

64B14-2.004 Reactivation Fee.

The fee for reactivation of an inactive license shall be \$200.00 ~~\$100 per year of inactive status or portion thereof.~~

Specific Authority 455.711 FS. Law Implemented 455.711 FS. History--New 5-21-98, Amended.

64B14-2.005 Change of Status Fee.

The fee for change of licensure status at any time other than at the time of biennial renewal shall be \$100.00 ~~\$50.~~

Specific Authority 455.711 FS. Law Implemented 455.711 FS. History--New 6-18-98, Amended.

Section II
Proposed Rules

DEPARTMENT OF INSURANCE

RULE TITLE: Change of Licensure Category
RULE NO.: 4-211.006

PURPOSE AND EFFECT: To repeal this rule.
SUMMARY: JAPC has advised that we have no statutory authority for this rule. Therefore we need to repeal it.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SERC 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: 624.308 FS.
LAW IMPLEMENTED: 624.301(1), 624.307(1), 626.521, 624.501, 626.112(1), 626.601, 626.854, 626.865(2), 626.870, 626.874 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., January 23, 2001
PLACE: Room 143, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Shirley Kerns, Chief, Bureau of Licensing, Department of Insurance, 200 East Gaines Street, Tallahassee, Florida 32399-0320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Shirley Kerns, (850)922-3110, Ext. 5405.

THE FULL TEXT OF THE PROPOSED RULE IS:

4-211.006 Change of Licensure Category.

Specific 624.308 FS. Law Implemented 624.501, 626.112(1), 626.221, 626.521, 626.601, 626.854, 626.865(2), 626.870, 626.874 FS. History--New 1-7-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Shirley Kerns, Chief, Bureau of Licensing, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John Hale

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2000

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 0063R

RULE CHAPTER TITLE: Leases For Real Property
RULE CHAPTER NO.: 17-106

RULE TITLES: Definitions
RULE NOS.: 17-106.010

Review and Approval 17-106.020

Escalation Clause Prohibited 17-106.030

Right-to-Terminate Clause Required 17-106.040

Standard Lease Agreement Form 17-106.050

Filing of Leases 17-106.060

Standard Notice of Renewal 17-106.070

Turnkey (Lease) Construction Program 17-106.080

Leases of 2,000 Square Feet or More 17-106.090

Disclosure Statements 17-106.100

Leases for Less than 2,000 Square Feet of Space 17-106.110

Waiver Committee 17-106.120

Fire Code Compliance in Lease Space 17-106.130

Legal Review 17-106.140

PURPOSE, EFFECT AND SUMMARY: To repeal Chapter 17-106.

SUMMARY OF STATEMENT OF ESTAMATED 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 dyas of this notice.

SPECIFIC AUTHORITY: 255.21, 255.25, 255.249 FS.

LAW IMPLEMENTED: 255.21, 255.25, 255.54, 255.249 FS.

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

TIME AND DATE: February 1, 2001, 9:00 a.m.
PLACE: 3900 Commonwealth Blvd., Conference Room 215, Carr Building, Tallahassee, FL 32399-3000

If an accommodation is needed for a disability in order to participate in this activity, please notify the Personnel Services Specialist, Bureau of Personnel, (850)488-2996 or 1(800)955-8771 (TDD), at least seven days prior to the event.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paula Mueller, OMC Manager, 3800 Commonwealth Blvd., Carr Building, Suite 215, MS 60, Tallahassee, FL 32399, or by telephone at (850)278-0878

THE FULL TEXT OF THE PROPOSED RULES IS:

17-106.010 Definitions.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 7-26-82, Transferred From 17-1.137, 6-1-84, Repealed.

17-106.020 Review and Approval.

Specific Authority 255.25, 255.249 FS. Law Implemented 255.249(2)(j)(k),(3), 255.25(2)(b),(7) FS. History–New 7-26-82, Transferred from 17-1.138 and Amended 6-1-84, Repealed.

17-106.030 Escalation Clause Prohibited.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 7-26-82, Transferred from 17-1.139, 6-1-84, Repealed.

17-106.040 Right-to-Terminate Clause Required.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 7-26-82, Transferred from 17-1.140, 6-1-84, Repealed.

17-106.050 Standard Lease Agreement Form.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 7-26-82, Transferred from 17-1.141 and Amended 6-1-84, Repealed.

17-106.060 Filing of Leases.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 7-26-82, Transferred from 17-1.142, 6-1-84, Repealed.

17-106.070 Standard Notice of Renewal.

Specific Authority 255.25 FS. Law Implemented 255.25(2) FS. History–New 7-26-82, Transferred from 17-1.143 and Amended 6-1-84, Repealed.

17-106.080 Turnkey (Lease) Construction Program.

Specific Authority 255.25 FS. Law Implemented 255.25(1) FS. History–New 7-26-82, Transferred from 17-1.144 and Amended 6-1-84, Repealed.

17-106.090 Leases of 2,000 Square Feet or More.

Specific Authority 255.249(2) FS. Law Implemented 255.249(2), 255.21, 255.25(3)(5), 255.54 FS. History–New 7-26-82, Transferred from 17-1.145 and Amended 6-1-84, Repealed.

17-106.100 Disclosure Statements.

Specific Authority 255.249(2) FS. Law Implemented 255.249(2)(h)(i) FS. History–New 7-26-82, Transferred from 17-1.146 and Amended 6-1-84, Repealed.

17-106.110 Leases for Less than 2,000 Square Feet of Space.

Specific Authority 255.249, 255.25 FS. Law Implemented 255.249(2)(k), 255.249(3), 255.25(2)(b) FS. History–New 7-26-82, Transferred from 17-1.147, 6-1-84, Repealed.

17-106.120 Waiver Committee.

Specific Authority 255.21 FS. Law Implemented 255.21(2),(3),(5) FS. History–New 7-26-82, Transferred from 17-1.148, 6-1-84, Repealed.

17-106.130 Fire Code Compliance in Lease Space.

Specific Authority 255.25 FS. Law Implemented 255.25(5) FS. History–New 7-26-82, Transferred from 17-1.149 and Amended 6-1-84, Repealed.

17-106.140 Legal Review.

Specific Authority 255.249 FS. Law Implemented 255.249, 255.25, 255.21, 255.254 FS. History–New 7-26-82, Transferred from 17-1.150, 6-1-84, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Paula Mueller

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Kirby Green, III, Deputy Secretary, Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2000

DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Substance Abuse Program Services –

Determination of Need

33-507.201

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify procedures relating to inmates who either object to or refuse substance abuse programming.

SUMMARY: The proposed rule clarifies that inmates who object to, or refuse, substance abuse programs on the basis of religious content shall not be subject to disciplinary action. However, inmates who refuse an alternative substance abuse program which is non-deity, cognitive and behavioral modification based shall be subject to discipline.

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: 397.754, 944.09 FS.

LAW IMPLEMENTED: 397.754, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Giselle Lysten Rivera, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-507.201 Substance Abuse Program Services – Determination of Need.

(1) through (4) No change.

(5) If an inmate refuses to participate in mandatory substance abuse program services, the classification officer shall ensure that this refusal is documented on Form DC5-705, Statement of Refusal to Participate in Substance Abuse Program Services. Form DC5-705 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. ~~Requests for copies to be mailed must be accompanied by a self-addressed stamped envelope.~~ The effective date of this form is July 1, 2000. Inmates who refuse to participate in mandated substance abuse services shall be subject to disciplinary action.

(a) Inmates who object to or refuse substance abuse programming on the basis of religious content will be given the opportunity to complete a "Request/Consent for Alternative Programming," form DC5-713. Form DC5-713. Form DC5-713 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of the form is _____.

(b) Inmates shall not be subject to disciplinary action for objection to or refusal of a traditional substance abuse program; however, inmates who refuse an alternative substance abuse program which is non-deity, cognitive and behavioral modification based shall be subject to disciplinary action upon refusal of the alternative substance abuse program.

(6) through (9) No change.

Specific Authority 397.754, 944.09 FS. Law Implemented 397.754, 944.09 FS. History—New 1-18-95, Formerly 33-37.003, Amended 7-1-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dr. David Thomas

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore, Secretary, Department of Corrections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: Continuing Education Renewal Requirements RULE NO.: 61-20.508

PURPOSE AND EFFECT: The Board proposes to update the rule text to coincide with the Department’s new continuing education provisions.

SUMMARY: This rule is being amended to make the Boards continuing education rules compatible with the Department’s.

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: 468.4315(2), 468.4336, 468.4337 FS.

LAW IMPLEMENTED: 468.4336, 468.4337 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Baker, Executive Director, Regulatory Council of Community Association Managers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61-20.508 Continuing Education Renewal Requirements.

(1) through (4) No change.

(5) Course instructors may receive continuing education credit hours in the amount of contact hours approved by the Council for course participatns only once every renewal period for each approved course taught by the instructor. A licensee who was initially licensed in the last 90 days of the biennium prior to renewal shall not be required to meet the continuing education requirement as a condition of renewing the initial license. A licensee who is initially licensed in the last 90 days of the first year of a biennium shall not be required to complete a 2-hour legal update seminar for the first year of licensure.

(6) A licensee shall not be required to comply with the continuing education requirements prior to the licensee’s first license renewal. A licensee who was initially licensed during the last year of the biennium prior to renewal, except as described in subsection (5) of this rule, shall be required to satisfactorily complete 10 hours of the continuing education requirement described in subsection (1) of this rule. The licensee shall satisfactorily complete a 2-hour legal update seminar during the last year of the biennium and shall also satisfactorily complete 2 hours of instruction in each subject area described in subsections (3)(b), (3)(c), (3)(d) and (3)(e) of this rule.

(7) A licensee shall retain, and make available to the Department and its representatives upon request, continuing education course certificates of completion that comply with

~~Rule 61-6.015(4)(a), F.A.C. proof of satisfactory completion of approved continuing education courses for three years following course completion.~~

(8) All licensees shall comply with all applicable provisions of Rule 61-6.015(2) and (3), F.A.C.

Specific Authority 468.4315(2), 468.4336, 468.4337 FS. Law Implemented 468.4336, 468.4337 FS. History—New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.008, 61B-55.008, Amended 10-18-99, 3-13-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 8, 2000

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: RULE NO.:

Criteria for Hardship Exemptions to Assistance 65A-4.201
 Time Limitations

PURPOSE AND EFFECT: This rule amendment implements s. 414.105, F.S., as amended by the 2000 Florida Legislature, to reflect the shift of responsibility for approval or denial of a hardship exemption to time limitation requirements for receipt of temporary cash assistance (TCA) from local WAGES coalitions to regional workforce boards (RWB).

SUMMARY: The rule amendment provides for the RWB designee to approve or deny a hardship extension and to notify the department of an extension beyond the original time limit period to avoid discontinuation of TCA for eligible individuals. It also provides for individuals awaiting approval or denial for Social Security Disability Income (SSDI) to be eligible for a hardship exemption. Additionally, it provides for a review of hardship exemption cases at least once every two years (every six months for domestic violence victims) and form revisions to address legislative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement of estimated regulatory costs was not prepared for this proposed rule.

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: 414.105 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., January 25, 2001
 PLACE: 1317 Winewood Blvd., Bldg. 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency, Program Support Unit, 1317 Winewood Boulevard, Bldg. 3, Room 421, Tallahassee, Florida 32399-0700, Telephone (850)488-3090

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.201 Criteria for Hardship Exemptions to Assistance Time Limitations.

(1) Hardship Exemption Determinations. The regional workforce board (RWB) local WAGES coalition or designee, such as a community review panel or the administrative entity's director or staff, will approve or deny extension of cash assistance based on the joint recommendation of the participant's public assistance specialist and the RWB designee's WAGES coalition's contracted career case manager. The recommendation and the decision as to hardship exemption will be based on the hardship exemption criteria established in this rule (65A-4.201) and s. 414.105, F.S.

(2) Reviewing employment potential and assessing need for hardship exemptions.

(a) Discussion with the participant about hardship exemption will occur during an employment or request for a hardship extension review conducted by the contracted career case manager. The contracted career case manager will document the interview with the participant on the Hardship Extension Exemption Review Form (CF-ES Form 2082, Sep 00 April 98) (incorporated by reference) and the CF-ES 2086, Hardship Extension Statement of Understanding, Sep 00, incorporated by reference, to indicate that the information on the form has been discussed with the participant. The participant will sign the form to indicate whether or not an exemption is requested.

(b) A participant who did not request a hardship exemption at the time the original Hardship Extension Exemption Review Form was signed may subsequently request a hardship exemption by completing the CF-ES 2066, Request for Assistance, Jun 98, incorporated in Administrative Rule 65A-1.400, and being referred to the RWB designee for work registration and a hardship extension determination. The participant may make a subsequent request to the RWB designee up to expiration of the time limitations, by completing the Hardship Exemption Review Form (CF-ES Form 2082A, Jun 98)(incorporated by reference). Upon documentation of a pending SSI or SSDI application or appeal, individuals who are not receiving TCA benefits because they

have used their periodic 24/60-month or 36/72-month time limit must be granted a hardship extension until a final determination is made. The RWB designee will forward a copy of the completed CF-ES 2082 to notify the department of the approval of a hardship extension.

(3) No change.

(4) Diligent participation. To meet the diligent participation criteria, the participant must: have no more than one work sanction imposed in the last eighteen months of receipt of cash assistance; and, be in satisfactory compliance with the individual responsibility plan service strategy as determined by the RWB designee's WAGES-coalition's contracted career case manager.

(5) through (7) No change.

(8) Review of Hardship Exemption Cases. The RWB designee must review hardship cases at least once every two years, except for domestic violence cases that must be reviewed every six months in accordance with 45 CFR Part 260, Section 260.55(b).

Specific Authority 414.45 FS. Law Implemented 414.105 FS. History--New 9-28-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lonna Cichon, Operations and Consultant II
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Audrey Mitchell, Program Administrator, Economic Self-Sufficiency Policy, Program Support
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2000
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 1999

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-5.003
RULE TITLE: Other Personnel
NOTICE OF CHANGE

The Florida School for the Deaf and the Blind hereby gives notice of change to the above proposed rule published in the Florida Administrative Weekly, Vol. 26, No. 39, September 29, 2000. These changes are in response to comments received from the Department of Education. The changes of the rule shall be as follows:

Subsection (21) Career Education (Vocational) Teacher. Certification by the state of Florida in a Vocational Instructional area requiring at least a bachelor's degree, and twelve (12) semester hours in the appropriate area of specialty

(Hearing Impaired, Visually Impaired, Varying Exceptionalities). Teachers may be selected with certification in a degreed vocational instructional area with the understanding that the twelve (12) semester hours in the appropriate area of specialty must be completed over a specified period of time.

Specific Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History--New 12-19-74, Amended 10-9-84, 12-6-92, 10-26-94, 7-10-95, 2-22-97, 2-24-98, _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER NO.: 9G-21
RULE CHAPTER TITLE: Hazardous Materials Risk Management Planning Fee Schedule

RULE NO.: 9G-21.004
RULE TITLE: Approved Forms

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. 26, No. 17, September 15, 2000, issue of the Florida Administrative Weekly.

9G-21.004 Approved Forms.

Table with 3 columns: Form Number, Subject, Effective Date. Rows include RMP-001 Single Stationary Source Annual Registration Fee Form (10-31-99) and RMP-002 Multiple Source Location Annual Registration Fee Form (10-31-99).

These forms are hereby adopted by reference as a part of Rule Chapter 9G-21, F.A.C., and may be obtained by calling or writing the Department of Community Affairs, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Specific Authority 252.937(2)(b) FS. Law Implemented 252.939(1) FS. History--New 11-9-98, Amended _____.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE CHAPTER NO.: 9J-2
RULE CHAPTER TITLE: Rules of Procedure and Practiced Pertaining to Developments of Regional Impact

RULE NO.: 9J-2.044
RULE TITLE: Hazardous Material Usage, Potable Water, Wastewater, and Solid Waste Facilities Uniform Standard Rule