public workgroup meeting on April 6, 2016, 2:00 p.m. – 4:00 p.m. The second meeting is a Public Hearing on the draft Annual Action Plan on May 6, 2016, 2:00 p.m. – 4:00 p.m.

**PURPOSE:** To discuss the preparation of the Annual Action Plan for Federal Fiscal Year 2016 and to review the draft of the Action Plan once it is completed.

**SUMMARY:** The State of Florida is required to submit an Annual Action Plan to the U. S. Department of Housing and Urban Development (HUD) in order to receive federal funding from that agency. The Plan must cover the grant programs funded by HUD. Grant programs included in the Plan are

administered by four state agencies: the Florida Small Cities Community Development Block Grant (CDBG) by the Department of Economic Opportunity; the Emergency Solutions Grant (ESG) by the Department of Children and Families; the Home Investment Partnership (HOME) by the Florida Housing Finance Corporation; and the Housing Opportunities for Persons with Aids (HOPWA) by the Department of Health. The Plan must specify the manner in which the funds will be distributed to eligible applicants.

**ACTION TO BE TAKEN:** At the work group meeting to be held on April 6, 2016, staff from the CDBG, ESG, HOME and HOPWA programs will provide an overview of the programs and answer questions. Interested parties are encouraged to attend. Another public meeting will be conducted on May 6, 2016, to review and accept comments on the draft Annual Action Plan. The draft of the Plan will also be posted on the Department's website: <http://www.floridajobs.org/Annual-Action-Plan>. The 30-day comment period on the drafted plan will commence on April 6, 2016, and will conclude May 6, 2016.

**DATES, TIMES AND LOCATIONS:**

Work Group Meeting overview of programs:

April 6, 2016, 2:00 p.m. – 4:00 p.m.

4025 Esplanade Way, Room 320N

Tallahassee, Florida 32399

Public Hearing to review and accept public comments:

May 6, 2016, 2:00 p.m. – 4:00 p.m.

4025 Esplanade Way, Room 320N

Tallahassee, Florida 32399

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/Annual-Action-Plan>, in person, by email, or calling: Florida Small Cities CDBG Program, Department of Economic Opportunity, Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399, Telephone: (850)717-8410, Email: [ginger.waters@deo.myflorida.com](mailto:ginger.waters@deo.myflorida.com), Email: [george.hutton@deo.myflorida.com](mailto:george.hutton@deo.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 5 days before the workshop/meeting by contacting: The Department of Economic Opportunity at (850)717-8410. 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: Email: [ginger.waters@deo.myflorida.com](mailto:ginger.waters@deo.myflorida.com), Email: [george.hutton@deo.myflorida.com](mailto:george.hutton@deo.myflorida.com).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

**DATE AND TIME:** March 30, 2016, 9:00 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

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

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

FLORIDA INSURANCE GUARANTY ASSOC., INC.

The Florida Insurance Guaranty Association Board announces a public meeting to which all persons are invited.

**DATE AND TIME:** April 13, 2016, 10:00 a.m.

**PLACE:** Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board will meet to discuss the general business of the Association. The agenda will include but not limited to: Minutes, Receiver's Report, Legal Report, Claims Report, Financial Report, Operations Report and a Finance & Audit Committee Report.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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: Cathy Irvin at (850)386-9200. 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 INSURANCE GUARANTY ASSOC., INC.**

The Florida Insurance Guaranty Association's Finance and Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2016, 8:30 a.m.

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss the general business of the Association. The agenda will include but not limited to: Minutes, Investment and Audit Reports and the Charter/Checklist review.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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: Cathy Irvin at (850)386-9200. 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).

**CONCRETE MASONRY EDUCATION COUNCIL**

The Florida Concrete Masonry Education Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 29, 2016, 1:00 p.m.

PLACE: Florida Concrete & Products Association, 6353 Lee Vista Blvd., Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Finance and Business.

A copy of the agenda may be obtained by contacting: Jim Painter, Executive Director, at jim@floridamasonrycouncil.org or website at floridamasonrycouncil.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 48 hours before the workshop/meeting by contacting: Jim. 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: Jim Painter, Executive Director, at jim@floridamasonrycouncil.org or phone: (407)988-6414.

**QUEST CORPORATION OF AMERICA, INC.**

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

DATE AND TIME: March 30, 2016, 5:30 p.m.

PLACE: Seminole County Five Points Operation Center at the Agricultural Extension Auditorium, 250 West County Home Road, in Sanford

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be an open house format from 5:30 p.m. to 7:30 p.m. In addition to widening US 17/92, the project involves milling and resurfacing, concrete pavement on some intersections, drainage improvements, signing and pavement markings, traffic signals, street lighting, sidewalks, utility adjustments and a new bridge to replace an existing box culvert over Soldier Creek. The work will take place along US 17/92 between Shepard Road/Raven Avenue and Lake Mary Boulevard.

The purpose of this meeting is to allow interested parties to review construction information for the project. Maps, drawings, and other pertinent information for this project will be on display at the meeting. Project representatives will be available to discuss the future improvements and answer questions. FDOT encourages your participation and welcomes your comments on this improvement project.

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: Alicia Arroyo, Public Information Coordinator, at (407)482-7813 or via e-mail at Alicia.Arroyo@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeffrey Oakes, FDOT Project Oversight, at (407)482-7835 or by email at Jeff.Oakes@dot.state.fl.us.

**VHB**

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

DATE AND TIME: Wednesday, March 30, 2016, 5:00 p.m. – 7:00 p.m., Open House; 5:30 p.m., Presentation

PLACE: City of Center Hill Community Building, 74 S Virginia Avenue, Center Hill, FL 33514

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 435471-1-11-01.

**Project Description:** Public Alternatives Development Meeting- Coast-to-Coast Trail Sumter County Gap Study from Van Fleet State Trail to Withlacoochee State Trail.

In January 2015, FDOT commenced this planning study to evaluate the feasibility of potential trail alignments for a proposed 20-mile, multiuse trail between the Withlacoochee State Trail and the Van Fleet State Trail. The primary goal of the study is to identify a trail alignment to “close the gap” of the largest missing segment in the cross-state Coast-to-Coast Connector Trail (C2C), a 250-mile regional trail system in Central Florida that connects the Gulf of Mexico in Pinellas County to the Atlantic Ocean in Brevard County. At the conclusion of the study, summer 2016, alternatives that best meet the project’s purpose and need will be selected as the Viable Trail Alternatives to be advanced to the subsequent phase, the Project Development and Environment Study.

A copy of the agenda may be obtained by contacting: Heather Garcia, FDOT Project Manager at 719 S. Woodland Boulevard, Deland, FL 32720 or via email at Heather.Garcia@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sophia Villavicencio-Ortiz, Consultant Project Coordinator, by telephone at (407)839-4006 or by email at SVillavicencio@vhb.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Garcia, FDOT Project Manager at Heather.Garcia@dot.state.fl.us or visit the project website at [www.cflroads.com](http://www.cflroads.com).

**VHB**

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

**DATE AND TIME:** Thursday, March 31, 2016, 5:00 p.m. – 7:00 p.m., Open House; 5:30 p.m., Presentation

**PLACE:** Ridge Manor Community Center, 34240 Cortez Boulevard, Ridge Manor, FL 33523

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No.: 435471-1-11-01.

**Project Description:** Public Alternatives Development Meeting- Coast-to-Coast Trail Sumter County Gap Study from Van Fleet State Trail to Withlacoochee State Trail

In January 2015, FDOT commenced this planning study to evaluate the feasibility of potential trail alignments for a proposed 20-mile, multiuse trail between the Withlacoochee State Trail and the Van Fleet State Trail. The primary goal of the study is to identify a trail alignment to “close the gap” of the largest missing segment in the cross-state Coast-to-Coast

Connector Trail (C2C), a 250-mile regional trail system in Central Florida that connects the Gulf of Mexico in Pinellas County to the Atlantic Ocean in Brevard County. At the conclusion of the study, summer 2016, alternatives that best meet the project’s purpose and need will be selected as the Viable Trail Alternatives to be advanced to the subsequent phase, the Project Development and Environment Study.

A copy of the agenda may be obtained by contacting: Heather Garcia, FDOT Project Manager at 719 S. Woodland Boulevard, Deland, FL 32720 or via email at Heather.Garcia@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sophia Villavicencio-Ortiz, Consultant Project Coordinator, by telephone at (407)839-4006 or by email at SVillavicencio@vhb.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Garcia, FDOT Project Manager at Heather.Garcia@dot.state.fl.us or visit the project website at [www.cflroads.com](http://www.cflroads.com).

**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 received the petition for declaratory statement from Timothy J. Sloan, Esq., In Re: The Summit Owners Association, Inc., Docket No. 2016013701, filed on March 17, 2016. The petition seeks the agency’s opinion as to the applicability of Sections 718.103(11), 721.05(39), and 718.112(2)(d)2., Florida Statutes as it applies to the petitioner.

Whether Summit is considered a condominium timeshare plan pursuant to Sections 718.103(11) and 721.05(39), Florida Statutes? Whether Summit, if determined to be a condominium timeshare plan, is exempt from the term limits in Section 718.112(2)(d)2., Florida Statutes, and may continue to elect directors for three-year terms?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson at Department of Business and Professional Regulation, Division of Florida

Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1415, Rikki.Anderson@myfloridalicense.com.

Please refer all comments to: Ryan N. Lumbreras, Senior Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that March 21, 2016, the Board of Professional Engineers has received the petition for declaratory statement from Mr. and Mrs. Tom Shoquist. The petition seeks the agency’s opinion as to the applicability of 471.005(7) and 471.031(1)(a) FS., as it applies to the petitioner. Petitioners seek the Board’s determination as to whether, as defined in these statutes, construction inspections, where the inspection is on-site and to determine the percentage of work completed on a new, permitted construction project in accordance with the drawings and specifications, required to be performed by a licensed engineer or an architect. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Zana Raybon, Executive Director, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303 or telephone: (850)521-0050.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure

NOTICE IS HEREBY GIVEN that the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from Sarah Province and Martha Hustek, filed on March 21, 2016. The petition seeks the agency’s opinion as to the applicability of Rule 64B3-10.005, Florida Administrative Code, as it applies to the petitioner.

The Petitioner is seeking the Board’s interpretation of Rule 64B3-10.005, F.A.C., in two situations. First, can a cytotechnologist process, perform pretesting and testing procedures and interpret clinical laboratory test results for the Vysis UroVysion Bladder Cancer Kit and whether a Florida licensed clinical laboratory technician, technologist, supervisor, or director collect, process, perform pretesting procedures, perform testing procedures, and interpret clinical laboratory test results for any test utilizing Fluorescence in situ hybridization

(FISH) method regardless of test FDA categorization. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement 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 or by email at info@floridasclincallabs.gov within 14 days of publication of this notice.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

REQUEST FOR PROPOSALS

The North Central Florida Regional Planning Council, on behalf of The Original Florida Tourism Task Force, is seeking proposals from website design and marketing companies to

design and create the following three products which together comprise The Original Florida Tourism Task Force 2016 Marketing Project:

- I. An on-line, interactive, bicycle trail/route microsite, to be fully integrated into its existing website ([www.vnnf.org](http://www.vnnf.org)), a downloadable PDF bicycle trail/route guide, and 1,000 printed copies of the bicycle trail/route guide, referred to as the Ultimate Bicycle Guide;
- II. An on-line interactive freshwater springs microsite, to be fully integrated into its existing website ([www.vnnf.org](http://www.vnnf.org)), and downloadable PDF springs guide, referred to as the Ultimate Springs Guide; and
- III. A geographically-targeted digital advertising campaign referred to as the Digital Advertising Campaign.

Submit two hard (paper) copies of your proposal in writing to:  
2016 Marketing Project Proposal  
c/o Scott Koons, Executive Director  
North Central Florida Regional Planning Council  
2009 NW 67th Place  
Gainesville, FL 32653-1603

Electronic and facsimile copies will not be accepted.

Proposals must be received by the North Central Florida Regional Planning Council by:

5:00 P.M. Eastern Daylight Savings Time, April 29, 2016

Proposals received after the above specified time and date will not be accepted.

The complete request for proposals, which includes the Scope of Work as well as the proposer Ranking and Selection Criteria, is available at [www.ncfrpc.org](http://www.ncfrpc.org).

All proposals received will be reviewed by The Original Florida Tourism Task Force or their designee. The North Central Florida Regional Planning Council reserves the right to accept or reject any proposal and to award the contract in the best interest of the Council and The Original Florida Tourism Task Force.

If you have any questions concerning this matter, please call Steven Dopp at the Council office at (352)955-2200, extension 109 or email: [dopp@ncfrpc.org](mailto:dopp@ncfrpc.org).

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AULD & WHITE CONSTRUCTORS, LLC  
NOTICE TO HVAC, ELECTRICAL & BUILDING  
CONTROLS SUBCONTRACTORS

PROJECT NAME: Department of Health #71150100 – Palm Beach Health Department Mechanical System Replacement  
REQUEST FOR BIDS

NOTICE IS HEREBY GIVEN that Auld & White Constructors, LLC, in conjunction with the Florida Department of Health, will be accepting proposals, which will be received until 2:00 p.m., April 21, 2016, at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216 or emailed to [awcestimating@auld-white.com](mailto:awcestimating@auld-white.com), for the referenced project.

SCOPE DESCRIPTION: Replacement of nine (9) existing roof top mechanical units over multiple weekends and the installation of a new building management controls system. Scope includes selective demolition, roofing, acoustical ceilings, mechanical, electrical and building controls. Many scopes of work for this project will be conducted afterhours and the building is to remain operational during the construction process.

Interested Bidders are required to notify Auld& White Constructors, LLC, of their Intent to Bid no later than April 4, 2016. Project drawings and specifications will be available at Auld & White Constructors, LLC, 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216, on April 4, 2016. All interested bidders shall submit their Notice of Intent to Bid by fax to (904)296-1896, Attention: Elizabeth Wilcox or e-mail at [awcestimating@auld-white.com](mailto:awcestimating@auld-white.com).

The Florida Department of Health and Auld& White Constructors, LLC are committed to provide equal opportunity and strongly encourage all interested M/WBE and small business firms and suppliers to submit bids.

Auld & White Constructors, LLC reserves the right to reject any and all bids, waive formalities and irregularities in bidding and to accept bids, which are considered by Auld& White Constructors, LLC to be in the best interest of the project.

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BRASFIELD & GORRIE, LLC

INVITATION TO BID

Brasfield & Gorrie, LLC will now be taking sealed bid proposals for the CONCRETE PAVING SCOPE on the UF Stephen C. O'Connell Center Expansion and Renovation project in Gainesville, FL. Sealed Bids are due by no later than March 30, 2016. Sealed bids must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC  
c/o Adam Cowan  
941 West Morse Blvd., Suite 200  
Winter Park, FL 32789

For any questions, please contact:  
Steven Nickels  
snickels@brasfieldgorrie.com  
(407)562-4661

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Section XII  
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

City of Lake Wales

The Florida Department of Environmental Protection (DEP) has determined that the City of Lake Wales' drinking water project involving construction of the State Road 60 westerly water main expansion is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$2,600,000. The project may qualify for a Drinking Water State Revolving Fund loan comprised of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Randi Peddie, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, or by calling (850)245-2968 or e-mailing to randi.peddie@dep.state.fl.us.

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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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