

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
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### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF STATE**

**Division of Library and Information Services**

RULE NO.:                      RULE TITLE:  
 1B-2.011                      Library Grant Programs

NOTICE OF CHANGE

In accordance with subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule which was published in the Florida Administrative Weekly, Vol. 25, No. 48, on December 3, 1999. The rule incorporates by reference guidelines and forms relating to the following programs: State Aid to Libraries Grants, Library Construction Grants, Library Cooperative Grants, and Library Services and Technology Grants. Changes have been made to the rule to clarify form numbers for Library Cooperative Grant reports. Changes have also been made to the guidelines and forms for Library Construction, Library Cooperative, and Library Services and Technology Grants to reflect comments made by the Joint Administrative Procedures Committee (JAPC).

Copies of the full text of the changes may be obtained by contacting Barratt Wilkins, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)487-2651, Suncom 277-2651.

**DEPARTMENT OF EDUCATION**

**State Board of Independent Colleges and Universities**

RULE NOS.:                      RULE TITLES:  
 6E-1.0032                      Fair Consumer Practices  
 6E-1.0034                      Fees and Expenses

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 25, No. 52, (12/30/99), Florida Administrative Weekly, have been withdrawn.

**DEPARTMENT OF EDUCATION**

**State Board of Independent Colleges and Universities**

RULE NO.:                      RULE TITLE:  
 6E-2.002                      Other Types of College Licensure

NOTICE OF CHANGE

Notice is hereby given that proposed rule 6E-2.002, FAC., published in Vol. 25, No. 52, (12/30/99), Florida Administrative Weekly, has been changed to reflect comments received at the Public Hearing on January 28, 2000.

Paragraph (1)(i) has been changed so that when adopted it will read: "Notwithstanding paragraphs (a) and (b) of this subsection, an established degree-granting college which demonstrates to the board that it meets the standards for both temporary licensure and Level I provisional licensure, and which pays the application fees for both, may be granted a temporary license and a Level I provisional license at the same time."

**DEPARTMENT OF REVENUE**

NOTICE OF CABINET AGENDA ON  
 FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed creation of Rule 12-3.0012, FAC. (Definitions), and Rule 12-3.0015, FAC. (Interest Applicable to Unpaid Tax Liabilities or Amounts Not Timely Refunded). These proposed rules were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4706-4707) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5787-5789) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; and no written comments have been received by the Department.

**DEPARTMENT OF REVENUE**

NOTICE OF CABINET AGENDA ON  
 FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12-22.007, FAC. (Registration Information Sharing and Exchange Program), FAC. The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 8, 1999 (Vol. 25, No. 40, pp. 4611-4615) and a rule development workshop was held on November 1, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5789-5793) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing. On January 21, 2000, comments were received by the Department from the Joint Administrative Procedures Committee regarding the proposed amendments to subsection (3) of Rule 12-22.007, FAC. The proposed amendments did not apprise the reader of the conditions for when the Department will grant approval to transmit data under the Registration Information Sharing Exchange Program in a non-machine readable format. The Department is removing all provisions from this rule regarding

the transmission of data in a non-machine readable format. A Notice of Change will appear in the next available issue of the Florida Administrative Weekly.

DEPARTMENT OF REVENUE

RULE NO.: 12-22.007  
RULE TITLE: Registration Information Sharing and Exchange Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed amendments to Rule 12-22.007, FAC., as published in Vol. 25, No. 51, pp. 5789-5793, December 23, 1999, issue of the Florida Administrative Weekly. These changes are in response to comments received from the Joint Administrative Procedures Committee regarding subsection (3) of Rule 12-22.007, FAC., remove all provisions regarding the transmission of manually generated reports and other non-machine readable data transmitted to the Department; and provide that the Department will transmit data to the participant in the same format as that in which the participant provides the data to the Department.

Subsection (3) of Rule 12-22.007, FAC., has been changed, so that, when adopted, that subsection will read as follows:

~~(3)(a)(6)~~ Methods for Transmitting Data. The Department shall provide three methods for the transmission of data between eligible participants of the RISE program. When submitting data to the Department, the participant is required to indicate the format in which the data is provided to the Department. Data is transmitted to the eligible participant by the Department in the same format as the format in which the participant provides data to the Department. They include magnetic tape, floppy disk, or, upon prior approval by the Department, manually generated reports.

~~(a)~~ Eligible participants are required to share information to the fullest extent practicable on a computer processable medium. Manually generated reports or other non-machine readable data may be used as a method of data transmission only if prior approval is granted by the Department.

~~(b)~~ Eligible participants in the RISE program shall indicate their proposed method of data transmission on an attachment to the Agreement for Sharing Information. Subsequent to review and approval by the Program Director, Information Services Program, the participant will be notified of the approved method of transmission, when the first information exchange will be due, and a current list of all approved participants.

~~(c)~~ The method of transmitting information does not change the prescribed due dates for receipt of shared information. In the event that the participant fails to fulfill its obligations for participating in the RISE program in accordance with s. 213.0535, F.S., the Department of Revenue is authorized to suspend the routine providing of tax information to the participant and, in its role as coordinator of

~~the RISE program, is also authorized to recommend that other participants in the RISE program suspend any information exchange activity with the participant.~~

~~(b)(4)~~ Eligible participants who are required to transmit information under the RISE program and who are unable to make a timely exchange, because of system failure, incomplete data, or other reasons that which are beyond the participant's participants control, should shall contact the Program Director, Information Services Program, at (850)921-4444 or FAX (850)922-2448.

~~(e)~~ The Department of Revenue may suspend the routine providing of tax information to the participant and, in its role as coordinator of the RISE program, may recommend that other participants in the RISE program suspend any information exchange activity with the participant in instances where the participant does not consistently transmit timely information or repeatedly fails to share information with other participants.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12-26.001, FAC. (Scope of Rules); Rule 12-26.002, FAC. (Application of Rules); Rule 12-26.003, FAC. (Application for Refund); and Rule 12-26.004, FAC. (Refund Approval Process). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4708-4712) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5793-5798) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing. A Notice of Withdrawal for the proposed amendments to Rule 12-26.008, FAC. (Public Use Forms), will be published in the next available issue of the Florida Administrative Weekly.

DEPARTMENT OF REVENUE

RULE NO.: 12-26.008  
RULE TITLE: Public Use Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the proposed rule amendments to Rule 12-26.008, FAC. (Public Use Forms), published in Vol. 25, No. 51, pp. 5797-5798, December 23, 1999, issue of the Florida Administrative Weekly are being withdrawn from consideration.

**DEPARTMENT OF REVENUE****Sales and Use Tax**NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.001, FAC. (Specific Exemptions), FAC. The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4712-4713) and a rule development workshop was held on November 1, 1999. No comments were received at the workshop; no written comments were received by the Department. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5798-5799) and a public hearing was conducted on January 20, 2000. Comments were received at the public hearing to confirm that the proposed definition of the term "primary purpose" provided in paragraph (3)(q) of Rule 12A-1.001, FAC., codifies the Department's policy regarding the interpretation of that term as it applies to the exemption provided in s. 212.08(7)(n), F.S. No written comments regarding the substance of the proposed amendments have been received by the Department. The Department has made no changes in response to the comments provided at the public hearing held on January 20, 2000.

**DEPARTMENT OF REVENUE****Sales and Use Tax**NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.007, FAC. (Aircraft, Boats, Mobile Homes, and Motor Vehicles); Rule 12A-1.009, FAC. (Receipts from Services Rendered by Insect or Pest Exterminator); Rule 12A-1.0091, FAC. (Cleaning Services); Rule 12A-1.0161, FAC. (Sales and Use Tax on Services; Sale for Resale); Rule 12A-1.029, FAC. (Labels and Other Printed Matter Sold to Manufacturers); Rule 12A-1.056, FAC. (Tax Due at Time of Sale; Tax Returns and Regulations); Rule 12A-1.060, FAC. (Registration); Rule 12A-1.097, FAC. (Public Use Forms); and Rule 12A-1.105, FAC. (Service Warranties). The Governor and Cabinet will also consider the proposed repeal of Rule 12A-1.019, FAC. (Receipts from Sale of Water); Rule 12A-1.088, FAC. (Machines and Equipment Used in Manufacturing, Mining, Etc.); and Rule 12A-1.093, FAC. (Preservation of Records and Statute of Limitation; Acceptance of Resale and Exemption Certificates During Audit; Time Limitations).

The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4713-4720) and a

rule development workshop was held on November 3, 1999. No comments were received at the workshop; no written comments were received by the Department. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5800-5805) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

**DEPARTMENT OF REVENUE****Sales and Use Tax**NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.046, FAC. (Telephone, Telegraph, and Other Telecommunication Services). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on December 24, 1998 (Vol. 24, No. 52, p. 6916) and a rule development workshop was held on May 25, 1999. No one submitted written comments. Comments were received at the workshop to confirm that, with the elimination of the exemption from the rule and the amendments to s. 212.03(1)(a)5., F.S., provided in s. 1, Chapter 99-363, L.O.F., the Department would implement the statutory exemption provided for charges for the privilege of attaching wires and equipment to transmission poles. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5805-5806) and a public hearing was conducted on January 20, 2000. No comments were received at the public hearing; no written comments have been received by the Department.

**DEPARTMENT OF REVENUE****Sales and Use Tax**NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed substantial rewording of Rule 12A-1.051, FAC., Sales to or by Contractors Who Repair, Alter, Improve and Construct Real Property. The proposed substantial rewording incorporates statutory changes to Chapter 212, F.S., made by the 1998 Legislature; removes provisions that are inconsistent with those statutory changes; reorganizes and restructures the rule to make it easier for the reader to locate relevant provisions; eliminates obsolete provisions; addresses certain recurring issues that are not currently addressed in the rule; and incorporates judicial interpretations of the relevant statutes and of the current rule. The proposed substantial rewording of Rule 12A-1.051, FAC., was noticed for a first Rule Development

Workshop in the Florida Administrative Weekly on May 28, 1999 (Vol. 25, No. 21, pp. 2499-2507). The first rule development workshop was held on June 14, 1999. The proposed substantial rewording was noticed for a second Rule Development Workshop in the Florida Administrative Weekly on July 16, 1999 (Vol. 25, No. 28, pp. 3177-3185). The second rule development workshop was held on August 4, 1999. Comments received from the private sector at both workshops were incorporated into the Notice of Proposed Rulemaking, as published in the Florida Administrative Weekly on October 29, 1999 (Vol. 25, No. 42, pp. 4910-4919).

As noticed, a public rule hearing was conducted on November 30, 1999. On November 18, 1999, a Petition for Administrative Determination of Invalidity of Department's Proposed Rule (Case No. 99-4866RP) was filed on behalf of Coastal Steel Construction, Inc. In response to comments received at the public hearing held on November 30, 1999, and to the petition, a Notice of Change was published on December 23, 1999, in the Florida Administrative Weekly (Vol. 25, No. 51, p. 5853). The Notice of Change clarifies the provisions of subparagraph (2)(e)3. and withdraws the portion of paragraph (11)(g) at issue in the petition. On January 21, 2000, a Notice of Voluntary Dismissal was filed to dismiss the Petition for Administrative Determination of Invalidity of Department's Proposed Rule.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-12.0011, FAC. (Battery Fee); Rule 12A-12.003, FAC. (Registration); and Rule 12A-12.004, FAC. (Reporting and Remitting Fees); and the proposed repeal of Rule 12A-12.005, FAC. (Records and Auditing Requirements); Rule 12A-12.006, FAC. (Statute of Limitations); and Rule 12A-12.007, FAC. (General Administrative Procedures). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4720-4724) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5806-5809) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-14.002, FAC. (Reporting and Remitting the Surcharge); and Rule 12A-14.003, FAC. (Records and Auditing Requirements); and the proposed repeal of Rule 12A-14.004, FAC. (Statute of Limitations); and Rule 12A-14.005, FAC. (General Administrative Procedures). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4724-4725) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5809-5810) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-16.006, FAC. (Surcharge Returns and Regulations). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4725-4726) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, p. 5811) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

NOTICE OF CABINET AGENDA ON  
FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12B-4.005, FAC. (Penalties and Interest). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4726-4727) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No.

51, p. 5812) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

## DEPARTMENT OF REVENUE

### Miscellaneous Tax

#### NOTICE OF CABINET AGENDA ON FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12B-6.008, FAC. (Penalties, Interest). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, p. 4727) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5812-5813) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

## DEPARTMENT OF REVENUE

### Miscellaneous Tax

#### NOTICE OF CABINET AGENDA ON FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12B-7.009, FAC. (Payment of Tax; Interest and Penalties); and Rule 12B-7.023, FAC. (Penalties and Interest). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4727-4728) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 30, 1999 (Vol. 25, No. 52, pp. 5920-5921) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

## DEPARTMENT OF REVENUE

### Miscellaneous Tax

#### NOTICE OF CABINET AGENDA ON FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12B-8.001, FAC. (Premium Tax; Rate and Computation). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4728-4729) and a rule development workshop was held on November 3,

1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5813-5814) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

## DEPARTMENT OF REVENUE

### Miscellaneous Tax

#### NOTICE OF CABINET AGENDA ON FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12B-12.006, FAC. (Returns, Regulations, and Filing Requirements). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, p. 4729) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5814-5815) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

## DEPARTMENT OF REVENUE

### Corporate, Estate and Intangible Tax

#### NOTICE OF CABINET AGENDA ON FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12C-2.007, FAC. (Penalties and Interest). The proposed amendments were noticed for a rule development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4729-4730) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5815-5816) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

## DEPARTMENT OF REVENUE

### Corporate, Estate and Intangible Tax

#### NOTICE OF CABINET AGENDA ON FEBRUARY 22, 2000

The Governor and Cabinet, on February 22, 2000, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12C-3.009, FAC. (Penalties and Interest). The proposed amendments were noticed for a rule

development workshop in the Florida Administrative Weekly on October 15, 1999 (Vol. 25, No. 41, pp. 4730-4731) and a rule development workshop was held on November 3, 1999. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on December 23, 1999 (Vol. 25, No. 51, pp. 5816-5817) and a public hearing was conducted on January 20, 2000. No comments were received at either the rule development workshop or the public hearing; no written comments have been received by the Department.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

DOCKET NO.: 99-05R

RULE CHAPTER NO.: RULE CHAPTER TITLE:

62-4 Permits

RULE NO.: RULE TITLE:

62-4.244 Mixing Zones; Surface Waters

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 25, No. 51, December 23, 1999, issue of the Florida Administrative Weekly:

62-4.244 Mixing Zones; Surface Waters.

(1) through (2) No change.

(3)(a) Waters within mixing zones shall not be degraded below the minimum standards prescribed for all waters at all times in Section 62-302.500, F.A.C. In determining compliance with the provisions of 62-302.500(1), F.A.C., the average concentration of the wastes in the mixing zone shall be measured or computed using generally accepted scientific techniques ~~approved by the Department~~; provided that, the maximum concentration of wastes in the mixing zone shall not exceed the amount lethal to 50% of the test organisms in 96 hours (96 hr. LC50) for a species significant to the indigenous aquatic community, except as provided in paragraphs (b) or (c) below. The dissolved oxygen value within any mixing zone shall not be less than 1.5 milligrams per liter at any time or place, except for an open ocean discharge which must be above 1.5 milligrams per liter within 20 feet of the outfall structure.

(b) and (c) No change.

(4) through (7) No change.

Specific Authority 403.051, 403.061, 403.062, 403.087, ~~403.504, 403.704, 403.804, 403.805~~ FS. Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.121, 403.141, 403.161, 403.182, 403.201, 403.502, 403.702, 403.708 FS. History—Formerly part of 17-3.05, Revised and Renumbered 3-1-79, Amended 10-2-80, 1-1-83, 2-1-83, 12-19-84, 4-26-87, 8-31-88, 10-17-90, Formerly 17-4.244, Amended.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health and Statewide Programs**

RULE NOS.: RULE TITLES:

64E-20.002 General

64E-20.003 Definitions

64E-20.004 Testing and Standards

64E-20.005 Non-compliance

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made in the proposed rules in accordance with subparagraph 120.54(3)(d) 1., F.S., published in Vol. 25, No. 29, December 10, 1999, of the Florida Administrative Weekly.

In 64E-20.003 (1) change “Operators” to Providers.

The first sentence in 64E-20.004(2) has been changed so that when adopted it will read “Providers must submit to the Department of Health on a quarterly basis the test results from an accredited laboratory.”...

In 64E-20.005(1) the word “person” has been changed to provider.

In each of the rules, Specific Authority has been changed to 381.895(6) and the Law Implemented has been changed to 381.895.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: RULE TITLE:

65A-4.206 Work Requirements for Medical Incapacity and SSI Applicants

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the cited proposed rule published in Vol. 25, No. 46, November 19, 1999 issue of the Florida Administrative Weekly, in accordance with subparagraph 120.54(3)(d)1., F.S. The specific changes were made in response to comments received from Florida Legal Services, Inc. requesting clarification on valid documentation to verify a pending SSI decision and appropriate terminology for alternative activities. Specific changes are as follows:

Paragraph (3), last sentence: The individual basing exemption from temporary cash assistance work activities on an application for SSI disability benefits must provide a copy of the disability receipt file, notices, letters, or other reasonable verification from the Social Security Administration to document a pending SSI disability decision.

Paragraph (4), first sentence: An alternative requirement ~~work~~ plan will be designed consistent with the individual’s limitations.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.003	Training
65C-22.006	Record Keeping

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 25, No. 41, October 15, 1999, issue of the Florida Administrative Weekly:

65C-22.001 General Information.

(1) Application

(a) Application must be made on CF-FSP Form 5017, Jan. 98 ~~Apr. 97~~, Application For A License To Operate A Child Care Facility, which is incorporated by reference.

(b) through (9) No change.

Specific Authority 402.305 FS. Law Implemented ~~402.301, 402.302, 402.305, 402.3055, 402.308 FS.~~ History—New 6-1-97, Amended 3-17-99, \_\_\_\_\_.

65C-22.002 Physical Environment.

No change.

65C-22.003 Training.

(1) Definitions.

(a) through (d) No change.

(e) "Director Credential," also referred to as "Florida Child Care and Education Program Administrator Credential", means a comprehensive credentialing program consisting of two levels of education and experiential requirements as outlined in 65C-22.003(7), F.A.C.

(2) Training Requirements.

(a) No change.

(b) Child care personnel hired on or after October 1, 1992, must complete Part I and Part II of the department's 40-hour introductory child care training course requirement. ~~Child care personnel hired prior to October 1, 1992, substantiated by documentation, are required to complete Part I only.~~

(c) through (6) No change.

(7) Director Credential.

(a) through (f) No change.

(e) Exceptions: For the advanced level credential only, an educational exception will be granted to individuals who meet 65C-22.003(7)(c)1.-4. and ~~&~~ 6., F.A.C. and any of the following:

1. through 3. No change.

4. Persons with more than five years of administrative or director experience in a licensed child care facility, with three credit hours in early childhood/child development or school-age child care and three credit hours in child care

administration, business administration or educational administration. All coursework for this exception must have been completed within the prior ~~last~~ ten years.

(f) Testing. For the advanced level credential only, individuals who meet the requirements for the educational exception but do not have coursework in early childhood education or administration may opt to take a competency-based test to meet the three credit hour course requirement in early childhood education/child development ~~and/or~~ the three credit hour course requirement in administration, or both. This process will require the candidate to complete a written test at a local community college with a minimum score of 80 percent %.

(g) Renewal. To maintain a valid directors credential at either level, every 5 years, candidates must complete and document 4.5 Continuing Education Units (CEUs) or one three-hour college credit course in any one of the curriculum areas listed in 65C-22.003(7)(c)5., F.A.C. and demonstrate professional contributions in the field. Professional contributions include: ~~but are not limited to, presentations at conferences, published articles, membership in a professional child care organization or mentoring other child care professionals.~~

1. Serve in a professional organization related to the field of early childhood or school age programs;

2. Make presentation or provide training in the field of early childhood or school age programs;

3. Serve as a validator or advisor for a Florida-recognized accreditation program or as a CDA advisor;

4. Advocate for an issue in the field of early childhood or school age programs;

5. Publish an item related to the field of early childhood or school-age program;

6. Document program improvements by completing a Florida-recognized accreditation program;

7. Serve as a consultant or mentor to another early childhood or school age program;

8. Participate in an educational research or innovation project related to early childhood or school age programs; or

9. Participate in a creative production that relates to the field of early childhood or school programs.

(h) Coursework Recognition and Approval.

1. The ~~department Florida Children's Forum~~ is responsible for reviewing existing and developing coursework, offered through vocational-technical schools, community colleges and universities, to determine if it meets the requirements for Florida's credential.

2. The ~~department Florida Children's Forum~~ is responsible for reviewing out-of-state adopted director credentials to determine if they ~~it~~ meets the requirements for Florida's credential.

3. No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99,\_\_\_\_\_.

65C-22.004 Health Related Requirements.

No change.

65C-22.005 Food and Nutrition.

No change.

65C-22.006 Record Keeping.

(1) No change.

(2) Children's Health Requirements.

(a) Within 30 days of enrollment, unless statutorily exempted, each child shall have on file at the facility a completed DH Form 3040, Oct. 96 Mar. 94, Student Health Examination, which is incorporated by reference. The Student Health Examination shall be completed by a person given statutory authority to perform health examinations.

(b) No change.

(c) Within 30 days of enrollment, each child shall have on file and keep current a completed DH Form 680, Florida Certification of Immunization Part A-1, B, and/or C, Nov. 96 Florida Certificate of Immunization (Aug. 1998 and/or Aug. 2000), or DH Form 681, Religious Exemption from Immunization, (May 1999) Jun. 94, Religious Exemption from Immunization. DH Forms 680 and 681 can be obtained from the local county health department. The DH Form 680 Florida Certification of Immunization Parts A-1, Certificate of Immunization for K-12 Excluding 7th Grade Requirements or Part B Temporary Medical Exemption, shall be signed by a physician ~~licensed~~ or authorized personnel licensed under the provisions of Chapter 458, 459, or 460, Florida Statutes, and shall document vaccinations ~~as required by 64D-3, Florida Administrative Code, Control of Communicable Diseases for the prevention of diptheria, pertussis, tetanus, poliomyelitis, rubeola, rubella, mumps, Haemophilus influenza type B (HIB), and effective July 1, 2001, completion of the varicella vaccination.~~ The DH Form 680, Florida Certification of Immunization, Part C, Permanent Medical Exemption, shall be dated and signed by a physician licensed under the provisions of Chapter 458 or 459, Florida Statutes.

(d) through (3) No change.

(4) Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian, prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, Dec. 97, Child Care Application for Enrollment, which is incorporated by reference, or an equivalent form that contains all the information required by the department's form.

(a) through (b) No change.

(c) There shall be signed statements that the child care facility has provided the following information to parents:

1. The department's child care facility brochure, CF/PI 175-24, 7/97 2/95, Know Your Child Care Center, which is incorporated by reference. Local licensing agencies may use an equivalent brochure approved by the department's district licensing office containing all the information required by the department.

2. through (6) No change.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99,\_\_\_\_\_.

65C-22.007 Evening Child Care.

No change.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE TITLE:

RULE NO.:

Instant Game 95 Specifics

53ER00-2

SUMMARY OF THE RULE: LUCKY O'CASH instant lottery tickets will be sold by Florida Lottery retailers on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, procedures to be followed on how to play the game, and the number and size of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER00-2 Instant Game 95 Specifics.

(1) Name of Game. Instant Game Number 95 "LUCKY O'CASH."

(2) Price. LUCKY O'CASH tickets sell for \$1.00 per ticket.

(3) LUCKY O'CASH Lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a VIRN under the latex area on the ticket. To be a valid winning LUCKY O'CASH Lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in Rule 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the validity of any LUCKY O'CASH Lottery ticket, the VIRN number under the latex shall prevail over the bar code.