

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

**DEPARTMENT OF CORRECTIONS**

**RULE NO.:**       **RULE TITLE:**  
33-601.602       Community Release Programs  
**PURPOSE AND EFFECT:** The purpose and effect is to amend Form DC6-199, which is incorporated by reference in rule 33-601.602, F.A.C.. The amendments will provide fields at the bottom of Form DC6-199 for use in a second issuance of electronic monitoring equipment to a given inmate.  
**SUBJECT AREA TO BE ADDRESSED:** Community release programs.  
**RULEMAKING AUTHORITY:** 944.09, 944.026, 944.105, 945.091, 946.002, 958.09 FS.  
**LAW IMPLEMENTED:** 945.091, 946.002 FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

- 33-601.602 Community Release Programs.  
(1) through (3) No change.  
(4) Inmate Conduct While on Community Release.  
(a) No change.  
(b) Inmates assigned to a community release program may be subject to electronic monitoring to ensure the safety and security of the public and are required to abide by the Community Release Center Electronic Monitoring Equipment Assignment Rules, Form DC6-199. Form DC6-199 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is \_\_\_\_\_ 7-14.  
(c) through (f) No change.  
(5) through (18) No change.

Rulemaking Authority 944.09, 944.026, 944.105, 945.091, 946.002, 958.09 FS. Law Implemented 945.091, 946.002 FS. History—New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, 10-28-04, 2-7-05, 2-22-07, 7-17-07, 4-10-08, 9-30-08, 1-18-11, 3-6-14, 7-14-14, \_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

**RULE NOS.:**       **RULE TITLES:**  
60S-4.002       Statements of Policy  
60S-4.0035       Retirement Application and Effective Retirement Date  
**PURPOSE AND EFFECT:** To require retirees and payees to submit a Form DFS-A1-26R, Retiree Direct Deposit Authorization, or establish direct deposit through FRS Online in order to receive retirement benefit payments; to amend acceptable forms of birth date verification when applying for retirement benefits; to require a direct deposit form be submitted at the time a member applies for retirement benefits.  
**SUBJECT AREA TO BE ADDRESSED:** Required direct deposit for retirees, payees, and applicants of retirement in order to receive retirement benefit payments; acceptable forms of birth date verification.  
**RULEMAKING AUTHORITY:** 121.031, 121.052(14), 121.091, 121.091(14), 121.30(9), 121.1001(4), 121.4501(8)(a) FS.  
**LAW IMPLEMENTED:** 112.65, 121.4501(16), 121.591(2), 121.021, 121.031, 121.051, 121.052 121.053, 121.055, 121.091, 121.23, 121.133, 121.30 FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**DATE AND TIME:** January 12, 2016, 10:00 a.m.  
**PLACE:** 2450 Shumard Oak Blvd., Building 2, Tallahassee, FL 32311  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)488-5706  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**DEPARTMENT OF MANAGEMENT SERVICES****Division of Retirement**

RULE NO.: RULE TITLE:  
60S-11.004 Benefits

PURPOSE AND EFFECT: To require retirees to establish direct deposit upon exiting the Deferred Retirement Optional Program (DROP). The amendment of this rule will also require submission of a marriage license should a member who previously selected option 3 or 4 name a new spouse as their joint annuitant.

SUBJECT AREA TO BE ADDRESSED: Direct deposit upon exiting DROP; submission of a marriage license when naming a new spouse as a joint annuitant.

RULEMAKING AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 121.091, 121.131 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 12, 2016, 10:00 a.m.

PLACE: 2450 Shumard Oak Blvd., Building. 2, Tallahassee FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)488-5706

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

**DEPARTMENT OF HEALTH****Board of Massage Therapy**

RULE NO.: RULE TITLE:  
64B7-25.001 Examination Requirements

PURPOSE AND EFFECT: The board proposes the rule amendment to update examination requirements.

SUBJECT AREA TO BE ADDRESSED: Update requirements.

RULEMAKING AUTHORITY: 456.013(7), 456.017(1)(c), 480.035(7), 480.041(2), 480.042(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.0635, 480.041, 480.042 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH****Board of Massage Therapy**

RULE NO.: RULE TITLE:

64B7-26.002 Licensure of Massage Establishments

PURPOSE AND EFFECT: The board proposes the rule amendment to update the rule text and form DH-MQA 1263, "Massage Establishment Licensure Application."

SUBJECT AREA TO BE ADDRESSED: Update incorporated application form and rule text.

RULEMAKING AUTHORITY: 480.035(7), 480.043(2) FS.

LAW IMPLEMENTED: 480.043, 456.0635 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH****Board of Massage Therapy**

RULE NO.: RULE TITLE:

64B7-32.002 Proof of Graduation

PURPOSE AND EFFECT: The board proposes the rule amendment due to high volume of petitions for variance/waiver. There is no evidence it has an impact on fraud prevention.

SUBJECT AREA TO BE ADDRESSED: Delete language.

RULEMAKING AUTHORITY: 480.035 (7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: RULE TITLE:

64B9-2.016 Forms

PURPOSE AND EFFECT: The purpose of the amendment is to delete forms incorporated into other rules.

SUBJECT AREA TO BE ADDRESSED: Delete duplicative forms.

RULEMAKING AUTHORITY: 464.006, 464.203(4) FS.

LAW IMPLEMENTED: 120.52(16), 456.013, 456.048(1), 464.008, 464.009, 464.0115, 464.019, 456.0276(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, Joe.Baker@flhealth.gov

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NO.: RULE TITLE:

69J-176.022 Mediation of Bodily Injury and Property Damage Claims

PURPOSE AND EFFECT: The proposed amendment is intended to promote clarity and efficiency in the mediation of bodily injury and property damage claims. The rule is being amended to do the following:

- Update the definitions contained in the rule.

- Change the due date for respondents to pay the invoice for mediation fees.

- Identify the website at which the mediation request form may be obtained.

- Identify the mediation claims e-mail address.

- Update the mediator selection, mediation conference and mediation attendance sections.

- Adopt a mediation disposition form.

- Provide various additional clarifications and minor revisions.

SUBJECT AREA TO BE ADDRESSED: Bodily Injury and Property Damage Claims Mediations

RULEMAKING AUTHORITY: 624.308(1), 627.745(4) FS.

LAW IMPLEMENTED: 624.307(1), 626.171, 627.745 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, January 14, 2016, 9:00 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Tasha Carter, telephone: (850)413-5816, email: Tasha.Carter@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tasha Carter, Director, Division of Consumer Services, Department of Financial Services, address: 200 E. Gaines Street, Room 518A, Larson Building, Tallahassee, FL 32399-0321, telephone: (850)413-5816, email: Tasha.Carter@myfloridacfo.com

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 MANAGEMENT SERVICES

#### Division of Purchasing

|            |  |
|------------|--|
| RULE NOS.: | RULE TITLES:   |
| 60A-1.042  | Request for Information  |
| 60A-1.043  | Request for Quotes   |
| 60A-1.045  | Single Source Purchases of Commodities or Contractual Services |
| 60A-1.046  | Emergency Purchases of Commodities or Contractual Services     |
| 60A-1.048  | Renewal and Extension  |

**PURPOSE AND EFFECT:** This is a substantial rewording for Rules 60A-1.042, F.A.C. - Request for Information, 60A-1.043, F.A.C.-Request for Quotes, and 60A-1.048, F.A.C., Renewal and Extension that removes duplicative language in statute and provides further clarity and flexibility. Revisions to 60A-1.045, F.A.C. and 60A-1.046, F.A.C. are substantial in order to address the changes made by Section 5, 2013-154, Laws of Florida.

**SUMMARY:** These rules are amended to: 60A-1.042, 60A-1.043, and 60A-1.048, F.A.C: remove unused, duplicative or otherwise unnecessary wording, modify criteria to reflect preferred practices, make technical amendments, remove antiquated practices, and provide further flexibility and clarification.

60A-1.045, F.A.C: remove any requirement for approval by the Department of Management Services of single source purchases by agencies, and the revisions simplify the rule so that it is primarily an incorporation of forms by reference. The changes also remove unused, duplicative or otherwise unnecessary wording, modify criteria to reflect preferred practices, make technical amendments, remove antiquated practices, and provide further flexibility and clarification.

60A-1.046, F.A.C: remove any requirement for an agency head to certify under oath the need for an emergency purchase and incorporate form PUR 7800. The changes also remove unused, duplicative or otherwise unnecessary wording, modify criteria to reflect preferred practices, make technical amendments, remove antiquated practices, and provide further flexibility and clarification.

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

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

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

**RULEMAKING AUTHORITY:** 287.032(2), 287.042(12) FS.  
**LAW IMPLEMENTED:** 287.012(22), 287.017, 287.042(3)(g), 287.042(9), 287.056(2), 287.057(3), 287.057(12), 287.057(13), 287.057(14), 287.057(17) FS.

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

**DATE AND TIME:** January 22, 2016, 1:00 p.m.  
**PLACE:** 4050 Esplanade Way, Room 380K, Tallahassee, Florida 32399-0950

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Leigh Anne Frechette, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, Phone: (850)414-5790, Email: leighanne.payne@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

Substantial rewording of Rule 1.042, F.A.C. follows. See Florida Administrative Code for present text.

60A-1.042 Request for Information.

(1) Agencies are authorized to use a Request For Information (RFI) for research to determine any or all of the following: whether to competitively procure particular commodities or contractual services; which solicitation process to use for a particular need; or general, special, or technical specifications to be included in a solicitation.

(2) An RFI is not a solicitation. An agency issuing an RFI is not required to utilize any information gathered from the RFI, nor is a vendor who responds to an RFI excluded from participating in any resulting solicitation.

(3) Agencies must use MFMP Sourcing or the Vendor Bid System for issuing an RFI. A vendor must be registered in MyFloridaMarketPlace (MFMP) in order to respond to an RFI conducted using MFMP Sourcing. See Rule 60A-1.030 for MFMP vendor registration.

Rulemaking Authority 287.032(2), 287.042(12) FS. Law Implemented 287.012(22)(24), 287.042(3)(g), 287.057(17) FS. History–New 7-11-04, Amended.

Substantial rewording of Rule 1.043, F.A.C. follows. See Florida Administrative Code for present text.

60A-1.043 Requests for Quotes.

(1) Agencies shall request at least two (2) quotes from state term contracts with multiple vendors, unless (i) the purchase is less than Category One, or (ii) the state term contract requires otherwise. Agencies shall document the justification for a selection based on receipt of less than two quotes.

(2) Agencies shall document Requests for Quotes with, at a minimum, the name of each responding vendor, the price, and the commodities or contractual services to be provided.

(3) Agencies shall base any purchase from Requests for Quotes on a determination of best value.

Rulemaking Authority 287.032(2), 287.042(12) FS. Law Implemented 287.042(3)(g), 287.056(2) FS. History–New 6-21-04, Amended.

Substantial rewording of Rule 60A-1.045 follows. See Florida Administrative Code for present text.

60A-1.045 Single Source Purchases

(1) Agencies intending to purchase commodities or contractual services in excess of CATEGORY TWO from a single source shall electronically post Form PUR 7776 “Description of Intended Single Source Purchase,” effective January 2016, which is incorporated herein by reference and available

at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> or on the Department’s website at [http://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/purchasing f](http://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_forms) orms. Form PUR 7776 requests that prospective vendors provide information regarding their ability to supply the commodities or contractual services described.

(2) Agencies shall provide notice of their determination that the commodities or contractual services are available only from a single source by electronically posting Form PUR 7778 “Notice of Intended Decision to Enter Into a Single Source Contract,” effective January 2016, which is

incorporated herein by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> or on the Department’s website at [http://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/purchasing f](http://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_f) orms.

Rulemaking Authority 287.032(2), 287.042(12) FS. Law Implemented 287.017, 287.057(3)&(13), FS. History–New 2-6-68, Revised 5-20-71, Amended 8-6-81, 2-28-85, 12-17-85, Formerly 13A-1.10, Amended 11-3-88, 1-18-90, 4-10-91, Formerly 13A-1.010, Amended 1-9-95, 1-1-96, 9-23-96, 7-6-98, 1-2-00, 7-26-04, Amended.

Substantial rewording of Rule 1.046 follows. See Florida Administrative Code for present text.

60A-1.046 Emergency Purchases

(1) For emergency purchases of commodities or contractual services, agencies must complete and furnish to the Department, Form PUR 7800 “Notice of Emergency Purchase,” effective January 2016, which is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> or on the Department’s website at [http://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/purchasing f](http://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_f) orms.

(2) Emergency purchases need not be posted electronically or by any other means.

Rulemaking Authority 287.032(2), 287.042(12) FS. Law Implemented 287.042(9), ~~287.004~~, 287.057(3)(5)(a) FS. History–New 2-6-68, Revised 5-20-71, Amended 7-31-75, 10-1-78, 8-6-81, 11-12-84, 12-17-85, Formerly 13A-1.09, Amended 11-3-88, 1-18-90, 4-10-91, Formerly 13A-1.009, Amended 1-9-95, 7-6-98, 1-2-00, 7-26-04, Formerly 60A-1.009, Amended.

Substantial rewording of Rule 1.048, F.A.C. follows. See Florida Administrative Code for present text.

60A-1.048 Renewals and Extensions.

(1) Contracts for commodities or contractual services may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever is longer, in varying increments (e.g., a two-year renewal followed by a four-month renewal) or for a single term (e.g., a two-year renewal). The agency shall document that the renewal is in the best interest of the State and keep such justification in the contract file.

(2) Contracts for commodities or contractual services may be renewed and extended in any sequence or combination.

Rulemaking Authority 287.032(2), 287.042(12) FS. Law Implemented 287.057(43)(2), ~~(41)(3)~~ FS. History–New 6-21-04, Amended.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/16/2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 10/19/2015

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement - Optional Retirement Program**

- RULE NOS.:      RULE TITLES:  
 60U-1.003      Preservation of Rights  
 60U-1.004      Participation  
 60U-1.005      Designation of Eligibility of Administrative and Professional Positions  
 60U-1.006      Approved Forms  
 60U-1.007      Dual Employment  
 60U-1.011      Definitions  
 60U-1.012      Program Administration  
 60U-1.013      Employer and Employee Contributions

PURPOSE AND EFFECT: To repeal rules 60U-1.003, 1.004, 1.005, 1.006, and 1.007, F.A.C., which are unnecessary, duplicative of statutory requirements, or are otherwise being replaced, and to adopt rules 60U-1.011, 1.012, and 1.013, F.A.C. to promulgate definitions and update the rules regarding administration of the State University System Optional Retirement Program (SUSORP), including its forms and the retention of administrative costs.

SUMMARY: Repeal of rules 60U-1.003, 1.004, 1.005, 1.006, and 1.007, F.A.C., and the creation of rules 60U-1.011, 1.012, and 1.013, F.A.C. to promulgate definitions and to update the rules regarding the administration of the SUSORP.

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

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

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

RULEMAKING AUTHORITY: 121.031, 121.35 FS.

LAW IMPLEMENTED: 121.031, 121.051, 121.052, 121.35 FS.

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

DATE AND TIME: January 19, 2016, 10:00 a.m.

PLACE: Division of Retirement of the Department of Management Services, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, Florida 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, (850)414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60U-1.003 Preservation of Rights.

Rulemaking Specific Authority 121.031 FS. Law Implemented 121.35 FS. History–New 9-5-84, Formerly 22U-1.03, 22U-1.003, Amended 10-20-93, Repealed.

60U-1.004 Participation.

Rulemaking Specific Authority 121.031 FS. Law Implemented 121.051 FS. History–New 2-28-84, Formerly 22U-1.04, Amended 3-11-87, 2-7-89, 9-5-90, Formerly 22U-1.004, Amended 3-18-93, 10-20-93, 2-24-99, Repealed

60U-1.005 Designation of Eligibility of Administrative and Professional Positions.

Rulemaking Specific Authority 121.031 FS. Law Implemented 121.35 FS. History–New 2-28-84, Formerly 22U-1.05, Amended 3-11-87, 2-7-89, 11-14-91, Formerly 22U-1.005, Amended 3-18-93, 10-20-93, Repealed.

60U-1.006 Approved Forms.

Rulemaking Specific Authority 121.031 FS. Law Implemented 121.051(1)(a), 121.35 FS. History–New 2-28-84, Amended 9-5-84, Formerly 22U-1.06, Amended 12-5-90, Formerly 22U-1.006, Amended 1-4-93, 10-20-93, 1-10-95, 5-14-95, 9-18-96, 10-14-98, 1-24-00, 12-19-00, 9-18-07, 5-22-08, Repealed.

60U-1.007 Dual Employment.

Rulemaking Specific Authority 121.031 FS. Law Implemented 121.052, 121.35 FS. History–New 11-14-91, Formerly 22U-1.007, Repealed.

60U-1.011 Defintions.

The acronyms, titles, words, and phrases in this chapter shall be construed according to their plain meaning, in light of the context and subject matter, unless expressly defined otherwise in this rule, this chapter, or in Chapter 121, F.S. Titles, words, and phrases so expressly defined may be initially capitalized for convenient reference and for notice purposes only.

(1) FRS – Florida Retirement System.

(2) Mandatory Participant - One who must become a Participant due to appointment to positions listed in s. 121.051(1)(a)2., F.S.

(3) Participant – A successful enrollee in the SUSORP.

(4) Provider Company – A business designated by the Division from which a Participant may choose to purchase investment products under the SUSORP.

(5) SUSORP – State University System Optional Retirement Program.

(6) SUSORP Election Window – The period beginning the date a person becomes an Employee of the State University System who as a result is eligible or required to be a Participant, and the earlier of:

(a) 90 days thereafter;

(b) The person becoming a Participant; or

(c) The person becoming ineligible to be a Participant.

Rulemaking Authority 121.031, 121.35 FS. Law Implemented 121.35 FS. New \_\_\_\_\_.

#### 60U-1.012 Program Administration.

The forms referenced in this rule are required by the Division to administer the SUSORP and are available from the Division’s website at [www.frs.myflorida.com](http://www.frs.myflorida.com); by calling the Division toll free 877-378-7677 or in the Tallahassee local calling area at 850-778-4696; or, if hearing or speech impaired, by calling the Division via T.D.D. at Florida Relay System by dialing 711 or 800-955-8771. Upon receipt of a form required under this rule from an Employee, the Employer shall complete its portion of the form and submit the completed form to the Division.

#### (1) Program Enrollment

(a) In order to elect to become either a Participant or a Member, an Employee, upon becoming employed in a position listed in s. 121.35(2)(a), F.S., that is not listed in s. 121.051(1)(a)2., F.S., must complete Form ORP-ENROLL-1, “State University System Optional Retirement Program (SUSORP) Retirement Plan Enrollment,” effective November 2015 and available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference, and must submit this form to his or her EMPLOYER during the SUSORP Election Window.

(b) A Mandatory Participant shall not have the option of membership in the FRS, notwithstanding any prior membership in the FRS. A Mandatory Participant’s enrollment in the SUSORP is effective the first day of eligible employment. A Mandatory Participant shall, during the SUSORP Election Window, file Form ORP-MAND-1, “State University System Optional Retirement Program (SUSORP) Mandatory Participation Form”, effective November 2015 and available \_\_\_\_\_ at

[http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference, with his or her Employer. Contributions will continue to be held in suspense without earning interest or incurring losses until such time as the Participant completes the required forms.

#### (2) Contribution Reallocations and Transfers.

(a) In order to redirect future Employer contributions, required Employee contributions, and voluntary Employee contributions to one or more Provider Companies at a time, the Participant must complete Form ORP-CHANGE-1, “State University System Optional Retirement Program (SUSORP) Change Form,” effective November 2015 and available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference, and submit it to his or her Employer.

(b) After the contributions forwarded from the SUSORP Trust Fund are deposited with the designated Provider Companies, Participants shall use funds from the Provider Companies to transfer funds between investment products with the same Provider Company and between Provider Companies.

(c) Pursuant to section 121.35(3), F.S., a Participant who became a Participant between July 1, 1984, through December 31, 1992, shall submit Form ORP-2A, “State University System Optional Retirement Program (SUSORP) Retirement Conversion Form,” effective November 2015 and available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference, in order to transfer a sum representing the present value of the accumulated benefit obligation under the Florida Retirement System Pension Plan to the SUSORP.

#### (3) Program Distributions.

(a) The Participant shall to notify the Division and the Provider Companies of the date to begin receiving a benefit in accordance with section 121.35(5), F.S. The Provider Companies must have approval from the Division before making the initial distribution to the Participant. Benefits may be deferred until such time as the Participant chooses to make such application. Such distribution is initiated by the Participant completing and submitting to the Employer Form ORP-RETIRE-1, “State University System Optional Retirement Program (SUSORP) Application for Retirement and Retirement Distribution,” effective November 2015 and available \_\_\_\_\_ at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference, and any forms required by the Provider Company.

(b) Effective July 1, 2012, if a Participant has terminated employment from all Employers for one calendar month and has reached the Normal Retirement Date, the Participant may request a one-time distribution of up to 10 percent (10%) of

the account balance. For example, if a Participant terminates employment on May 15, the one calendar month is June. Therefore, the Participant may request a one-time distribution of up to 10% in July.

(c) A Participant who is age 70½ or older may not receive a required minimum distribution per Section 121.35(5)(b), F.S., unless the Participant has terminated employment with all Employers. In order to begin receiving a required minimum distribution, the Participant must notify the Division by completing and submitting, to the most recent Florida Retirement System participating Employer with which the Participant was employed, Form ORP-RMD-1, "State University System Optional Retirement Program (SUSORP) Application for Required Minimum Distribution Authorization," effective November 2015 and available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference. The Provider Companies must have approval from the Division before making a required minimum distribution to the Participant.

(4) Refund of Voluntary Employee Contributions

(a) The Participant must be terminated from employment with all Employers for three calendar months to be eligible to receive a refund of voluntary Employee contributions.

(b) The Participant shall notify the Division and the Provider Companies of the date and under what provisions the voluntary Employee contributed portion of the account are to be received. The Participant shall submit Form ORP-REFUND-1, "State University System Optional Retirement Program (SUSORP) Application for Refund of Voluntary Employee Contributions Only," effective November 2015 and available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), which is incorporated by reference, to the Employer to initiate a refund of voluntary employee contributions. The Provider Companies must have approval from the Division before refunding the voluntary Employee contributions to the Participant.

Rulemaking Authority 121.031, 121.35 FS. Law Implemented 121.031, 121.35 FS, New \_\_\_\_\_.

60U-1.013 Program Administrative Costs.

The following amounts will be retained from the Employer contributions to pay for program administrative costs:

| <u>Dates</u>                                   | <u>Rates</u> |
|--|--------------|
| <u>July 1, 1984 through September 30, 1984</u> | <u>0.17%</u> |
| <u>October 1, 1984 through June 30, 1985</u>   | <u>0.53%</u> |
| <u>July 1, 1985 through June 30, 1988</u>      | <u>0.10%</u> |
| <u>Effective July 1, 1988</u>                  | <u>0.01%</u> |

Rulemaking Authority 121.031 FS. Law Implemented 121.35(4)(a)5., FS. New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dan Drake, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 22, 2015

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement - Optional Retirement Program**

RULE NO.: 60U-2.003  
RULE TITLE: Contributions and Provider Company Designation

PURPOSE AND EFFECT: The repeal of this rule.

SUMMARY: This rule is being repealed and the content will be updated and included in another subsection of this chapter.

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

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

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

RULEMAKING AUTHORITY: 121.031, 112.363(7) FS.  
LAW IMPLEMENTED: 121.35(4), 112.363 FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 19, 2016, 10:00 a.m.  
PLACE: Division of Retirement, 2450 Shumard Oak Blvd., Building 2, Tallahassee, FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)414-6349



THE FULL TEXT OF THE PROPOSED RULE IS:

60U-2.003 Contributions and Provider Company Designation.

Specific Authority 112.363(7), 121.031 FS. Law Implemented 112.363, 121.35(4) FS. History—New 9-5-84, Formerly 22U-2.03, Amended 2-4-86, 3-11-87, 5-18-88, 2-7-89, 12-27-89, 9-5-90, 5-15-91, 11-14-91, Formerly 22U-2.003, Amended 10-13-93, 3-12-96, 12-12-96, 2-24-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dan Drake, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 2015

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement - Optional Retirement Program**

|            |                          |
|------------|--------------------------|
| RULE NOS.: | RULE TITLES:             |
| 60U-3.003  | Employer Funded Benefits |
| 60U-3.004  | Employee Funded Benefits |
| 60U-3.005  | Forfeiture of Benefits   |

PURPOSE AND EFFECT: The repeal of these rules.

SUMMARY: This rule subsection is being repealed and the content will be included in another subsection of this chapter.

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

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

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

RULEMAKING AUTHORITY: 121.031 FS.

LAW IMPLEMENTED: 121.35(5), 121.091(5) FS.

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

DATE AND TIME: January 19, 2016, 10:00 a.m.

PLACE: Division of Retirement, 2450 Shumard Oak Blvd., Building 2, Tallahassee, FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Bureau Chief, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee, FL, (850)414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60U-3.003 Employer Funded Benefits.

Specific Authority 121.031 FS. Law Implemented 121.35(5) FS. History—New 9-5-84, Formerly 22U-3.03, Amended 11-14-91, Formerly 22U-3.003, Amended 10-13-93, Repealed.

60U-3.004 Employee Funded Benefits.

Specific Authority 121.031 FS. Law Implemented 121.35(5) FS. History—New 9-5-84, Formerly 22U-3.04, 22U-3.004, Amended 10-13-93, Repealed.

60U-3.005 Forfeiture of Benefits.

Specific Authority 121.031 FS. Law Implemented 121.091(5) FS. History—New 4-5-95, Amended 2-24-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dan Drake, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

|             |   |
|-------------|---|
| RULE NO.:   | RULE TITLE:                                 |
| 61G3-18.003 | Exemption from Licensure Renewal Provisions |

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete outdated or unnecessary language.

SUMMARY: Outdated or unnecessary language will be deleted from 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 determined that the rule

amendment will not alter the procedures that the Board currently follows or costs for licensure renewal. 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: 476.064(4), 455.02 FS.

LAW IMPLEMENTED: 476.144, 455.02 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-18.003 Exemption from Licensure Renewal Provisions.

(1) ~~Notwithstanding the provisions of Rules 61G3-18.001 and 61G3-18.002, F.A.C.,~~ A spouse of a member of the armed forces who is absent from the State because of the spouse's duties with the armed forces and who, at the time the absence became necessary, was in good standing with the Barbers' Board and was entitled to practice or engage in barbering in Florida, shall be exempt from licensure renewal provisions without paying dues or fees or performing any other act on his part to be performed.

(2) No change.

Rulemaking Specific Authority 476.064(4), 455.02 FS. Law Implemented 476.144, 455.02 FS. History—New 3-25-84, Formerly 21C-18.03, Amended 11-12-87, Formerly 21C-18.003, Amended .

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 8, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE NO.: RULE TITLE:

61G3-20.0105 Barbershop Delinquent Renewal Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete outdated or unnecessary language.

SUMMARY: Outdated or unnecessary language will be deleted from 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 determined that the rule will not alter the procedures that the Board currently follows or cost of delinquent renewal fees. 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: 476.064(4), 476.184, 476.192 FS.

LAW IMPLEMENTED: 476.184, 476.192 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: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-20.0105 Barbershop Delinquent Renewal Fee.

The delinquent renewal fee for barbershops shall be one hundred dollars (\$100.00) and shall be paid simultaneously with and in addition to those fees referred to in Rule 61G3-20.010, F.A.C., ~~which were not paid in accordance with Rule 61G3-19.003, F.A.C.~~

Rulemaking Specific Authority 476.064(4), 476.184, 476.192 FS. Law Implemented 476.184(8), 476.192(1)(c) FS. History—New 10-17-85, Formerly 21C-20.105, Amended 12-15-87, 5-11-88, Formerly 21C-20.0105, Amended 12-14-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Barbers' Board  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers' Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 8, 2015

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.: RULE TITLE:  
64B7-24.021 Place of Practice Defined  
PURPOSE AND EFFECT: The language is from 64B7-28.0015, which is being repealed. It is not limited to renewal applications.

SUMMARY: Move language to new 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: 456.036 FS.  
LAW IMPLEMENTED: 456.036 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: Claudia Kemp, Executive Director,

Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-24.021 Place of Practice Defined.

(1) The reporting requirements of Section 456.035, F.S., require each licensee to provide to the Board a current mailing address and a "place of practice." The current mailing address and place of practice may be one and the same, or may be two different addresses if the licensee does not receive mail at his or her place of practice.

(2) "Place of practice" shall mean:

(a) A massage establishment maintained by the licensed massage therapist; or

(b) The massage establishment at which the licensed massage therapist provides massage therapy; or

(c) The medical office at which the licensed massage therapist provides massage therapy; or

(d) If the licensed massage therapist practices at more than one location, one such location as selected by the licensed massage therapist;

(e) If the licensed massage therapist provides massage therapy only at the location of clients, the place of practice is the residence address of the therapist.

Rulemaking Authority 456.036 FS. Law Implemented 456.036 FS. New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Massage Therapy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 1, 2015

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
59G-4.193 Statewide Medicaid Managed Care Long-term Care Waiver Program Prioritization and Enrollment

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 186, September 24, 2015 issue of the Florida Administrative Register.

This is a correction to the notice of additional public hearing published in Vol. 41, No. 245, December 21, 2015, Florida Administrative Register. The publication notice reference for the proposed rule is corrected to read as follows:

Vol. 41, No. 186, September 24, 2015, Florida Administrative Register.

No other changes have been made.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NOS.: RULE TITLES:  
69J-8.008 Selection of Neutral Evaluator  
69J-8.009 Evaluation Process

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 244, December 18, 2015 issue of the Florida Administrative Register.

DATE AND TIME: January 6, 2016, 9:30 a.m.

**Section IV  
Emergency Rules**

**NONE**

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 18, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Eglin Federal Credit Union. Petitioner seeks a permanent variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), F.A.C., that requires upgrading the elevators with firefighters' emergency 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 (VW2015-317).

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.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 22, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for paragraph 61C-1.004(2)(a), F.A.C., subsection 61C-4.010(7), F.A.C., subsection 61C-4.010(6), F.A.C., and Section 6-402.11, 2009 FDA Food Code from Georgia Boy BBQ & Bistro located in Jacksonville. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize the bathroom facilities located within an adjacent business under the same ownership for use by both customers and employees.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On December 4, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from Sergio's Cafeteria located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink in the bus boy station area.

The Petition for this variance was published in Vol. 41, No. 236, F.A.R., on December 8, 2015. The Order for this Petition was signed and approved on December 14, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division

finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On December 9, 2015, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), F.A.C., and subsection 61C-4.010(6), F.A.C., from Tutti Frutti MFDV located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 41, No. 241, F.A.R., on December 15, 2015. The Order for this Petition was signed and approved on December 22, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature

per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained \_\_\_\_\_ by \_\_\_\_\_ contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On December 14, 2015 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), F.A.C., and P subsection 61C-4.010(6), F.A.C., from Seminole Snack Shack located in Seminole. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under different ownership for use by customers only.

The Petition for this variance was published in Vol. 41, No. 242, F.A.R., on December 16, 2015. The Order for this Petition was signed and approved on December 22, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Tapers & Fades Barber Shop are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Tapers & Fades Barber Shop (Reid Stoneburg) changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On December 23, 2015, the Division issued an order. The Final Order was in response to a Petition for a permanent Variance from Beaver Street Fisheries, filed November 4, 2015, and advertised on November 9, 2015, in Vol. 41, No. 218, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from 3.11.3, 3.9.2(b), 3.9.1, 3.10.4(h), 3.10.4(q), A.S.M.E. A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., from providing fire fighter service, final terminal stopping devices (traction driving machines), normal terminal stopping devices, electrical protective devices because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-278).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

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

On December 23, 2015, the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Beaver Street Fisheries, filed November 4, 2015, and advertised on November 9, 2015, in Vol. 41, No. 218, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.11.1, 3.10.3, 3.10.4(e), and 3.10.4(v), A.S.M.E. A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a),

F.A.C., from providing car emergency signaling devices, top-of-car operating devices, stop switch on top of car and stop switch in pit because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-279).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on December 18, 2015, the Board of Accountancy received a petition for variance or waiver filed by Vera Rodriguez, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), F.A.C., that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on December 18, 2015, the Board of Massage Therapy received a petition for Kelly Adame, seeking a variance or waiver regarding the requirements for proof of graduation. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, Claudia.Kemp2@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on December 18, 2015, the Board of Massage Therapy received a petition for Andrea Li Brizzi, seeking a variance or waiver regarding the requirements for proof of graduation. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, Claudia.Kemp2@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:RULE TITLES:

- 64E-9.004 Operational Requirements
- 64E-9.006 Construction Plan Approval Standards
- 64E-9.007 Recirculation and Treatment System Requirements
- 64E-9.008 Supervision and Safety

The Department of Health hereby gives notice:

On December 4, 2015, the Department of Health issued an order in response to a petition for a variance filed on August 5, 2015, by Leonardus Koene, representing Float Rooms USA LLC, Belleville, IN. Petitioner sought a variance from various provisions of Rules 64E-9.004, 64E-9.006, 64E-9.007, and 64E-9.008, F.A.C., which require public swimming pools to: maintain a disinfectant residual, operate a recirculation system when in use, have minimum lighting for indoors, have a water line tile marker, be equipped with access by ladder or stairs, have a clear wet deck width and slope, have a 3 ft. x 6 ft. opening on the equipment enclosure, have minimal equipment area lighting, have a urinal in unisex restroom, have treatment equipment that meets national standard ANSI-NSF50, have a tile line of 6" width, have filters that meet ANSI-NSF50, have a collector tank and gravity drainage, have automatic water makeup, have bypass and valving on heater, have automatic feeders for treatment chemicals, have US EPA method validation of UV light system, and a pool rules sign. Notice of the petition was published in the November 16, 2015, edition of the Florida Administrative Register. The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH CONDITIONS Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Council on the Social Status of Black Men and Boys announces telephone conference calls to which all persons are invited.

DATES AND TIMES: Wednesday, January 6, 2016, 10:00 a.m. – 1:00 p.m.; Thursday, January 7, 2016, 1:00 p.m. – 4:00 p.m.; Wednesday, January 13, 2016, 10:00 a.m. – 1:00 p.m.; Thursday, January 14, 2016, 1:00 p.m. – 4:00 p.m.

PLACE: Telephone conference: toll-free dial-in number: 1(888)670-3525; conference code, TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: Research ideas for each committee with a focus in the areas of Criminal Justice and Crime Prevention, Health, Education and Employment and Economic Development.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.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: Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation District 2 announces a public meeting to which all persons are invited.

DATE AND TIME: January 4, 2016, 4:30 p.m. – 6:30 p.m.

PLACE: Bradford County Fairgrounds, Building 1, 2300 N. Temple Avenue, Starke, FL 32091

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting is being held to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic and environmental effects of Financial Project ID Number 436558-1, otherwise known as the Starke Railroad Overpass. FDOT will present updates to the State Road 100 and 144th Street alternatives. The meeting begins with an open house from 4:30 p.m. to 6:30

p.m. Drop by any time to review project displays and talk with Department staff. A presentation and comment period will follow the open house.

The Department is conducting a Project Development and Environment Study for a possible railroad overpass in Starke. The City of Starke is divided by the CSX railroad that runs parallel to US 301, and although there are numerous locations to cross the tracks, there are no raised crossings over the railroad in Starke. Additionally, there are approximately 29 trains per day that utilize the tracks. As a result, emergency vehicles and other motorists experience longer than average wait times throughout the day. With expectations of an increase in trains per day, an overpass would improve emergency response times and allow traffic to flow more freely. The goal of the study is to identify a suitable location within Starke.

Persons who wish to submit written statements may do so at the meeting or send them to the contact person listed below. Public participation is sought without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, extension 7873. 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).

**REGIONAL PLANNING COUNCILS**

**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 7, 2016, 10:00 a.m., Executive Committee

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee meeting.

A copy of the agenda may be obtained by contacting Sheron Forde at (904)279-0880 or sforde@nefrc.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 5 days before the workshop/meeting by contacting: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

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

DATE AND TIME: Tuesday, January 12, 2016, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Governing Board Meeting to consider District business and conduct public hearings on regulatory and real estate matters. A workshop is scheduled to follow the Governing Board meeting. Following the Board workshop, the Lands Committee of the Governing Board will hold a meeting to discuss the potential acquisition of lands, the management of District land interests and potential surplus lands. Following the Lands Committee Meeting, the Human Resource Committee will meet to discuss staffing and personnel retention.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only), or on the District's website: [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com), when published.

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: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 19, 2016, 9:00 a.m.

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, FL



GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.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).

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: Lori.manuel@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0479).

**DEPARTMENT OF THE LOTTERY**

The Department of the Lottery announces the following public meetings to which all persons are invited.

DATES AND TIMES: Tuesday, January 12, 2016, 1:30 p.m., Eastern Time; Wednesday, January 13, 2016, 9:30 a.m., Eastern Time and continuing from day to day thereafter as may be required

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

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

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

[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu).

A copy of the agenda may be obtained by contacting: Summer Silvestri at (850)487-7710 or by going to the Department of the Lottery’s website: [www.flalottery.com](http://www.flalottery.com).

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

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

**DEPARTMENT OF THE LOTTERY**

The Department of the Lottery announces the following public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, January 6, 2016, 1:30 p.m., Eastern Time; Thursday, January 7, 2016, 9:30 a.m., Eastern Time and continuing from day to day thereafter as may be required

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

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

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

[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu). A copy of the agenda may be obtained by contacting: Summer Silvestri at (850)487-7710 or by going to the Department of the Lottery’s website: [www.flalottery.com](http://www.flalottery.com).

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

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

**DEPARTMENT OF HEALTH**

Division of Environmental Health

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

**DATE AND TIME:** January 13, 2016, 9:30 a.m., ET until done, but no later than 1:00 p.m.

**PLACE:** DOH Orange County Health Department Auditorium, 6101 Lake Ellenor Drive, Orlando, FL 32809; telephone conference: 1(888)670-3525 toll-free, participant pass code: 2535563929#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This bimonthly meeting of the Public Swimming Pool and Bathing Place Advisory Review Board is for the Board to recommend agency action on variance application requests.

A copy of the agenda may be obtained online at [www.floridahealth.gov/environmental-health/swimming-pools/index.html](http://www.floridahealth.gov/environmental-health/swimming-pools/index.html) or by contacting: Mr. August Ursin, Florida Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Mail Bin A08, Tallahassee, FL 32399-1710, (850)245-4444, ext. 2716, [August.Ursin@flhealth.gov](mailto:August.Ursin@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mr. Ursin, contact information is listed 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: Mr. Ursin, contact information is listed above.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

**DATE AND TIME:** January 14, 2016, 10:00 a.m. – 11:30 a.m., ET

**PLACE:** Leon County Human Services, 1000 W. Tharpe Street, Tallahassee, FL 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department of Children and Families, Circuit 2 Alliance - Community Action Team to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person, the following conference call number is being provided: 1(888)670-3525, participant code: 6368767367. Agenda: New Business - Executive Committee Report, Child Abuse Prevention Plan Review, Department of Children and Families Update, Big Bend Community Based Care Update, Managing Entity Updates, System of Care Update.

A copy of the agenda may be obtained by contacting Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at [jeanna.olson@myflfamilies.com](mailto:jeanna.olson@myflfamilies.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at [jeanna.olson@myflfamilies.com](mailto:jeanna.olson@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at [jeanna.olson@myflfamilies.com](mailto:jeanna.olson@myflfamilies.com).

**FISH AND WILDLIFE CONSERVATION COMMISSION**  
Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 7, 2016, 7:00 p.m.

**PLACE:** John Boy Auditorium, 1200 South WC Owens Ave., Clewiston, FL 33440

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive public comment regarding considerations for the FWC ten-year Land Management Plan for the Spirit of the Wild Wildlife Management Area (SWWMA). This hearing is being held exclusively for discussion of the draft Spirit of the Wild WMA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development go online to: <http://myfwc.com/about/rules-regulations/>.

A copy of the agenda may be obtained by contacting: Lance Jacobson, Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-9767.

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: Dylan Imlah, (850)487-9102, [Dylan.Imlah@MyFWC.com](mailto:Dylan.Imlah@MyFWC.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: Dylan Imlah, (850)487-9102, [Dylan.Imlah@MyFWC.com](mailto:Dylan.Imlah@MyFWC.com).

**THE VALERIN GROUP, INC.**

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

**DATE AND TIME:** Thursday, January 7, 2016, 5:00 p.m. – 7:00 p.m.

**PLACE:** Rolling Hills Community Church, 4407 West Orange Blossom Trail, Zellwood, FL 32798

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A public information meeting is being held about the concrete rehabilitation design project on State Road (SR) 500/US 441 from north of County Road (CR) 437 to north of Junction Road in Orange County. Improvements being proposed include rehabilitating the concrete pavement on the southbound lanes, restriping for bicycle lanes at intersections, minor widening at existing southbound right turn lanes, and the addition of sidewalks at select northbound and southbound locations.

The information meeting will be held on Thursday, January 7, 2016, at Rolling Hills Community Church, 4407 West Orange Blossom Trail, Zellwood, Florida, 32798. The meeting will be an open house from 5:00 p.m. to 7:00 p.m., where participants may review project documents, ask questions and discuss the project with staff.

Participants may submit written public comments at this public information meeting or by mail to Leonel Cortes, P.E., FDOT Project Manager, 719 South Woodland Boulevard, DeLand, Florida 32720, no later than January 17, 2016. All written comments will become part of the project's public record. Project information can be found at [www.cflroads.com](http://www.cflroads.com).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting: Jennifer Smith, FDOT District Five Title VI Coordinator, at (386)943-5367 or [Jennifer.Smith2@dot.state.fl.us](mailto:Jennifer.Smith2@dot.state.fl.us).

Persons with disabilities who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Kelly Hiden, Public Involvement Coordinator, The Valerin Group, at (407)508-0839 or [kelly@valerin-group.com](mailto:kelly@valerin-group.com) at least seven days prior to the meeting. If you are hearing or speech impaired, please contact us by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For additional information concerning the project, please contact: Leonel Cortes, P.E., FDOT Project Manager, at (386)943-5408 or [Leonel.Cortes@dot.state.fl.us](mailto:Leonel.Cortes@dot.state.fl.us).

A copy of the agenda may be obtained by contacting: there is no agenda.

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: Kelly Hiden, Public Involvement Coordinator, The Valerin Group, at (407)508-0839 or [kelly@valerin-group.com](mailto:kelly@valerin-group.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: Leonel Cortes, P.E., FDOT Project Manager, at (386)943-5408 or [Leonel.Cortes@dot.state.fl.us](mailto:Leonel.Cortes@dot.state.fl.us).

**VHB**

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

**DATE AND TIME:** Thursday, January 7, 2016, 5:30 p.m. – 7:30 p.m., open house; 6:00 p.m., presentation

**PLACE:** Clarcona Community Center, 5771 N. Apopka Vineland Road, Orlando, Florida 32818

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No.: 405854-1-12-09.

**Project Description:** Alternatives Development Public Meeting - Coast-to-Coast Trail Orange County Gap Study from Hiwassee Road to U.S. 441.

The purpose of this Alternatives Development Public Meeting is to present and explain the study process and initial alternative strategies for the trail, seek public and agencies input, and provide interested persons an opportunity to get involved with the study.

A copy of the agenda may be obtained by contacting: Judy Pizzo, Project Manager for FDOT at 719 South Woodland Boulevard, DeLand, Florida 32720, (386)943-5063, [Judy.Pizzo@dot.state.fl.us](mailto:Judy.Pizzo@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: Kyle Taniguchi, Vanasse, Hangen, Brustlin, Inc., at 225 East Robinson Street, Suite 300, Orlando, Florida 32801, (407)839-4006, [KTaniguchi@vhb.com](mailto:KTaniguchi@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: Judy Pizzo, FDOT Project Manager at (386)943-5063, [Judy.Pizzo@dot.state.fl.us](mailto:Judy.Pizzo@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 EDUCATION

State Board of Education

Notice is given that on December 22, 2015, the Florida Department of Education issued an order denying a petition for declaratory relief filed by Scholar Tots, Inc., dba as ABC Children’s Learning Academy. In summary, the order found that the petition challenging the use of an assessment know as Teaching Strategies Gold, as found in Rule 6A-1.09433, F.A.C., raised concerns that were available during the rulemaking process, rather than in a petition for declaratory relief.

A copy of the order may be obtained from the Office of the Clerk, Cathy Schroeder, (850)245-9661, [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org).

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP SOLICITATION NO. 2016008C PROCURING  
 PRINTING W/ADVERTISING

FOR FL STATE PARK GUIDES & OTHER PROMO  
 MARKETING MATERIALS

NOTICE OF Invitation to Negotiate: On behalf of the Florida Department of Environmental Protection the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2016008C, Procuring Printing with Advertising for Florida State Park Guides and Other Promotional Marketing Materials.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

2016028C CUSTOM-BUILT SWAMP BUGGY

NOTICE OF Invitation to BID: On behalf of the Florida Department of Environmental Protection the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2016028C, CUSTOM - BUILT SWAMP BUGGY.

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

FLORIDA SHERIFFS ASSOCIATION

FSA Fire Rescue and EMS Contract Bid FSA16-VEF12.0

FLORIDA SHERIFFS ASSOCIATION

2617 Mahan Drive

TALLAHASSEE, FLORIDA 32308

INVITATION TO BID

BID NUMBER: FSA16-VEF12.0  
 BID TITLE: FIRE RESCUE and EMS BID  
 ADVERTISEMENT: December 15 and December 28, 2015  
 MANDATORY  
 VENDOR  
 WORKSHOP: JANUARY 12, 2016 at 9:00 a.m.  
 (Ambulance)

**MANDATORY**

**PRE-BID**

**CONFERENCE:** FEBRUARY 10, 2016 at 9:00 A.M.  
(Ambulance & Fire Rescue)

**VENDOR**

**WORKSHOP**

**& PRE-BID**

**CONFERENCE**

**LOCATION:**

FLORIDA SHERIFFS ASSOCIATION  
2617 MAHAN DRIVE  
TALLAHASSEE, FL 32308

**SEALED BIDS DUE:** MARCH 15, 2016 by 5:00 P.M., ET  
**BID RESPONSE**

**LOCATION:** FLORIDA SHERIFFS ASSOCIATION  
2617 MAHAN DRIVE  
TALLAHASSEE, FL 32308

BOTH THE VENDOR WORKSHOP AND PRE-BID CONFERENCE ARE MANDATORY. BIDS MUST BE CONTAINED IN A SEALED CONTAINER ADDRESSED TO THE FLORIDA SHERIFFS ASSOCIATION. INDICATE ON THE OUTSIDE OF THE PACKAGE: THE BID NUMBER, BID TITLE, OPENING DATE AND TIME. VENDORS WILL BE REQUIRED TO HAVE THEIR BIDS TO FSA BY 5:00 P.M. ET ON TUESDAY, MARCH 15, 2016.

ALL QUESTIONS PERTAINING TO THIS BID SHOULD BE DIRECTED TO THE FSA BID COORDINATOR COOP@flsheriffs.org OR CALL THE FLORIDA SHERIFFS ASSOCIATION AT (850)877-2165 PRIOR TO MARCH 15, 2016.

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Steve Casey  
FSA Executive Director

**EARLY LEARNING COALITION OF BROWARD COUNTY, INC.**

**Bid Request for a Business & Leadership Program for Early Learning Providers**

Seeks bids for implementation of a series of in-person classes, conference, and in-person continuing education for alumni that focus on the business of operating an Early Learning Child Care Provider or Home Based Child Care business and are for owners, directors, administrators and those opening or planning to open an Early Learning Center or Home Based Child Care business. The Proposer must be able to serve Broward School Readiness providers to increase their ability to operate a sustainable quality center or home based business while complying with applicable early learning laws, rules and guidance as set forth by the Office of Early Learning. The

proposer must have prior experience developing individualized child care center/home-specific business plans. The proposer must be a non-profit organization with expertise that demonstrates existing work in the South Florida region, including matching program funds, identifying outcomes that will include participants development of a business plan, marketing, collections, negotiating leases, cleaning up credit, increasing family engagement, etc. For additional information: [www.elcbroward.org](http://www.elcbroward.org) Bidders' Deadline: January 4, 2015, by 5:00 p.m. (ET).

**Section XII**  
**Miscellaneous**

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

Final Order No.: DEO-15-208

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-208 on December 22, 2015, in response to an application submitted by the Magnolia Bend Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order denied the application for covenant revitalization after determining that the application did not meet the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

Final Order No.: DEO-15-210

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-210 on December 22, 2015, in response to an application submitted by the Lakewood Garden Community Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order denied the application for covenant revitalization after determining that the application did not meet the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-15-211

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-211 on December 22, 2015, in response to an application submitted by the Forest Lake Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order denied the application for covenant revitalization after determining that the application did not meet the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

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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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