

Specific Authority 455.711 FS. Law Implemented 455.711 FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Disposal of Biohazardous Waste
 RULE NO.: 64B1-8.004

PURPOSE AND EFFECT: The Board proposes to update the effective date on the Biohazardous waste rules pursuant to the provisions of Chapters 64E-16 and 62-712, Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: Disposal of Biohazardous Waste.

SPECIFIC AUTHORITY: 457.104, 457.1085 FS.

LAW IMPLEMENTED: 457.1085, 381.80 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: 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:

64B1-8.004 Disposal of Biohazardous Waste.

Biohazardous waste must be managed pursuant to the provisions of Chapters 64E-16 and 62-712, Florida Administrative Code, effective June 3, 1997 in effect on December 31, 1990.

Specific Authority 457.104, 457.1085 FS. Law Implemented 457.1085, 381.80 FS. History—New 5-6-87, Amended 12-23-87, 5-30-91, Formerly 21AA-8.004, 61F1-8.004, 59M-8.004. Amended _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE CHAPTER TITLE: Public Assistance Programs
 RULE CHAPTER NO.: 65A-1

RULE TITLES: SSI-Related Medicaid Coverage
 RULE NOS.: 65A-1.709

SSI-Related Medicaid Non-Financial Eligibility Criteria
 65A-1.711

PURPOSE AND EFFECT: This rule amendment will implement revised procedures for the department’s processing of Medicaid applications involving a disability determination.

SUBJECT AREA TO BE ADDRESSED: The department is adopting revised Medicaid application processing procedures for those applications made due to a claim of disability and potentially involving a disability determination. These

procedures will encompass expedited application processing, presumptive eligibility and substantial gainful activity criteria specified in 20 CFR ss. 404.1505, 404.1571, 404.1572, 404.1573, 404.1574 and 416.920.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.904. 409.919 FS.

IF REQUESTED AND DEEMED NECESSARY 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., October 18, 1999

PLACE: 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, FLORIDA 32399-0700

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

**Section II
 Proposed Rules**

DEPARTMENT OF LEGAL AFFAIRS

RULE TITLES:	RULE NOS.:
Authority	2-34.001
Final Orders Required to Be Indexed	2-34.004
Numbering of Final Orders	2-34.005
System for Indexing Final Orders	2-34.006
Maintenance of Records	2-34.007
Plan	2-34.008

PURPOSE AND EFFECT: The Department of Legal Affairs maintains a rule indexing system that complies with section 120.53, Florida Statutes, and Rules 1S-6.001 and 1S-6.002, Florida Administrative Code. The above-referenced rules are being repealed because they are unnecessary.

SUMMARY: These rules are being repealed because they are unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 120.533 FS.

LAW IMPLEMENTED: 120.53(2)-(4), 119.041(2) FS.

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

TIME AND DATE: 3:00 p.m., October 29, 1999
PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Marty Moore, Deputy General Counsel, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE PROPOSED RULES IS:

2-34.001 Authority.

Specific Authority 120.533 FS. Law Implemented 120.53(2)-(4) FS. History--New 7-20-92, Repealed.

2-34.004 Final Orders Required to Be Indexed.

Specific Authority 120.533 FS. Law Implemented 120.53(2)-(4) FS. History--New 7-20-92, Repealed.

2-34.005 Numbering of Final Orders.

Specific Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History--New 7-20-92, Repealed.

2-34.006 System for Indexing Final Orders.

Specific Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History--New 7-20-92, Repealed.

2-34.007 Maintenance of Records.

Specific Authority 120.533(1)(j) FS. Law Implemented 119.041(2) FS. History--New 7-20-92, Repealed.

2-34.008 Plan.

Specific Authority 120.533(1)(j) FS. Law Implemented Ch. 91-30, Section 10, Laws of Florida. History--New 7-20-92, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marty Moore, Deputy General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Doran, Deputy Attorney General
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 1999

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE: Procedures for Filing Claim
RULE NO.: 3D-20.0021
PURPOSE AND EFFECT: The purpose of the proposed amendment is to adopt new claim forms that can be downloaded from the Department's website and used to submit claims for unclaimed property through the Internet.
SUMMARY: Three new claim forms for unclaimed property are being adopted.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 717.138 FS.

LAW IMPLEMENTED: 92.525, 717.1201, 717.124, 717.125, 717.126 FS.

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

TIME AND DATE: 10:00 a.m., October 25, 1999

PLACE: Room 330, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pete DeVries, Chief, Unclaimed Property Section, Room 326, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9544

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-20.0021 Procedures for Filing Claim.

(1) All claims for unclaimed property in the custody of the Department pursuant to Chapter 717, Florida Statutes, shall be submitted to the Department on the form(s) prescribed and supplied by the Department, together with documentation supporting the claim. The Department will only accept and review claims that are complete. A complete claim shall include the appropriate claim form, manually signed by all claimants, and all supporting documentation as described and required by Sections 3D-20.0021(2)-(6), F.A.C., and Rule 3D-20.0022, F.A.C. Incomplete claims delivered to the Department will be returned to the claimant with a letter advising the reason the claim is being returned. All forms referenced in this rule are available from and shall be submitted to: The Department of Banking and Finance, Division of Finance, Abandoned Property Section, Suite 330, Fletcher Building, Tallahassee, Florida 32399-0350.

(1) through (7) renumbered (2) through (8) No change.

(9) The following forms, which are hereby incorporated by reference, can be downloaded from the Department's website at www.dbf.state.fl.us and used to submit claims for unclaimed property through the Internet:

(a) Form DBF-AP 106EZ (effective 6/99) to be used for claims filed by an apparent owner:

(b) Form DBF-AP 107EZ (effective 6/99) to be used for claims filed by other than an apparent owner: and

(c) Form DBF-AP 108EZ (effective 6/99) to be used for claims filed by a legal representative or private investigator.

Specific Authority 717.138 FS. Law Implemented 92.525, 717.1201, 717.124, 717.125, 717.126 FS. History--New 3-20-91, Amended 3-13-96, 3-18-96, 1-18-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Pete DeVries, Chief, Abandoned Property Section
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Bill Monroe, Deputy Comptroller
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: July 14, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: July 23, 1999

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE: Disclosures Required by Section 520.07(3), F.S.
 RULE NO.: 3D-50.085
 PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify the disclosures required by Chapter 99-164, Laws of Florida, in motor vehicle sales finance contracts effective on October 1, 1999.

SUMMARY: Motor vehicle sales finance contracts will not be required to either repeat or include the disclosures relating to the number of scheduled payments, the amount of each payment, and the date of the first payment, if such disclosures are otherwise made in compliance with the federal Truth In Lending Act.

SUMMARY OF STATE OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 520.994(5) FS.

LAW IMPLEMENTED: 520.07(3) FS.

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

TIME AND DATE: 11:00 a.m., October 25, 1999
 PLACE: Fletcher Building, 101 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bob Tedcastle, Financial Administrator, Division of Finance, Room 664, Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0350, (850)410-9500

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-50.085 Disclosures Required by Section 520.07(3), F.S.

The itemizations required by Section 520.07(3), F.S., may appear on a disclosure statement separate from all other materials, or it may be placed on the same document as the contract or other information so long as it is clearly and conspicuously segregated from everything else on the

document. However, contracts will not be required to either repeat or include in the segregated written itemization required by Section 520.07(3), F.S., the disclosures of Section 520.07(3)(f), F.S., relating to the number of scheduled payments, the amount of each payment, and the date of the first payment, if such disclosures are placed on the same document as the contract and made in the contract in compliance with the federal Truth in Lending Act, 15 U.S.C. ss. 1601, et seq.

Specific Authority 520.994(5) FS. Law Implemented 520.07(3) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Bob Tedcastle, Financial Administrator, Division of Finance
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Don Saxon, Director, Division of Finance
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: September 9, 1999
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: September 24, 1999

FLORIDA PAROLE COMMISSION

RULE TITLE: Loss Control Management
 RULE NO.: 23-15.050

PURPOSE AND EFFECT: The purpose of the proposed repeal is to eliminate an unnecessary rule. There will be no effect from this repeal, as it will not result in elimination of any program of the agency.

SUMMARY: The Parole Commission's rule concerning maintenance of a safety and health program for employees is being repealed as it is not necessary for the implementation of any program of the agency.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 947.07 FS.

LAW IMPLEMENTED: 284.50 FS.

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

TIME AND DATE: 9:00 a.m., November 1, 1999
 PLACE: Building C, Room 220, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William L. Camper, General Counsel, Building C, Room 220, 2601 Blair Stone Road, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULE IS:

23-15.050 Loss Control Management.

Specific Authority 947.07 FS. Law Implemented 284.50 FS. History--New 1-26-93, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
William L. Camper, General Counsel
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Jimmie L. Henry, Chairman
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 20, 1999

**FLORIDA LAND AND WATER ADJUDICATORY
COMMISSION**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Brooks Of Bonita Springs II Community Development District	42Z-1
RULE TITLES:	RULE NOS.:
Creation and Establishment	42Z-1.001
Boundary	42Z-1.002
Supervisors	42Z-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish the Brooks of Bonita Springs II Community Development District in Lee County, pursuant to the requirements of the Uniform Community Development District Act of 1980, as amended, and particularly section 190.005(1)(e), Florida Statutes. The petition requests that the Commission establish such a uniform community development district with the uniform charter created by the Florida Legislature in section 190.006-190.046, Florida Statutes. The District is a specialized and limited single purpose local government, created by general law and established by the rule, to provide basic infrastructure to approximately 1222.85 acres of land, consisting of a community development located on proposed land areas designated in the local government comprehensive plan. On these lands, pursuant to appropriate development approvals, the petitioner is developing and will develop a mixed-use development. Though not legally material or relevant to the proposed rule: 1) the development to be serviced by the District on the proposed land is subject to a development order under section 380.06, Florida Statutes; and 2) the entire development which will be serviced by the District is planned as residential community. It is noted, however, that the sole purpose of this proceeding is to authorize the establishment of the District on the proposed property, by rule pursuant to section 190.005(1)(e), Florida Statutes. Any information about necessary permits or development orders for construction, development, development impact or planning purposes regarding the community development to be serviced by the District are not within the scope of this proceeding and are irrelevant and immaterial to the rule section 190.002(2)(d), Florida Statutes, and section 190.004(3), Florida Statutes. The District by law is subject to, and shall not function inconsistent with, all existing and future development orders and permits, section 190.004(3)

and 190.012, Florida Statutes. The area proposed to be served by the District is bounded on the North by Corkscrew Woodlands, Williams Road and various parcels of property; on the East by Interstate 75; on the West by Seminole Gulf Railroad and by undeveloped parcels of property west of Railroad; on the South by The Brooks, and comprises approximately 1,222.85 acres more or less.

SPECIFIC AUTHORITY: 120.53(1), 190.005(1) FS.

LAW IMPLEMENTED: 190.005(1) FS., specifically subsection (1)(e) and Rule 42-1, Florida Administrative Code.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT: The Brooks of Bonita Springs II Uniform Community Development District will be empowered to own, operate and maintain community-wide infrastructure consisting of systems, facilities and services for the benefit of the property and residents within the boundaries of the District as authorized by its general law charter and Chapter 190, Florida Statutes. It is possible that the District will be asked to issue revenue or special assessment bonds to be used in providing capital and other facilities, which bonds would be repaid by lienable non-ad valorem special assessments levied on all specially-benefited properties in the District, as well as user non-lienable fees or charges. The cost of implementing this rule to Lee County, its residents and to all applicable state agencies for processing the documents is nominal. The cost to the present and future property owners in the establishment of the District as created by general law is nominal and in the operations of the District will be reasonable. The County was paid a \$15,000.00 processing fee to offset its cost of review of the petition to establish the District. Administrative costs will be incurred by the Florida Land and Water Adjudicatory Commission, the Division of Administrative Hearings, the Bureau of Local Government Finance/Office of the Comptroller, and the Florida Department of Community Affairs. Other than administrative costs, no costs will be incurred by the State of Florida or the general citizenry from the establishment or operations of the District. The impact of District establishment and function on competition and employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the rule, is as economically viable as establishing the District. Methodology is set forth in the economic impact statement on file.

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

TIME AND DATE: 10:00 a.m. – Noon, Monday, October 25, 1999

PLACE: Room 2106, The Capitol, Tallahassee, Florida

COPIES OF THE PROPOSED RULES AND ESTIMATED REGULATORY COSTS STATEMENT MAY BE OBTAINED BY CONTACTING: Ken van Assenderp, Young, van Assenderp & Varnadoe, 225 South Adams Street, Suite 200, Tallahassee, Florida 32301, telephone (850)222-7206 or Barbara Leighty, Governmental Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 2105, Tallahassee, Florida 32399-0001, telephone (850)488-7793

THE FULL TEXT OF THE PROPOSED RULES IS:

42Z-1.001 Creation and Establishment.

Brook of Bonita Springs II Community Development District is hereby created and established.

Specific Authority 190.005 FS, Law Implemented 190.004, 190.005 FS, History—New

42Z-1.002 Boundary.

The boundaries of the District are as follows:

Description of The Brooks at Bonita Springs Two CDD Boundary limits Being a part of Section 35, Township 46 South, Range 25 East, and a part of Sections 2, 3 and 11 Township 47 South, Range 25 East, Lee County, Florida All that part of Section 35, Township 46 South, Range 25 East, Lee County, Florida and all that part of Section 2, 3 and 11, Township 47 South, Range 25 East Lee County, Florida, being more particularly described as follows: Commencing at the southeast corner of said Section 10; Thence along the south line of said Section 10 in the following two (2) described courses; 1. South 88°50'19" West 2664.18 feet; 2. South 88°50'37" West 2540.14 feet to the East Right-of-Way line of Seaboard Coast Railroad; Thence leaving said south line of Section 10, along said East Right-of-Way line of Seaboard Coast Railroad in the following two (2) described courses; 1. North 00°59'47" West 4648.64 feet; 2. Continue North 00°59'47" West 2268.16 feet to the POINT OF BEGINNING of the parcel herein described. Said point also being the Northwest corner of those lands described in Official Record Book 2988, Pages 3943 and 3944 Public Records of Lee County, Florida. Thence, leaving said lands, continue along said East Right-of-Way line of Seaboard Coast Railroad in the following four (4) described courses; 1. Continuing North 00°59'47" West 1116.83 feet; 2. North 00°56'59" West 1590.73 feet; 3. Northerly, 959.37 feet along the arc of a tangential circular curve concave to the West, having a radius of 5771.40 feet, through a central angle of 09°31'27" and being subtended by a chord which bears North 05°42'43" West 958.27 feet; 4. North 10°28'26" West 77.72 feet to a point on the Southerly Right-of-Way line of Williams Road; Thence leaving said Easterly Right-of-Way line of Seaboard Coast Railroad along said Southerly Right-of-Way line of Williams Road in the following three (3) described courses; 1. North 89°51'03" East 2623.11 feet to the North 1/4 corner of said section 3; 2. North 89°51'33" East 975.29 feet; 3. North

00°08'27" West 100.00 feet to a point on the North line of said Section 3; Thence leaving said Right-of-Way line of Williams Road along said North line of Section 3, North 89°51'33" East 1664.48 feet to the Northeast corner of said Section 3, also being the Southwest corner of said Section 35, Township 46 South, Range 25 East, Lee County, Florida; Thence along the West line of said Section 35, North 00°35'46" West 1320.30 feet to the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of said Section 35; Thence leaving said West line along the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 35, North 89°55'37" East 1317.26 feet to the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 35; Thence along the East line of said Southwest 1/4 of the Southwest 1/4 of Section 35, South 00°44'07" East 1318.67 feet to the Southeast corner of said Southwest 1/4 of the Southwest 1/4 of Section 35 and a point on the North line of said Section 2, Township 47 South, Range 25 East; Thence along said North line of Section 2, North 89°51'17" East 1321.50 feet to the North 1/4 corner of said Section 2; Thence continue along said North line of Section 2, North 89°50'12" East 2026.48 feet to a point on the Westerly Right-of-Way line of Interstate 75, a 410 foot Right-of-Way; Thence leaving said North line of Section 2 along said Westerly Right-of-Way line in the following two (2) described courses; 1. Southerly, 826.13 feet along the arc of a non-tangential circular curve concave to the West, having a radius of 5567.58 feet, through a central angle of 08°30'06" and being subtended by a chord which bears South 05°49'00" East 825.37 feet; 2. South 01°33'57" East 4512.58 feet to a point on the North line of said Section 11; Thence continue along Westerly Right-of-Way line of Interstate 75, continuing South 01°33'57" East 1238.06 feet; Thence leaving said Westerly Right-of-Way line, South 04°27'35" West 905.00 feet; Thence South 30°54'19" West 1303.84 feet; Thence South 81°18'33" West 1007.78 feet to a point on the boundary of those lands recorded in Official Record Book 2988, Pages 3943 and 3944, Public Records of Lee County, Florida. Thence along the boundary said lands in the following thirty seven (37) described courses; 1. South 88°26'03" West 206.76 feet; 2. North 01°33'57" West 765.95 feet; 3. South 88°26'03" West 1702.61 feet; 4. North 01°33'57" West 447.86 feet; 5. Northerly, 1185.82 feet along the arc of a tangential circular curve concave to the East, having a radius of 2150.00 feet, through a central angle of 31°36'04" and being subtended by a chord which bears North 14°14'05" East 1170.84 feet; 6. North 30°02'07" East 450.00 feet; 7. Northeasterly and Northwesterly, 3046.91 feet along the arc of a tangential circular curve concave to the West, having a radius of 2326.57 feet, through a central angle of 75°02'07" and being subtended by a chord which bears North 07°28'57" West 2833.79 feet; 8. North 45°00'00" West 840.17 feet to a point of cusp; 9. Southeasterly and Southwesterly, 86.39 feet along the arc of a non-tangential circular curve concave to the West, having a radius of 55.00 feet, through a central angle of 90°00'00" and

being subtended by a chord which bears South 00°00'00" East 77.78 feet; 10. South 45°00'00" West 364.09 feet; 11. Southwesterly, 518.58 feet along the arc of a tangential circular curve concave to the Southeast, having a radius of 1410.00 feet, through a central angle of 21°04'21" and being subtended by a chord which bears South 34°27'50" West 515.66 feet; 12. South 23°55'39" West 315.15 feet; 13. Southwesterly, 411.86 feet along the arc of a tangential circular curve concave to the Northwest, having a radius of 690.00 feet, through a central angle of 34°11'58" and being subtended by a chord which bears South 41°01'38" West 405.77 feet to a point on said curve; 14. Leaving said curve, North 31°52'23" West 341.35 feet; 15. South 82°07'16" West 152.59 feet; 16. North 81°30'32" West 83.39 feet; 17. South 03°20'20" East 148.07 feet; 18. South 09°20'29" West 281.28 feet; 19. South 76°34'28" West 133.02 feet; 20. South 13°14'05" West 46.40 feet; 21. South 77°38'21" West 253.20 feet; 22. Southwesterly, 490.21 feet along the arc of a tangential circular curve concave to the Southeast, having a radius of 800.00 feet, through a central angle of 35°06'32" and being subtended by a chord which bears South 60°05'05" West 482.58 feet to a point on said curve; 23. Leaving said curve, North 47°24'19" West 160.65 feet; 24. Northwesterly, 553.03 feet along the arc of a tangential circular curve concave to the Southwest, having a radius of 870.00 feet, through a central angle of 36°25'15" and being subtended by a chord which bears North 65°36'56" West 543.76 feet; 25. North 83°49'34" West 585.05 feet; 26. Westerly, 194.64 feet along the arc of a tangential circular curve concave to the North, having a radius of 1030.00 feet, through a central angle of 10°49'38" and being subtended by a chord which bears North 78°24'45" West 194.35 feet; 27. North 72°59'56" West 809.49 feet; 28. Northwesterly, 347.99 feet along the arc of a tangential circular curve concave to the Northeast, having a radius of 1030.00 feet, through a central angle of 19°21'28" and being subtended by a chord which bears North 63°19'12" West 346.34 feet; 29. North 53°38'28" West 139.43 feet; 30. South 56°09'42" West 159.61 feet; 31. South 77°48'40" West 213.76 feet; 32. South 38°46'55" West 99.90 feet; 33. South 56°27'43" West 151.50 feet; 34. North 68°38'03" West 93.81 feet; 35. South 71°17'54" West 139.66 feet; 36. North 77°55'23" West 169.23 feet; 37. North 83°46'55" West 192.72 feet to the POINT OF BEGINNING of the parcel described. Subject to easements and restrictions of record. Containing 1222.85 Acres more or less. Bearings are based on the South line of the Southeast 1/4 of said Section 10, being South 88°50'19" West.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42Z-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Tom Burgess, David H. Graham, Carl Barraco, Laura Agnew, and Sarah Spaugh.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 2105, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 1999

DEPARTMENT OF THE LOTTERY

RULE TITLES:	RULE NOS.:
How to Play MEGA MONEY	53-32.001
MEGA MONEY Drawings	53-32.002
MEGA MONEY Prize Divisions	53-32.003
Determination of Prize Winners	53-32.004
MEGA MONEY Odds of Winning	53-32.005
MEGA MONEY Rules and Prohibitions	53-32.006

PURPOSE AND EFFECT: The purpose of the rule is to set forth the specifics of the on-line game, MEGA MONEY.

SUMMARY: The rule sets forth for the on-line game, MEGA MONEY, the specifics of how to play, the drawings, the prize divisions, the determination of prize winners, the odds of winning, and the rules and prohibitions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 24.105(10)(a),(b),(c),(d), 24.115(1) FS.

LAW IMPLEMENTED: 24.105(10)(a),(b),(c),(d), 24.105(2)(a), 24.115(1), (2), 24.117(2) FS.

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

TIME AND DATE: 9:00 a.m., October 27, 1999

PLACE: Department of the Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Diane D. Schmidt, Office of the General Counsel, Capitol Complex, Tallahassee, Florida 32399-4011, (850)487-7724

THE FULL TEXT OF THE PROPOSED RULES IS:

53-32.001 How To Play MEGA MONEY.

(1) Players select four numbers from a field of one through thirty-two and one Mega Ball number from a separate field of one through thirty-two.

(2) There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played must contain five number selections: four in the upper play area and one in the lower play area. Each panel played will cost one dollar per draw.

(3) Players must use only blue or black ballpoint pen or pencil for making selections.

(4) Play slips must be processed by an on-line retailer in order to obtain a ticket.

(5) Players can select their numbers by using a play slip, or may mark the "quick pick" box and the computer will randomly select any or all of the numbers from either or both play areas.

(6) Retailers can manually enter numbers selected by a player.

Specific Authority 24.105(10)(a),(b) FS. Law Implemented 24.105(10)(a),(b) FS. History—New

53-32.002 MEGA MONEY Drawings.

(1) MEGA MONEY drawings shall be conducted two times per week, on Tuesday and Friday.

(2) The drawing machine used for each drawing shall be determined by random selection. An employee of the Lottery's Security Division (the "Draw Manager") shall select two cards from a number of cards equal to the number of available drawing machines. Each card shall contain one number which shall correspond to the number assigned to one numbered drawing machine. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The machine corresponding to the number contained on the first card drawn shall be designated the primary drawing machine and the machine corresponding to the number contained on the second card drawn shall be designated the backup drawing machine. The backup drawing machine shall be used only when necessitated by equipment failure.

(3) The ball set to be used in a drawing will be determined by random selection. The Draw Manager will select two cards from a number of cards equal to the number of available ball sets. Each card will contain one number which will correspond to the number assigned to one numbered ball set. The two cards shall be drawn individually and handed individually to an accountant employed by an independent certified public accounting firm. The ball set corresponding to the number contained on the first card drawn shall be designated the primary ball set and the ball set corresponding to the number contained on the second card drawn shall be designated the backup ball set. The backup ball set shall be used only when there is question as to the reliability of the primary ball set.

Each set contains sixty-four balls comprised of one set of balls numbered one through thirty-two and the MEGABALL set numbered one through thirty-two.

(4) The primary ball set is weighed and the weight is recorded. A primary ball set which does not fall within the manufacturer's weight tolerances shall be rejected and the backup ball set is weighed using the procedures herein.

(5) The primary ball set is placed in the primary drawing machine and six test drawings are conducted, using the following testing criteria. If the same numbered ball is drawn four times in the six test drawings, four additional test drawings are conducted. If the same numbered ball is drawn two times in the four additional test drawings, the primary ball set is rejected. The backup ball set is weighed, and if it falls within the manufacturer's weight tolerance, is placed in the primary drawing machine and tested using the testing criteria. If both the primary and backup ball sets fail the test drawings, the backup drawing machine will be used with the backup ball set and additional tests will be conducted. If the backup ball set fails the additional tests, another ball set will be selected and procedures will be followed as set forth in subsections (3), (4), and (5) until a ball set passes all required tests and procedures.

(6) Once a ball set has satisfactorily passed the required testing, the selected drawing machine is loaded by the Draw Manager, who randomly inserts the balls into the loading tubes.

(7) The two units of thirty-two balls each, located in the loading tubes of the MEGA MONEY machine are dropped into their respective mixing chambers and mixed by the action of an air blower.

(8) Four balls from the first unit of thirty-two balls and one MEGABALL from the second unit of thirty-two balls are drawn by vacuum action into the display tubes. The numbers shown on the four balls from the first unit and the number shown on the one MEGABALL from the second unit are the official winning numbers for the drawing after certification by the Lottery Draw Manager and the accountant employed by the independent certified public accounting firm.

(9) Each drawing is witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(10) Equipment used in each drawing is tested and inspected before and after each drawing and then secured. Ball sets used in each drawing are weighed and recorded before and after each drawing and then secured.

(11) In the event a malfunction in the drawing procedures occurs or the drawing equipment itself malfunctions, the Lottery shall use such substitute procedures as are fair and necessary to perform the drawing. Such substitute procedures shall be determined in consultation with the accountant referred to in subsection (9). In using such substitute

procedures, the Lottery shall strive to maintain the highest level of public confidence and integrity in MEGA MONEY drawings.

(12) The Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

Specific Authority 24.105(10)(d),(f) FS. Law Implemented 24.105(10)(d),(f) FS. History–New _____.

53-32.003 MEGA MONEY Prize Divisions.

(1) MEGA MONEY is a pari-mutuel game. For each draw, fifty percent of the net sales after cancels and promotional plays shall be allocated as the winning pool for the payment of the Grand Prize, second prize, third prize, fourth prize, fifth prize and sixth prize.

(2) The Grand Prize shall consist of thirty-five percent of the winning pool plus any money carried forward from previous draws. Prize money allocated to the Grand-Prize pool shall be divided equally among the Grand Prize winners for that drawing. If there is not a Grand Prize winner in a drawing, the Grand Prize pool shall be carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(3) Second prize shall consist of three percent of the winning pool for the drawing. The second prize shall be divided equally among the second prize winners for that drawing. If there is not a winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(4) Third prize shall consist of seven percent of the winning pool for the drawing. The third prize shall be divided equally among the third prize winners for that drawing. If there is not a winner in the third prize category for a drawing, the third prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(5) Fourth prize shall consist of thirty percent of the winning pool for the drawing. The fourth prize shall be divided equally among the fourth prize winners for that drawing. If there is not a winner in the fourth prize category for a drawing, the fourth prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(6) Fifth prize shall consist of ten percent of the winning pool for the drawing. The fifth prize shall be divided equally among the fifth prize winners for that drawing. If there is not a winner in the fifth prize category for a drawing, the fifth prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(7) The sixth prize shall consist of fifteen percent of the winning pool for the drawing. The sixth prize shall be divided equally among the sixth prize winners. If there is not a winner in the sixth prize category for a drawing, the sixth prize pool is carried over and added to the Grand Prize pool of the next MEGA MONEY drawing.

(8) Except for the Grand Prize, which will pay the exact amount, all prizes will be rounded down to the nearest fifty cents; provided, however, that the sixth prize shall be no less than \$1.00. All rounding differences will be used to fund future prizes in Lottery games or for special Lottery prize promotions.

Specific Authority 24.105(10)(c), 24.115(1) FS. Law Implemented 24.105(10)(c), 24.115(1) FS. History–New _____.

53-32.004 Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E) must match the official winning MEGA MONEY numbers for the draw date for which the ticket was purchased, in one of the following combinations:

(1) Grand Prize: Four numbers selected from the first draw unit plus the MEGABALL number selected from the second draw unit.

(2) Second Prize: Four numbers selected from the first draw unit excluding the MEGABALL number selected from the second draw unit.

(3) Third Prize: Three numbers selected from the first draw unit plus the MEGABALL number selected from the second draw unit.

(4) Fourth Prize: Three numbers selected from the first draw unit excluding the MEGABALL number selected from the second draw unit.

(5) Fifth Prize: Two numbers selected from the first draw unit plus the MEGABALL number selected from the second draw unit.

(6) Sixth Prize: Two numbers selected from the first draw unit excluding the MEGABALL number selected from the second draw unit.

Specific Authority 24.105(10)(c) FS. Law Implemented 24.105(10)(c) FS. History–New _____.

53-32.005 MEGA MONEY Odds of Winning.

(1) The odds of winning the prizes described in section 53-32.004 F.A.C., are as follows:

(a) Grand Prize – 1:1,150,720

(b) Second Prize – 1:37,120

(c) Third Prize – 1:10,274

(d) Fourth Prize – 1:331

(e) Fifth Prize – 1:507

(f) Sixth Prize – 1:16

(2) The overall odds of winning a prize in a MEGA MONEY drawing are 1:15.

Specific Authority 24.105(10)(c) FS. Law Implemented 24.105(10)(c) FS. History–New _____.

53-32.006 MEGA MONEY Rules and Prohibitions.

(1) When purchasing a ticket to play the MEGA MONEY game, the player agrees to comply with and abide by all rules and regulations of the Lottery.

(2) The play slip is not a valid receipt.

(3) Tickets shall not be sold to persons under the age of eighteen.

(4) A MEGA MONEY ticket can be cancelled by the retailer which sold the ticket within twenty minutes after printing, except that no MEGA MONEY ticket shall be cancelled after game close for that drawing. No MEGA MONEY ticket may be cancelled except through the optical mark reader.

(5) A MEGA MONEY ticket cannot be purchased after game close for that drawing.

(6) It is the responsibility of the player to determine the accuracy of selected panels of numbers on ticket(s). In the event that ticket(s) sold to the player by the retailer contain selections which are not consistent with the player's selections, the player should immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel a ticket. A retailer is not required to cancel a ticket which is produced upon request of the player by the "quick pick" method of number selection.

Specific Authority 24.105(2)(a), 24.105(10)(h) FS. Law Implemented 24.105(2)(a), 24.105(10)(h) 24.117(2) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Diane D. Schmidt, Office of the General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kenneth H. Hart, Jr. General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 16, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 1999

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE Provider Requirements RULE NO.: 59G-5.020

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the revised Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, updated July 1999. The handbook update contains policy updates, corrections requested by the Joint Administrative Procedures Committee, numerous technical changes, and information on the new Medicaid fiscal agent contractor. The name of the EPSDT 221 claim form has been changed to the Child Health Check-Up 221 claim form. The effect will be to incorporate by reference in the rule the current Florida Medicaid Provider Handbook, HCFA-1500 and Child Health Check-Up 221.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the updated Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up 221, updated July 1999.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.907, 409.908 FS.

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

TIME AND DATE: 9:00 a.m., Thursday, October 28, 1999

PLACE: 2728 Ft. Knox Blvd., Bldg. 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Girard, Medicaid Contract Management, 2308 Killearn Center Blvd., Suite 200, Tallahassee, Florida 32308, (850)922-7342

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-5.020 Provider Requirements.

All advanced registered nurse practitioners; ambulatory surgery centers; audiologists; birthing centers; child health check-up providers; chiropractors; community mental health services providers ~~centers~~; county ~~public~~-health departments; county health department certified match providers; dentists (when submitting claims on the HFCA-1500 claim form); durable medical equipment and ~~medical~~ supply providers; early intervention service providers ~~early and periodic diagnosis, screening and treatment providers~~; federally qualified health centers; freestanding dialysis centers; hearing aid specialists; home health agencies; independent laboratories; licensed midwives; Medicaid certified school match providers; medical foster care providers; opticians; optometrists; physicians; physician assistants; podiatrists; portable x-ray providers; prescribed pediatric extended care centers; registered nurse first assistants; rural health clinics; therapists; and visual services providers enrolled in the Medicaid program and their billing agents must comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up EPSDT-221, updated July 1999 ~~November 1996~~, which is incorporated by reference and available from the fiscal agent contractor.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.907, 409.908 FS. History--New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Girard
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., AHCA Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 1999
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 1998

DEPARTMENT OF MANAGEMENT SERVICES

Human Resource Management

RULE CHAPTER TITLE: Attendance and Leave
RULE CHAPTER NO.: 60K-5
RULE TITLE: Administrative Leave
RULE NO.: 60K-5.032

PURPOSE AND EFFECT: Grants a total of one hour of administrative leave per week to employees to participate in school or community activities.

SUMMARY: The rule outlines the provisions for employees to be granted administrative leave for the purposes of participating in school or community activities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 110.210, 110.219(5) FS.

LAW IMPLEMENTED: 110.219, 110.118 FS.

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

TIME AND DATE: 10:00 a.m., October 25, 1999

PLACE: Room 301, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anna B. Gray, Human Resource Consultant, Human Resource Management, 4040 Esplanade Way, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60K-5.032 Administrative Leave.

(3) While administrative leave is provided for full-time employees, part-time employees shall be granted a prorated number of hours for each type of administrative leave based on the number of hours regularly worked during the workweek or pay period.

(m) Mentoring:

1. Each employee may be granted up to one hour of administrative leave per week, not to exceed five hours per calendar month, to participate in the Governor's Mentoring Initiative including the following school or community voluntary activities:

a. Mentoring, tutoring, guest speaking and, when participating in an established mentoring program serving a school district, providing any related services at the direction of the program or volunteer coordinator.

b. Participating in community service programs that meet child, elder, or human needs, including Guardian Ad Litem, Big-Brother/Big Sister, Senior Corps, and Adult Literacy.

2. The supervisor may approve the aggregated use of up to four hours in any calendar month, provided the agency head or the agency head's designee deems such usage appropriate for the delivery of services under sub-subparagraph a. and b. In such cases no further administrative leave shall be granted pursuant to sub-subparagraphs a. or b. until one week has elapsed for every additional hour taken in the aggregate.

3. In granting administrative leave for any purpose under this section, the supervisor shall take into consideration the impact of such leave on the employees' work unit.

4. If an employee does not use administrative leave as authorized in this section, the employee shall not accrue or be paid for such leave.

Specific Authority 110.201, 110.219(5) FS. Law Implemented 110.219, 110.118 FS. History--New 10-24-94, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Sharon D. Larson, Director, Human Resource Management, Department of Management Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Paul A. Rowell, Deputy Secretary, Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 21, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 1999

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Probable Cause Panel
RULE NO.: 61G4-12.010

PURPOSE AND EFFECT: The Board is amending this rule to add a new subsection (8).

SUMMARY: The Board has determined that it is necessary to amend this rule to include new language which will delegate to the Department of Business and Professional Regulation the determination of probable cause in cases of unsatisfied judgments. In addition, should the Department's investigation support charges in addition to the failure to satisfy a judgment

pursuant to Section 489.129(1)(q), F.S. (1998 Supp.), the case shall be presented to the probable cause panel for a determination of probable cause.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.225 FS.

LAW IMPLEMENTED: 455.225(3), (4), 489.129(1)(q) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rodney Hurst, Executive Director, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G4-12.010 Probable Cause Panel.
- (1) through (7) No change.

(8) Notwithstanding the provisions of subparagraphs (1) and (7) above, the Board hereby delegates to the Department the determination of probable cause when the only charge that otherwise would go before the probable cause panel is that of failure to satisfy a judgment pursuant to Section 489.129(1)(q), F.S. (1998 Supp.) Should the Department's investigation support charges in addition to the failure to satisfy a judgment pursuant to Section 489.129(1)(q), F.S. (1998 Supp.), the case shall be presented to the probable cause panel for a determination of probable cause.

Specific Authority 455.225 FS. Law Implemented 455.225(3),(4), 489.129(1)(q) FS. History--New 10-18-79, Formerly 21E-1.41, Amended 1-6-80, 5-11-80, Formerly 21E-12.10, Amended 4-12-88, 12-21-92, Formerly 21E-12.010, Amended 11-25-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 1999

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE CHAPTER TITLE: Examinations RULE CHAPTER NO.: 64B-1

RULE TITLE: Requesting a Pre-hearing Review RULE NO.: 64B-1.009

PURPOSE AND EFFECT: To establish that pre-hearing reviews will not be conducted during the thirty-(30) day period immediately prior to the next examination.

SUMMARY: Pre-Hearing reviews will not be conducted during the thirty (30) days period immediately prior to the next examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 455.521(5), 455.574 FS.

LAW IMPLEMENTED: 455.574 FS.

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

TIME AND DATE: 8:30 a.m., October 25, 1999

PLACE: 1309 Winewood Boulevard, Building 6, Room 240, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Ehrlich, Department of Health, General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703, (850)413-8722

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B-1.009 Requesting a Pre-hearing Review.

(1) After the candidate's petition, which is a written statement, requesting a hearing pursuant to 120.57, Florida Statutes, and setting out the information required under rule 60Q-2.004 of the Florida Administrative Code, has been filed, the candidate, and/or the candidate's attorney shall be permitted to review the examination questions and answers at the department's headquarters for the purpose of preparing for the administrative hearing, as specified in board rule or by the department when there is no board. However, Pre-Hearing Reviews will not be conducted during the thirty (30) day period immediately prior to the next examination. The request for such review shall be submitted to the department in writing at least fourteen (14) days prior to the hearing date.

(2) The candidate will be required to pay the examination review fee, unless the candidate has previously paid the post examination review fee.

(3) Any comments made during the pre-hearing review will not be responded to by the department. All pre-hearing reviews shall be conducted at the department's headquarters in Tallahassee. All security procedures outlined in Rule 64B-1.004 and 64B-1.013, Florida Administrative Code, shall apply to the candidate or the candidate's attorney for the pre-hearing review.

Specific Authority 455.521(5), 455.574 FS. Law Implemented 455.574 FS. History--New 9-7-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. David Paulson, Manager, Testing Services, Bureau of Operations

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Gloria Henderson, Director, Division of Medical Quality Assurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 20, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Change of Status Fee RULE NO.: 64B1-2.017

PURPOSE AND EFFECT: The purpose of the rule is that the Board is combining this rule with 64B1-2.010.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.711 FS.

LAW IMPLEMENTED: 455.711 FS.

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

TIME AND DATE: 10:00 a.m., October 25, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310

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 FULL TEXT OF THE PROPOSED RULE IS:

64B1-2.017 Change of Status Fee.

Specific Authority 455.711 FS. Law Implemented 455.711 FS. History--New 2-21-96, Formerly 59M-2.017, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Qualification of Trainee RULE NO.: 64B1-5.003

PURPOSE AND EFFECT: The Board proposes to repeal Rule 64B1-5.003. It is no longer needed.

SUMMARY: Rule 64B1-5.003 is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 457.104, 457.105(2)(b) FS.

LAW IMPLEMENTED: 457.105(2)(b) FS.

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

TIME AND DATE: 10:00 a.m., October 25, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310

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 FULL TEXT OF THE PROPOSED RULE IS:

64B1-5.003 Qualifications of Trainee.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Formerly 21AA-5.003, 61F1-5.003, Amended 5-1-97, Formerly 59M-5.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 1999

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: RUE NO.:

Notice to the Agency of Mailing Address and Place of Practice of Licensee 64B1-6.100

PURPOSE AND EFFECT: The purpose of the repeal of the rule is the rule is currently in the chapter on continuing education rather than in the more appropriate chapter on license renewal.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 455.711 FS.

LAW IMPLEMENTED: 455.711 FS.

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

TIME AND DATE: 10:00 a.m., October 25, 1999

PLACE: Room 324, Collins Building, 107 W. Gaines Street, Tallahassee, FL 32310

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 FULL TEXT OF THE PROPOSED RULE IS:

64B1-6.100 Notice to the Agency of Mailing Address and Place of Practice of Licensee.

Specific Authority 455.711 FS. Law Implemented 455.711 FS. History--New 3-27-96, Formerly 59M-6.100, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 1999

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE TITLES: RULE NOS.:

Definitions 64E-8.001

New Limited Use Public Water System Construction 64E-8.002

New Private and Multi-family System Construction 64E-8.003

Limited Use System Operating Permits 64E-8.004

Water Quality Standards and Monitoring 64E-8.006

Variances 64E-8.009

Schedule of Fines 64E-8.012

PURPOSE AND EFFECT: The 1999 Legislature made changes to ss. 381.0062, F.S. that requires the amendment of ch. 64E-8, F.A.C.

SUMMARY: The proposed rule amendments will incorporate the foregoing Florida Statute which redefines the term "private water system" and defines the term "multi-family water system". Additionally the rule is being amended to reduce the setback distance between wells and a chemically treated building foundation from 25 feet to 15 feet when certain conditions are met. Also the rule is being amended to outline the maximum fines that may be imposed for violations of the rule and to delete from the rule specific fees for tests performed by the Office of Laboratory Services.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: There will be no significant economic impact following implementation of the foregoing rule. The maximum fines that may be imposed do not exceed fine amounts currently allowed per ss. 381.0061, F.S. The removal of the fee schedule for the Office of Laboratory Services testing allows the Office of Laboratory Services to adjust its fees to the fluctuations in the cost of testing materials.

SPECIFIC AUTHORITY: 373.309, 381.0011, 381.006, 381.0062, 381.0202(3), 403.862(1)(f) FS.

LAW IMPLEMENTED: 373.309, 381.006, 381.0011, 381.0012, 381.0061, 381.0025, 381.0062, 381.0067, 403.862 FS.

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

TIME AND DATE: 9:00 a.m., Friday, October 29, 1999

PLACE: 1317 Winewood Blvd., Building 5, Room 203, Tallahassee, Florida 32399-0700.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Melton, Florida Department of Health, Bureau of Water and Onsite Sewage Programs, 2020 Capital Circle, S. E., Bin A08, Tallahassee, Florida 32399-0700, phone (850)488-4070.

Pursuant to the provisions of the American with Disabilities Act, any person requiring special accommodations to participate in this hearing should advise the department at least five calendar days before the hearing by contacting: Bill Melton, (850)488-4070.

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-8.001 Definitions.

(1) "Abandoned Water Well" – a well the use of which has been permanently discontinued or which is in such a state of disrepair that it cannot be used for its intended purpose ~~or for observation purposes.~~

Specific Authority 381.0011(4),(13), 381.006, 381.0062(1),(3)(a), 403.862(1)(f) FS. Law Implemented 381.006(1)(2), 381.0062(1)-(3), 403.862(1)(f) FS. History—New 1-1-93, Amended 8-20-96, Formerly 10D-4.024, Amended 1-26-98,_____.

64E-8.002 New Limited Use Public Water System Construction.

(1) To apply for system construction or modification approval, an applicant must complete and submit to the department Form DH 4092B, 9/97, with:

(2) Two copies of a site plan drawn to scale and two sets of a construction plan. Each drawing shall be a minimum 8.5 x 11 inches and of sufficient clarity for reproduction ~~onto microfilm~~; and

(b) No change.

(2) No person shall construct a new Limited Use System with a well as the source unless a well construction permit was issued for it from the appropriate water management district or their delegated well permitting agents, in accordance with Chapters 40A, B, C, D, or E-3, F.A.C. This requirement shall not apply where permits are not required for these types of wells.

(b) Distances between contaminant sources and all potable water supply wells shall be maintained as described below:

1. Twenty-five feet from a building foundation when the soil has been chemically treated for pests; Wells that are installed through an impervious strata of clay, hardpan, or rock and that are constructed in accordance with paragraph (2)(e) below may be placed no less than 15 feet from a chemically treated building foundation.

2. No change.

3. Other setback distances as established by rule chapters 62-524, Delineated ~~A~~reas; 62-532, "Water Well Permitting and Construction Requirements"; 62-600, Domestic ~~W~~waste; 62-610, Reclaimed ~~W~~water; 62-640, Waste ~~R~~esiduals; 62-660, Industrial ~~W~~waste; 62-670, Feedlots; 62-701, Solid ~~W~~waste; 62-730, Hazardous ~~W~~waste; and 62-761, F.A.C., Underground ~~S~~torage ~~T~~anks.

(3) The upper terminus of the well casing shall project at least 12 inches above the concrete apron surface and at least 18 inches above the final ground surface. Wells shall be equipped with:

(a) through (d) No change.

Specific Authority 381.0011(4),(13), 381.006, 381.0062(1),(3)(a), 403.862(1)(f) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062(1)-(3), 403.862(1)(f) FS. History—New 1-1-93, Amended 8-20-96, Formerly 10D-4.025, Amended 1-26-98,_____.

64E-8.003 New Private and Multi-family System Construction.

(1) All ~~private~~ potable wells serving private water systems and multi-family water systems a single rental residence, one to four non rental residences, or a combination of one rental residence and one to three non rental residences, shall be separated from major contaminant sources per rules

64E-8.001(4) and rules 64E-8.002(2)(a), (b)1. and 3., and shall be constructed at least 75 feet from any OSTDS. Rules 64E-8.002(2)(c) and (d) shall also apply to wells serving private and multi-family systems.

(2) Private and multi-family water systems must construct a two-foot square concrete apron four inches thick centered on the well.

(3)(2) No person shall construct or alter a multi-family ~~Private w~~Water ~~s~~System ~~serv~~ing ~~three or four non rental residences~~ without approval on Form DH 4093, 8/97; an applicant must complete and submit Form DH 4092B, 9/97, to the county health department with:

(a) Two sets of site plans drawn to scale and two sets of a construction plan, each drawing ~~must be~~ being a minimum 8.5 x 11 inches and of sufficient clarity for reproduction ~~onto microfilm~~; and

(b) A \$40 processing fee.

(3) through (6) renumbered (4) through (7) No change.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1),(2), 381.0062(1)-(3), 403.862(1)(f) FS. History—New 1-1-93, Amended 8-20-96, Formerly 10D-4.026, Amended 1-26-98,_____.

64E-8.004 Limited Use System Operating Permits.

(1) No change.

(2) By September 1st each year, the owner of a non-registered Limited Use System shall submit the following items to the county health department:

(a) A completed Form DH 4092A, 9/97, for a new water system or a water system modified since the previous permit was issued;

(b) A \$75 operating permit application fee the first year, and then a \$70 annual operating permit fee each year thereafter. ~~The, however, any~~ initial operating permit fee for a system put into operation after March 31~~st~~ is \$35.

(c) Limited use commercial water systems which serve family day care establishments as described in Chapter 65C-20, F.A.C., shall pay an annual operating permit fee of \$25. ~~The, however, any~~ initial operating permit fee for a family day care establishment's water system put into operation after March 31~~st~~ is \$15.

(d) No change.

(e) For the initial permit, a minimum size 8.5 x 11 inch site plan of sufficient clarity to be reproduced ~~successfully onto microfilm~~.

(f) through (g) No change.

(3) No change.

(4) A satisfactory sanitary survey conducted by the department in the last twelve months shall assure that:

(a) Setbacks in rule 64E-8.002 are met, except that ~~an~~ existing system supplied by a well constructed prior to 1972 that is between 50 and 100 feet from an OSTDS shall be permitted without a variance if:

1. through 2. No change.

(b) through (e) No change.

(f) All chemically disinfected systems shall have an aboveground above-ground check valve between the raw water source tap and the disinfectant injection point;

(g) through (h) No change.

(5) No change.

(6) Suppliers of Limited Use Commercial Public Water Systems that do not make tap water available for public consumption are exempt from obtaining annual operating permits, provided they have:

(a) No change.

(b) performed a satisfactory, two-consecutive day, coliform bacteria analysis of the source water. The department shall waive this requirement upon conversion from a permitted to a registered system if all untreated distribution sample analyses have been satisfactory for the previous calendar year,

(c) through (g) No change.

(h) Upon receipt of satisfactory items in rule (a) through (f) above, the department shall issue authorization to operate the registered system.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1),(3)(a),(6) FS. Law Implemented 381.0012, 381.0061, 381.0067, 381.006(1), (2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.027, Amended 1-26-98,_____.

64E-8.006 Water Quality Standards and Monitoring.

(1) Samples collected for compliance with this rule, except chlorine residuals, shall be analyzed by a laboratory certified for the contaminant by the department using a department-certified method for analyzing drinking water samples, in accordance with the referenced methods required in Chapter 64E-1, F.A.C., Clinical and Water Testing Laboratories.

(a) Chemical MCL (Maximum Contaminant Level)

1. Lead – 0.015 milligrams per liter (mg/L). One liter first flush sample collected from an indoor tap after water has been in plumbing for at least six hours.

2. Nitrate as N² – 10.0 mg/L. Sample shall be representative of the water being consumed.

~~Table H~~

~~Maximum Contaminant Levels for Potable Water~~

~~(a) Inorganic Chemical MCL (mg/L)¹~~

~~Lead³ 0.015~~

~~Nitrate as N² 10.~~

~~Table H Notes:~~

¹mg/L means milligrams per liter or parts per million

²Sample shall be representative of the source water.

³One liter first flush sample collected from an indoor tap after water has been in plumbing for at least six hours.

(b) No change.

(2) Monitoring requirements – Initial survey and routine analyses shall be conducted by the supplier for all contaminants per rules 64E-8.006 and 64E-8.004(2)(c).

(a) through (d) No change.

(e) Multi-family Private Water Systems serving three or four non-rental residences shall be sampled for one distribution microbiological test, a two-consecutive day source water microbiological test, and tested for the chemicals in this section one time upon completion of construction.

(f) No change.

(3) Laboratory Methods

(a) No change.

(b) Laboratory analysis Fees charged to the supplier when samples are submitted by or through the department shall include:

1. Laboratory analysis costs \$10 for each ~~Table H~~ chemical analyzed in for the an initial survey, for routine monitoring, or for non-public health concerns; and

2. Laboratory analysis costs \$10 for each microbiological sample analyzed for routine monitoring, for a new distribution line clearance, for an initial well survey, or for non-public health concerns.

(4) Department Monitoring Department staff may collect monitoring compliance samples upon a supplier's request for a fee of \$40 per microbiological sampling site visit, \$50 per chemical sampling site visit, or \$55 per combined chemical and microbiological sampling site visit, plus any locally mandated fees, ~~and~~ laboratory analysis fees, and shipping fees.

(5) No change.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 373.309, 381.006, 381.0062(1),(3)(a), 381.0202(3) FS Law Implemented 381.0012, 381.0061, 381.0067, 373.309(1)(e)6, 381.006(1),(2), 381.0062, 403.862(1)(f), 381.0202(3) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.029, Amended 1-26-98,_____.

64E-8.009 Variances.

(1) No change.

(2) Upon consideration of each application, and the recommendations of the water management district and the county health department, the Deputy State Health Officer or his designee has the authority to grant a variance, grant a provisional variance or deny the variance request. The Deputy State Health Officer or his designee will consider granting a variance to prevent excessive hardship ~~only~~ in cases involving minor deviation from established standards when the hardship was not caused intentionally by the applicant, where no reasonable alternative exists, and where proper use of the system will not adversely affect public health. In making its decision, the department shall consider the factors in rule 64E-8.003(4). Variances on new wells are not transferable to other persons and expire one year after approval unless a

system or well construction permit has been reissued. Special consideration shall be given to lots platted prior to 1972 or granted a variance under rule chapter 64E-6, F.A.C.

(3) For variances involving private water system replacement wells, except those which are less than 50 feet from an OSTDS or less than 25 feet from a building foundation which has been chemically treated for pests and contains no impervious strata below the ground surface, the applicable county health department administrator has the authority to grant a variance, grant a provisional variance or deny the variance request. The county health department administrator will grant a variance to prevent excessive hardship based on the same criteria specified in 64E-8.009(2).

(4) In granting or denying a variance, the department shall consider:

(a) through (g) No change.

(5) Water management district variances for well construction requirements may shall be honored without a variance from this rule; however, the county health department is authorized in these cases to require additional monitoring for contaminants.

Specific Authority 403.862(1)(f), 381.0011(4),(13), 381.006, 381.0062(1), (3)(a),(6)(a) FS. Law Implemented 381.006(1)-(2), 381.0062, 403.862(1)(f) FS. History--New 1-1-93, Amended 8-20-96, Formerly 10D-4.032, Amended 1-26-98.

(Substantial rewording of Rule 64E-8.012 follows. See Florida Administrative Code for present text.)

64E-8.012 Schedule of Fines Fees.

The following maximum fines may be imposed for violations of 64E-8, each day that a violation occurs and may be considered as a separate violation:

(1) Failure to obtain a new Limited Use Public Water System construction permit [a violation of rule 64E-8.002(2)], \$500.

(2) Failure to obtain a new Multi-family Water System construction permit [a violation of rule 64E-8.003(2)], \$250.

(3) Failure to obtain a Limited Use Commercial or Limited Community Public Water System operating permit[a violation of rule 64E-8.004(1)], \$500.

(4) Failure to obtain a Limited Use Commercial Public Water System registration [a violation of rule 64E-8.004(6)], \$250.

(5) Failure to maintain required chlorine residual levels [a violation of rule 64E-8.005(1)(d)], \$100.

(6) Failure to comply with water system monitoring requirements [a violation of rule 64E-8.006(2)], \$250.

(7) Failure to take corrective actions when MCLs are exceeded [a violation of rule 64E-8.007], \$500.

(8) Failure to provide public notification when MCLs are exceeded [a violation of rule 64E-8.007], \$500.

Specific Authority 381.0061(1), 381.0011(13), 381.0202, 403.862 FS. Law Implemented 381.0061, 381.0202, 403.862 FS. History--New 1-1-95, Formerly 10D-4.101, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Melton

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pepe Menendez, Bart Bibler

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 13, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 1999

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program Office

RULE TITLE: Child Care

RULE NO.: 65A-1.519

PURPOSE AND EFFECT: This proposed rule amendment expands allowable qualifying reasons for transitional child care following loss of temporary cash assistance eligibility, adds criteria relating to the receipt of temporary cash assistance and revises statements about forms incorporated by reference. Additionally, criteria relating to an unemployed parent program are removed.

SUMMARY: This rule amendment will add increased child support as a reason for loss of temporary cash assistance eligibility that qualifies the participant for transitional child care to accept, maintain or actively seek employment. Forms incorporated by reference in this rule are outdated and incorporation by reference statements must be revised. Additionally, criteria relating to receiving temporary cash assistance for less than three months are added in relation to eligibility for transitional child care, and statements relating to an unemployed parent program are removed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.095(16) FS.

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

TIME AND DATE: 10:00 a.m., October 25, 1999

PLACE: Building 3, Room 414, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 412D, Tallahassee, FL 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.519 Child Care.

(1) through (2) No change.

(3) Transitional Child Care.

(a) Transitional child care is defined as child care for families whose WAGES cash assistance has ceased due to an increase in employment hours or earnings or due to increased child support when child care is needed to accept, maintain, or actively seek employment or who opts not to receive temporary cash assistance ~~the elimination of the child care disregard in the WAGES cash assistance budget.~~ The individual must have received cash assistance for three of the preceding six months to be eligible for up to 24 months of transitional child care. ~~Individuals who receive temporary cash assistance for less than three out of the preceding six months, who have earnings or child support income and are either ineligible for temporary cash assistance due to the earnings or child support or opt not to receive temporary cash assistance are eligible to receive up to three months of transitional child care. Once the three month period has expired, they may continue to receive transitional child care for up to 24 months subject to available funding.~~ Assistance received as an up-front diversion recipient is not included in the time frame for determining eligibility for transitional child care.

(b) No change.

~~(c) Former WAGES unemployed parent participants who have regained employment are not eligible for transitional child care unless both parents become employed, or one parent becomes employed and the other parent is engaged in a WAGES employment and training program activity. If the former WAGES unemployed parent family is receiving transitional child care and one parent ceases employment or the unemployed parent ceases to participate in the WAGES employment and training program or to actively seek employment, the transitional child care benefits will be terminated.~~

(4) No change.

(5) Recipient Notification.

(a) The recipient will be informed as to about availability of and qualifications for child care services by and will receive a Child Care Rights and Responsibilities Form, HRS-ES 2693, October 1994, hereby incorporated by reference, from the eligibility specialist, WAGES coalitions or their contracted providers employment services staff, or the community child care coordinating agency. ~~by and will receive a Child Care Rights and Responsibilities Form, HRS-ES 2693, October 1994, hereby incorporated by reference, from the eligibility specialist, WAGES coalitions or their contracted providers employment services staff, or the community child care coordinating agency.~~

(b) The eligibility specialist will notify the recipient of a referral for child care services, potential eligibility and will indicate the end of the transitional child care benefit period, if applicable, using the Family Support Act Child Care Referral, CF-ES Form 2692, Notice of Case Action, HRS-ES Form 2601, August 1990, hereby incorporated by reference in rule 65A-1.400. ~~Family Support Act Child Care Referral, CF-ES Form 2692, Notice of Case Action, HRS-ES Form 2601, August 1990, hereby incorporated by reference in rule 65A-1.400.~~

Specific Authority 414.45 FS. Law Implemented 414.095(16) FS. History—New 3-5-95, Formerly 10C-1.519, Amended 8-18-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rodney McInnis, Management Review Specialist

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Audrey Mitchell, Program
Administrator, Public Assistance Policy

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 15, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 9, 1999

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Board of Regents

RULE NO.:
6C-8.009

RULE TITLE:
Definition and Process for
Establishing Educational Sites
NOTICE OF CHANGE

Notice is hereby given that additional changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., first published in Vol. 25, No. 24, June 18, 1999, and again in Vol. 25, No. 30, July 30, 1999, issues of the Florida Administrative Weekly. The rule has been further amended in Paragraph (1)(a) to include a review process, if requested, by a member of the State Board of Education. No change was made to Paragraph (1)(b) of the rule. Rule 6C-8.009(1)(a) is revised to read, as follows:

6C-8.009 Definition and Process for Establishing Educational Sites.

(1) The following definitions and processes for establishment shall apply to educational locations of public universities within the state:

(a) Main campus is defined as the focal point of university educational and administrative activities, authorized by Section 240.2011, F.S. Lower-division courses are offered only on the main campus of each university unless the university receives specific Board of Regents approval to offer lower-division courses at a branch campus, center or site. Approval will be based on a consideration of the following: the university's mission; an assessment of student demand; availability of necessary facilities, equipment and faculty; discussion with the educational institutions impacted by the proposed course offerings; and PEPC's review of those course offerings. The Board of Regents approval is subject to review and action by the State Board of Education if the request for review and action occurs within 30 days of the Board of Regents decision. If no request for review is made by a member of the State Board of Education, then the Board of Regents determination shall automatically become effective 30 days from the date of the Board of Regents decision to approve.