

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLES:	RULE NOS.:
Computation of Tax; Definitions	12B-4.052
Taxable Documents	12B-4.053
Exempt Transactions	12B-4.054

PURPOSE AND EFFECT: The proposed amendments incorporate the 1998 law changes to Chapter 201, F.S. The legislation amended s. 201.09(1), F.S., resulting in the elimination of the requirement to prepare a side note when renewing a term note for an amount exceeding the unpaid balance, or when renewing a note evidencing a revolving obligation for an amount exceeding the original face amount. Additionally, language concerning renewal notes in Rule 12B-4.054(1)(c), F.A.C., is being eliminated, because it is almost verbatim with the language in Rule 12B-4.053(29), F.A.C. Language clarifying a taxable renewal in a refinancing situation is being added to Rule 12B-4.053(24), F.A.C.

SUBJECT AREA TO BE ADDRESSED: The new requirements for renewing term notes and notes evidencing revolving obligations.

SPECIFIC AUTHORITY: 201.11, 213.06(1) FS.

LAW IMPLEMENTED: 201.01, 201.08, 201.09, 201.10, 201.11, 201.21, 201.22, 201.23, 201.24, 517.32 FS.

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

TIME AND DATE: 10:00 a.m., January 28, 1999

PLACE: Carlton Building, Room B-12, 501 S. Calhoun St., Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained from: Joy Eldred, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, Phone (850)922-4844.

Pursuant to the provisions of the Americans with Disabilities Act, any persons requiring special accommodations to participate in this program are asked to advise the Department at least 5 calendar days before the program by contacting Mary Herring at (850)414-6153. If you are hearing or speech impaired, please contact the Department by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Joy Eldred, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, Phone (850)922-4844

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-4.052 Computation of Tax; Definitions.

(1) through (11) No change.

(12) Renewal Note, Mortgage, Trust Deed, Security Agreement or Other Evidence of Indebtedness:

(a) A written agreement which alters or modifies the contract or obligation of an original promissory note, mortgage, trust deed, security agreement, or other evidence of indebtedness, by adding one or more obligors, increasing the principal balance, changing the interest rate, changing the maturity date, changing the payment terms, or assuming the terms of the original contract or obligation is a renewal of the original note, mortgage, trust deed, security agreement, or other evidence of indebtedness. A renewal which changes the interest rate, maturity date or the payment terms is not subject to tax where the tax was paid on the original document. A renewal which adds one or more obligors, ~~increases the unpaid balance of a term loan, or increases the face amount of a revolving line of credit,~~ or where the tax was not paid on the original document, is subject to tax on the full amount. A renewal evidencing a term obligation which increases the unpaid principal balance is subject to tax only on the increased amount. A renewal evidencing a revolving obligation which increases the original face amount of the obligation is subject to tax only on the increased amount. In connection with a renewal, the amount of the unpaid balance of the note should be notated on the term obligation, and the face amount should be notated on the revolving obligation. In either instance, a separate side note is no longer required. See also s. 201.09, F.S. Cross Reference – Rules 12B-4.051(1), 12B-4.053(19), F.A.C., and s. 201.08, F.S.

(b) through (c) No change.

(13) No change.

Specific Authority 201.11, 213.06(1) FS. Law Implemented 201.08, 201.09 FS. History—Revised 8-18-73, Formerly 12A-4.52, Amended 8-8-78, 3-12-79, 2-3-80, 3-30-81, 8-29-84, Formerly 12B-4.52, Amended 12-5-89, 2-13-91, 10-18-94, 12-30-97, 7-28-98,_____.

12B-4.053 Taxable Documents.

(1) through (23) No change.

(24) Renewal notes: Renewed notes are taxable ~~for the full amount of the obligation or indebtedness evidenced thereby,~~ unless they meet the requirements of s. 201.09(1), F.S. A refinancing of a promissory note where the original note and mortgage are satisfied is not a renewal and is subject to tax on the full amount of the refinanced note. Examples of renewal notes requiring tax include but are not limited to the following notes, where:

(a) through (b) No change.

(c) An additional obligor is added.

(d) The original note is assumed by another person.

(e) No change.

(25) through (34) No change.

Specific Authority 201.11, 213.06(1) FS. Law Implemented 201.01, 201.08, 201.09 FS. History—Revised 8-18-73, Formerly 12A-4.53, Amended 2-21-77, 11-29-79, 4-11-80, 7-27-80, 12-23-80, 3-30-81, 12-30-82, 8-29-84, Formerly 12B-4.53, Amended 12-29-86, 12-5-89, 2-13-91, 10-18-94, 12-30-97, 7-28-98,_____.

12B-4.054 Exempt Transactions.

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

~~(c) Renewal of a master note, note drawn in connection with a letter of credit, bail bond or otherwise is exempt if, at date of renewal, the face amount of the renewal note does not exceed the unpaid balance of the original note and all other requirements of s. 201.09, F.S., are met. Cross Reference Rule 12B-4.053(29), F.A.C.~~

~~(c)(d)~~ A note renewing a revolving obligation may be renewed tax free for the ~~full original~~ face amount of the original obligation provided all other requirements of s. 201.09, F.S., are met. A revolving obligation renewed for an amount greater than the original face amount is taxable on the amount of the increase, and a term note renewed for an amount greater than the unpaid balance is taxable on the amount of the increase. Term notes such as construction loans or other loans with periodic disbursements may be renewed for the undisbursed amount together with ~~only~~ the unpaid balance of the amount which was previously disbursed without incurring additional tax. Cross Reference – Rule 12B-4.052(12)(a), F.A.C.

~~(d)(e)~~ No change.

(2) through (31) No change.

Specific Authority 201.11, 213.06(1) FS. Law Implemented 201.01, 201.08, 201.09, 201.10, 201.11, 201.21, 201.22, 201.23, 201.24, 517.32 FS. History—Revised 8-18-73, Formerly 12A-4.54, Amended 2-21-77, 11-29-79, 3-5-80, 4-11-80, 7-27-80, 12-23-80, 2-12-81, Formerly 12B-4.54, Amended 3-30-81, 12-3-81, 12-29-86, 12-5-89, 2-13-91, 10-18-94, 12-30-97, 7-28-98,_____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE TITLE: Tax Statement; Overpayments
 RULE NO.: 12B-8.003
 PURPOSE AND EFFECT: The proposed amendments to Rule Chapter 12B-8, F.A.C., are needed to adopt administrative revisions to both the quarterly installment payment coupons, Form DR-907, and the annual tax return, Form DR-908.
 SUBJECT AREA TO BE ADDRESSED: Changes to amend the title of Form DR-907. Also, the Department plans to incorporate updates to the annual return for the Florida Life and Health Guaranty Association credit, and police officers' and firefighters' pension trust fund schedules. Finally, the Department will address clarifying the existing filing instructions on both of these documents.
 SPECIFIC AUTHORITY: 213.06(1) FS.
 LAW IMPLEMENTED: 213.05, 213.37, 624.5092, 624.511, 624.518 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, January 26, 1999

PLACE: Department of Insurance, Larson Building, Room 116, 200 East Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul J. Munyon, Tax Law Specialist, Corporate/Insurance Premium Tax Unit, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700. Pursuant to Section 286.26, Florida Statutes, persons with disabilities wishing to attend this hearing should contact the Department, (850)922-4700, at least 48 hours prior to the meeting to request any special assistance.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-8.003 Tax Statement; Overpayments.

(1) Tax returns and reports shall be made by insurers on forms prescribed by the Department. The Department prescribes Form DR-907, Florida Department of Revenue Insurance Premium Installment Payment Quarterly Tax Return, dated January ~~1999~~ 1998, and Form DR-908, Florida Department of Revenue Insurance Premium Taxes and Fees Tax Return, dated January ~~1999~~ 1998, and accompanying instructions as the forms to be used for the purpose of this chapter and hereby incorporates these forms by reference.

(2) Copies of the forms DR-907 and DR-908 are available upon written request directed to the Florida Department of Revenue, Forms Distribution Center, 168 Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Forms Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain copies; or, 5) calling the Forms Request Line during regular office hours at 1(800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (<http://sun6.dms.state.fl.us/dor/revenue.html>). ~~Persons with hearing or speech impairment may call the Department's TDD at 1(800)367-8331. Copies of these forms may be obtained without cost by written request to the Department of Revenue, Tax Information Services, 5050 W. Tennessee St., Tallahassee, Florida 32399-0100. Alternatively, persons outside Florida may obtain these forms by calling (904)488-6800, while persons in Florida may call 1(800)352-3671.~~

(3) The prescribed forms shall be sworn by one or more of the executive officers or attorney (if reciprocal insurer) of the insurer making the return, by signing the return after attesting to the following: "Under penalties of perjury, I declare that I

have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete. If prepared by a person other than the taxpayer, this declaration is based on all information of which the preparer has any knowledge [§92.525(1)(b), Florida Statutes].” Tax returns and accompanying data will be maintained by the Department for purposes of analysis and audit.

(4) No change.

Specific Authority 213.06 (1) FS. Law Implemented 213.05, 213.37, 624.5092, 624.511, 624.518 FS. History—New 2-3-80, Formerly 12B-8.03, Amended 3-25-90, 3-10-91, 2-18-93, 6-16-94, 12-9-97, 3-23-98, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Care of Inmates
 RULE NO.: 33-3.002

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the restrictions governing possession and use of tape players and recorders by inmates who are unable to read written material.

SUBJECT AREA TO BE ADDRESSED: Use of tape recorders and players by impaired inmates.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

TIME AND DATE: 9:00 a.m., January 26, 1999

PLACE: Law Library, Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Perri Dale, 2601 Blair Stone Road, Tallahassee, Florida

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-3.002 Care of Inmates.

(1) through (16) No change.

(17) Inmates who are unable to read written material (this includes those who are visually impaired, paraplegic or quadriplegic, or severely affected with arthritis) visually handicapped and who receive assistance from the Bureau of Braille and Talking Book Library Services Florida Division of Blind Services shall be allowed to possess a tape player or record player from the Bureau Division ~~unless it is determined that such possession would be detrimental to the security and order of the institution.~~ Any alteration of equipment provided by the Bureau Division shall result in confiscation of the equipment and suspension of those privileges. A tape recorder shall be available for inmate use at a location determined by the superintendent. Inmates shall obtain approval from the

chief health officer to utilize the tape recorder in lieu of pen and paper for correspondence purposes. Any material or equipment that an inmate receives from the Bureau of Braille and Talking Book Library Services remains the Bureau's property and must be returned to the Bureau if an inmate loses the use of this material or equipment for disciplinary reasons.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 10-8-76, Formerly 33-3.02, Amended 4-19-79, 4-24-80, 1-9-85, 11-3-87, 9-16-88, 7-23-89, 8-27-91, 3-30-94, 11-14-95, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Provider Enrollment
 RULE NO.: 59G-5.010

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the revised Florida Medicaid Provider Enrollment Application, November 1998. The revised application contains formatting changes, policy clarifications and simplifications, and technical corrections that will make the application more user friendly. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Provider Enrollment Application, November 1998.

SUBJECT AREA TO BE ADDRESSED: Medicaid provider enrollment.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.907, 409.908 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, January 26, 1999

PLACE: 2728 Ft. Knox Blvd., Bldg. 3, Conference Room I, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Fred Olson, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7344

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.010 Provider Enrollment.

(1) Unless otherwise specified in 59G-4, F.A.C., all providers and billing agents are required to enroll in the Medicaid program and submit a completed Florida Medicaid Provider Enrollment Application (AHCA Form 2200-0003 November 1998 ~~September 1998~~) which is available from the fiscal agent and incorporated in this rule by reference.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.907, 409.908 FS. History—New 9-22-93, Formerly 10P-5.010, Amended 7-8-97, 9-8-98, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE CHAPTER TITLE: Florida State Employees' Charitable Campaign (FSECC)

RULE CHAPTER NO.: 60L-24

RULE TITLE: Appeals
PURPOSE AND EFFECT: The amendment to subsection (2) is needed because Rule 60-4.012 has been repealed; uniform rules of procedure have been adopted by the Administration Commission; and F.S. 120.57 has been amended.

SUBJECT AREA TO BE ADDRESSED: Appeal procedures for organizations who have been denied participation in the Florida State Employees' Charitable Campaign.

SPECIFIC AUTHORITY: 110.181(3) FS.

LAW IMPLEMENTED: 110.181 FS.

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

TIME AND DATE: 2:00 p.m., January 25, 1999

PLACE: Room 380M, 4040 Esplanade Way, Tallahassee, Florida, 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Carolyn Johnson, Personnel Consultant, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60L-24.008 Appeals.

(2) If the organization elects to appeal, a petition requesting a hearing must be filed in compliance with ~~Section 120.57, Florida Statutes, and Rule 28-106.201, 60-4.012, Florida Administrative Code, if a material fact is in dispute, or with Rule 28-106.301, if there is no dispute of material fact.~~ The hearing must be held within 7 working days after receipt of the petition, and any recommended order, if one is issued, must be rendered within 3 working days of the hearing. The final order must then be issued within 2 working days after the recommended order. If a recommended order is not issued, the final order must be issued within 5 working days after the hearing. The proceedings must be conducted in accordance with Chapter 120, except that the time limits and provisions set forth in this rule prevail to the extent of any conflict.

(3) No change.

Specific Authority 110.181(3) FS. Law Implemented 110.181 FS. History—New 4-19-95, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES: Application Requirements

RULE NOS.: 61-19.003

Surety Bond 61-19.004

Fees 61-19.005

Renewal 61-19.006

Reinstatement 61-19.007

Fines 61-19.009

Miscellaneous Provisions 61-19.010

Citations 61-19.011

PURPOSE AND EFFECT: The Department is considering amending the above referenced rules relating to the regulation of talent agencies. The purpose is to update cross-references and the existing rules regarding forms and renewal dates and to implement requirements imposed by Chapter 455 and Part VII of Chapter 468, Florida Statutes, relating to fees, notices of non-compliance, disciplinary guidelines, mediation offenses, and citation offenses. Rule 61-19.007, regarding reinstatement, is being considered for repeal. In addition, the Department will propose a one-time assessment on licensees to remove this profession's deficit status within the Professional Regulation Trust Fund pursuant to s. 455.219(2), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will affect the regulation of talent agencies as it relates to the Department's powers and duties.

SPECIFIC AUTHORITY: 455.203(5), 455.219(2), 455.219(6), 455.2235(1), 455.224(1), 455.225(3), 455.2273(1), 455.271, 455.275(1), 468.402(3), 468.404(1) FS.

LAW IMPLEMENTED: 455.219(2), 455.219(2), 455.219(6), 455.2235, 455.224, 455.225(3), 455.227, 455.2273, 455.271, 455.275(1), 468.402, 468.403, 468.404, 468.405, 468.406, 468.407, 468.408, 468.409, 468.410, 468.411, 468.412, 468.413, 468.415 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Thomas, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-0792

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES:	RULE NOS.:
Licensing Procedure for Manager's License	61-20.001
Expiration and Renewal of Manager's License	61-20.002
Notices of Non-Compliance	61-20.004
Disciplinary Guidelines	61-20.005
Mediation Offenses	61-20.006
Citation Offenses	61-20.007
Unexcused Absences	61-20.008

PURPOSE AND EFFECT: The Department is considering amending rules 61-20.001 and 61-20.002, as well as creating new rules as listed above. The purpose is to update the existing rules and conform them to reflect the transfer of this regulatory program to the Division of Professions. The new rules are being created to implement requirements imposed by Chapter 455, Florida Statutes, relating to notices of non-compliance, disciplinary guidelines, mediation offenses, citation offenses, and unexcused absences for members of the Community Association Managers Council. The effect will be to put the public on notice of these new rule provisions and requirements of Chapter 455, Florida Statutes, to provide greater clarity, and to implement the statutory requirements of this program, especially as they relate to disciplinary matters.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will affect the regulation of community association managers as it relates to the Departments powers and duties.

SPECIFIC AUTHORITY: 455.203(5), 455.207(3), 455.2235(1), 455.224, 455.225(3), 455.2273, 468.4315, 468.4336(2) FS.

LAW IMPLEMENTED: 455.207(3), 455.2235, 455.224, 455.225(3), 455.227, 455.2273, 468.432, 468.433, 468.4336, 468.436 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Thomas, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-0792

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLES:	RULE NOS.:
Collection and Payment of Fees	61-24.004
Grounds for Disciplinary Proceedings	61-24.009
Disciplinary Guidelines	61-24.010
Application Process	61-24.012
Written Examination; Passing Grade; Review Process; Reexamination	61-24.013

PURPOSE AND EFFECT: The Department is considering amending the above referenced rules relating to the regulation of athlete agents. The purpose is to update cross-references and to implement requirements imposed by Chapter 455 and Part IX of Chapter 468, Florida Statutes, relating to fees, notices of non-compliance, disciplinary guidelines, mediation offenses, citation offenses, and any other matter requiring implementation by rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will affect the regulation of athlete agents as it relates to the Departments powers and duties.

SPECIFIC AUTHORITY: 215.405, 455.203(5), 455.217(1)(b), 455.219(2), 455.219(6), 455.2235(1), 455.224(1), 455.225(3), 455.2273(1), 455.271, 455.275(1), 468.456(2)(b), 468.457 FS.

LAW IMPLEMENTED: 215.405, 455.217, 455.219(2), 455.219(2), 455.219(6), 455.2235, 455.224, 455.225(3), 455.227, 455.2273, 455.2281, 455.271, 455.275(1), 468.453, 468.4536, 468.454, 468.456, 468.4564, 468.4565 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Thomas, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399-0792

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO: 98-86R

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
State Revolving Fund Program for Drinking Water	62-552

PURPOSE AND EFFECT: The purpose of this rule is to provide financial assistance under the drinking water state revolving fund.

SUBJECT AREA TO BE ADDRESSED: Financial assistance for public water systems.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE FUTURE.

SPECIFIC AUTHORITY: 403.8532 FS.

LAW IMPLEMENTED: 403.8532, 403.804 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Don Berryhill, Bureau of Water Facilities Funding, MS #3505, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Acupuncture Examination

RULE NO.: 64B1-3.004

PURPOSE AND EFFECT: The purpose of the amendment is to implement a transition to use of computerized administration for the approved licensing exam.

SUBJECT AREA TO BE ADDRESSED: Acupuncture Examination.

SPECIFIC AUTHORITY: 455.574(1)(c), 457.104 FS.

LAW IMPLEMENTED: 455.574(1)(c), 457.104 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 WEEKLY

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Buckhalt, Executive Director, Board of Acupuncture, 2020 Capital Circle, Southeast, BIN #C06, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B1-3.004 Acupuncture Examination.

The Board hereby approves as the Florida examination for licensure the ~~two-part~~ written NCCAOM examination (~~one part on acupuncture theory and one part on clean needle technique~~), and Computer Simulated Point Location Examination (CSPLE). Initial applicants will apply directly to NCCAOM for examination the point location examination.

(1) For the May and October 1999 examinations only, the Board approves both the Practical Examination of Point Location Skills (PEPLS) and the Computer Simulated Point Location Examination (CSPLE) at the election of the candidate.

(2) For May and October of 1999, the Board approves a special administration for the two parts of the former NCCAOM written examination for candidates who have failed one part of the examination and passed the other. The two parts of the examination are:

(a) one part on acupuncture theory, and

(b) one part on clean needle technique.

Specific Authority 455.574(1)(c), 457.104 FS. Law Implemented 455.574(1)(c), 457.104 FS. History—New 8-13-84, Amended 10-2-84, Formerly 21AA-3.04, Amended 1-25-88, 9-3-89, 2-27-92, 5-6-92, Formerly 21AA-3.004, Amended 1-27-94, Formerly 61F1-3.004, Amended 11-21-95, Formerly 59M-3.004, Amended 10-15-97, 5-11-98,_____.

Section II Proposed Rules

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: Standard For Layout, Installation, and Maintenance of Sprinkler Systems for Light Hazard Occupancies

RULE CHAPTER NO.: 4A-45

Table listing rule titles and numbers: Scope (4A-45.001), Maintenance (4A-45.004), Classification of Occupancies (4A-45.006), Design and Installation (4A-45.007), Working Plan (4A-45.008), Approval of Sprinkler Systems (4A-45.009), Acceptance Test (4A-45.010), Water Supplies (4A-45.011), Connections to Water Works Systems (4A-45.012), Fire Department Connections (4A-45.013), Arrangement of Water Supply Connections (4A-45.014), System components (4A-45.015), Spacing, Location and Position of Sprinklers (4A-45.016), Hydraulically Designed Sprinkler Systems (4A-45.017)

PURPOSE AND EFFECT: Repeals Rule Chapter 4A-45, F.A.C., which is duplicative and unnecessary since the same standards and requirements now exist within NFPA 13R which has been incorporated by reference and adopted by the Department through Rule 4A-46.035, F.A.C.

SUMMARY: This action repeals Rule Chapter 4A-45, F.A.C., which is duplicative and unnecessary since the same standards and requirements now exist within NFPA 13R which has been incorporated by reference and adopted by the Department through Rule 4A-46.035, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.