

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.032
RULE TITLE: Uniform Primary and General
Election Ballot

NOTICE OF CHANGE

Notice is hereby given that proposed Rule 1S-2.032 published
in the F.A.W., Page 1582, Vol. 30, No. 16, on April 16, 2004,
has been changed to reflect comments received from the public
during the hearing held on May 10, 2004.

Changes were made to Rule 1S-2.032, F.A.C., so that it now
reads:

1S-2.032 Uniform Primary and General Election Ballot.

(1) The purpose of this rule is to prescribe a uniform
primary and general election ballot design for each certified
voting system.

(2) The title shall be printed across the top of an optical
scan ballot and on the first ballot screen of a touchscreen ballot
in all caps bold.

(a) The title of the presidential preference primary ballot
shall read as follows:

OFFICIAL PRESIDENTIAL PREFERENCE PRIMARY
BALLOT
_____ PARTY
_____ COUNTY, FLORIDA
_____ (date) _____

(b) The title of the primary ballot shall read as follows:
OFFICIAL PRIMARY BALLOT

_____ PARTY
_____ COUNTY, FLORIDA
_____ (date) _____

(c) The title of the general election ballot shall read as
follows:

OFFICIAL GENERAL ELECTION BALLOT
_____ COUNTY, FLORIDA
_____ (date) _____

(d) The title of a nonpartisan ballot shall read as follows:

OFFICIAL NONPARTISAN BALLOT
_____ COUNTY, FLORIDA
_____ (date) _____

(3) Ballot instructions shall be printed directly under the
title on the front side of an optical scan paper ballot. For a
touchscreen ballot, the ballot instructions may appear at any
point before the listing of candidates or may be prominently
posted in each voting booth.

(a) For optical scan voting systems, the following shall
apply:

1. The ballot instructions for those certified voting systems
using ovals to be filled in next to the voter's choice, shall read
as follows:

- a.
• TO VOTE, COMPLETELY FILL IN THE OVAL ● NEXT
TO YOUR CHOICE.
• Use (insert appropriate marking device) only the marking
device provided or a number 2 pencil.
• If you make a mistake, don't hesitate to ask for a new ballot.
If you erase or make other marks, your vote may not count.

b. In a general election, if there are write-in candidates,
add the following:

- To vote for a candidate whose name is not printed on the
ballot, fill in the oval, and write in the candidate's name on the
blank line provided for a write-in candidate.

2. The ballot instructions for those certified voting systems
using an arrow to point to the voter's choice shall read as
follows:

- a.
• TO VOTE, COMPLETE THE ARROW → POINTING TO
YOUR CHOICE.
• Use (insert appropriate marking device) only the marking
device provided or a number 2 pencil.
• If you make a mistake, don't hesitate to ask for a new ballot.
If you erase or make other marks, your vote may not count.

b. In a general election, if there are write-in candidates,
add the following:

- To vote for a candidate whose name is not printed on the
ballot, complete the arrow, and write in the candidate's name
on the blank line provided for a write-in candidate.

(b) For certified touch screen voting systems the following
shall apply:

1. For the Global ES 2001 Blended system, the
instructions shall be as follows:

- a.
• Make your selection by touching the screen on the
candidate's name or anywhere in the candidate area or on the
Yes or No position until the X appears.
• If you change your mind, touch the candidate's name or the
Yes or No position again to undo the mark.
• Touch NEXT at the bottom right of the screen to move to the
next ballot page.
• Touch PREVIOUS at the bottom left of the screen to move
back one page.
• Touch CAST BALLOT button on the last ballot screen to
record your vote.
• To begin voting, touch START. (This instruction may be
modified to instruct the voter to touch NEXT, if necessary,
because of the placement of the instructions.)

b. In a general election, if there are write-in candidates, add the following prior to the cast ballot instruction:

- To vote for a candidate whose name is not printed on the ballot, touch WRITE-IN and a touch keyboard will appear. Key in the candidate's name on the keyboard and then touch RECORD WRITE-IN.

2. For the ES&S iVotronic, the instructions shall be as follows:

a.

- Make your selection by touching your choice on the screen until it becomes highlighted.
- If you change your mind, touch the new choice and the highlight will appear on your new choice or if you change your mind, touch the same choice again to undo the highlight, as appropriate.
- Touch NEXT or NEXT PAGE at the bottom right of the screen to move to the next ballot page.
- Touch PREVIOUS or PREVIOUS PAGE at the bottom left of the screen to move back one page.
- Touch REVIEW or REVIEW BALLOT on the last ballot page to review your selections.
- Press the flashing red VOTE button to cast your ballot.

b. In a general election, if there are write-in candidates, add the following prior to the cast ballot instruction:

- To vote for a candidate whose name is not printed on the ballot, touch WRITE-IN and a touch keyboard will appear. Type the candidate's name and then touch ACCEPT.

3. For the Sequoia AVC Edge, the instructions shall be as follows:

- Insert your Voter Card into the bright yellow slot located at the bottom left of the voting machine. Push it all the way in until you feel it "click."
- Touch anywhere in the box that contains the name of your choice. Confirm that a green check mark appears in the circle located in the box in which your choice appears.
- You may change your vote by touching the same selection again. The candidate is unselected and all circles for that contest appear again. You may then make another selection.
- Write-in a qualified candidate, during a General Election only, by touching Write-In on the candidate list. When the on-screen keyboard appears, key in the candidate's name, then touch OK. The write-in candidate's name now appears on the list of candidates.
- Continue to the following page by touching NEXT at the bottom right of the screen. To return to the previous page, touch BACK at the bottom left of the screen.
- Review a summary of all your votes on the REVIEW page. To make a change, touch the office or issue to return to the ballot page for that race.
- Complete your voting by touching the yellow square on the final screen. Your ballot is now cast. Your voter card will eject. Return it to a poll worker.

4. For the Diebold 2003B (Blended) + (Plus Audio), the instructions shall be as follows:

a. Prior to any action by the voter, a screen will be continuously displayed with the title of the election, various system information, and a message prominently displayed instructing the voter to "Insert card to start." Below this message will be a large graphic depicting a hand holding a Voter Access Card, with additional text stating "Please Insert Your Card" above an arrow pointing to the card insertion slot.

b. Upon insertion of the Voter Access Card, another screen appears. If multiple language choices are available, this screen will have buttons for the respective languages. At the top of the screen is a message stating:

"The Ballot Presentation is in English. Please select a language and then click the Start button."

This message changes depending upon the currently pressed language button. At the bottom of this screen is a button with the word "Start". Again, this word changes dependent upon the language button pressed.

If there is only one language, the first screen appearing after the insertion of the Voter Access Card will have a line of text stating: "Instructions to Voters" followed by:

- "To vote for a candidate of your choice, touch the box next to the candidate for whom you desire to vote until a red .X. appears.
- If you desire to change your vote, re-touch the box selected then touch the box next to the candidate of your choice
- To move forward in the ballot touch the word Next to move back touch the word Previous.
- You may change or Review your ballot until you touch Cast Ballot."

Below this section is a message stating:

"TO BEGIN VOTING, TOUCH THE START BUTTON."

(Note that for multiple language ballots, this instructional screen will appear immediately after pressing the Start button on the language screen. All text will be translated into the appropriate language.)

c. If voting for a write-in candidate is an option within a race, a write-in choice will fall at the end of the candidate list within that race. When the voter touches the write-in choice, a screen appears with the following instructional text above a large touch keyboard on the screen:

- "Write-In Instructions:
- Touch the letters that make up your write-in candidate.
- Touch the "Backspace" key to correct any errors.
- Touch "Record Write-In" to finish your selection."

Below the touch keyboard are two buttons, the "Record Write-In" button and a "Cancel" button.

(4)(a) Following the instructions, the headings, office titles, and candidates shall be listed in the order provided in Section 101.151, F.S. Nonpartisan offices shall appear following the partisan offices and before constitutional

amendments or other issues. Nonpartisan offices shall be preceded by the heading "Nonpartisan" and shall appear in the following order: Justice of the Supreme Court, Judge of a District Court of Appeal, Circuit Judge, County Judge, and School Board Member. Unless otherwise provided by county charter, if a county elects other county officers on a nonpartisan basis, the order of those offices shall be the same as the order in Section 101.151, F.S., for partisan offices and shall follow school board member. Nonpartisan municipal candidates shall be listed following nonpartisan county candidates, followed by nonpartisan special district candidates. Partisan municipal candidates shall be listed following the partisan county candidates, followed by partisan special district candidates. County, municipal, and special district issues shall appear following constitutional amendments.

(b) The headings and office titles shall be in all caps bold. The last name of the candidate shall be in all caps. ~~The first name shall be in~~ upper and lower case.

(5) Under each office title, including joint candidacies, heading shall be printed "(Vote for One)". For joint candidacies, there shall be printed "(Vote for One Pair)". In races where more than one vote is permitted, there shall be printed "(Vote for no more than (enter # to be elected))".

(6) The marking space for a voter to mark a choice shall be as follows:

(a) For ~~Diebold Global~~ Accuvote, on the left of the voter's choice.

(b) For ES&S and Sequoia Optech, on the right of the voter's choice.

(c) For ES&S M-100, 150, ~~and 550, and 650~~ on the left of the voter's choice.

(d) For ~~Diebold Global~~ ES 2001 Blended, on the left of the voter's choice.

(e) For ES&S iVotronic, on the right of the voter's choice.

(f) For Sequoia AVC Edge, on the right of the voter's choice.

(g) For Diebold 2003B (Blended) + (Plus Audio), on the left of the voter's choice.

(7) When required, the appropriate abbreviation of a party name or no party affiliation shall be to the right of the candidate's name, in all caps. The party abbreviation shall be the abbreviation provided to the supervisors on the official certification of candidates for the election. The party abbreviation shall not be enclosed in parentheses. Party abbreviation shall not be included on primary ballots, unless there is a Universal Primary Contest on the ballot as provided in subsection (12).

(8) No candidate race shall appear in more than one column on an optical scan ballot or on more than one screen of a touchscreen ballot. The issue choices of yes and no shall not be split between columns or pages.

(9) On optical scan ballots, when races and/or questions are printed on both sides of the ballot, the words "VOTE BOTH SIDES OF BALLOT" shall be printed on the bottom of the front and back of the ballot in all caps bold.

(10) For counties offering multiple languages on touchscreen ballots, the language choice may appear prior to the first ballot screen.

(11) For constitutional amendments, the number designation, constitutional amendment and Article and Section shall be in all caps bold. The ballot title for an issue shall be in upper and lower case bold. The substance of the issue and the financial impact statement, if provided, shall be in upper and lower case, followed by the choices of YES and NO shall be in all caps bold.

(12) When a primary includes one or more Universal Primary Contests as defined in Rule 1S-2.002, F.A.C., the following shall apply:

(a) The words "Universal Primary Contest" shall appear underneath the office title of the Universal Primary Contest and before the "(Vote for ...)" text.

(b) The names of all candidates for all partisan offices, including candidates for the Universal Primary Contest, shall be displayed with an appropriate abbreviation of party name.

(13) Each supervisor of elections shall determine the font sizes based on the number of candidates and races on the ballot. However, on optical scan ballots no font size shall be smaller than 10 point and on touchscreen ballots, the ballot image displayed to the voter on the screen must measure no less than 10 point. On any ballot, each category shall have consistent font sizes. For example, if one candidate's name is in 10 point type, the names of all candidates on that ballot shall be in 10 point type.

(14)(a) If in any election there are more candidates than will fit in one column or screen, or a candidate's name is so long that the party abbreviation will not fit to the right of the candidate's name, or a candidate's name is too long to fit on one line in the minimum font size, the supervisor of elections shall certify that fact and provide a copy of the proposed ballot to the Division of Elections for approval prior to the printing or distribution of the ballot. The Division shall verify that the facts and circumstances provided by the supervisor require deviation from the rule prior to giving its approval.

(b) Likewise, if circumstances dictate that a supervisor of elections must deviate from the rule in any other respect, the supervisor must certify the facts of the circumstances and obtain the approval of the Division of Elections prior to the printing or distribution of the ballot. The Division shall verify that the facts and circumstances provided by the supervisor require deviation from the rule prior to giving its approval.

(15) All other specifications for ballots must comply with the Florida Election Code.

(16) A primary ballot for the Diebold Global Accuvote voting system shall be substantially in accordance with Form DS-DE 30, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for the Diebold Global Accuvote voting system shall be substantially in accordance with Form DS-DE 31, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(17) A primary ballot for ES&S Optech voting system shall be substantially in accordance with Form DS-DE 32, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for ES&S Optech voting system shall be substantially in accordance with Form DS-DE 33, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(18) A primary ballot for Sequoia Optech voting system shall be substantially in accordance with Form DS-DE 64, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for Sequoia Optech voting system shall be substantially in accordance with Form DS-DE 65, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(19) A primary ballot for ES&S M-100, 150, ~~and 550~~, and 650 voting systems shall be substantially in accordance with Form DS-DE 16, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for ES&S M-100, 150, ~~and 550~~, and 650 voting systems shall be substantially in accordance with Form DS-DE 17, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(20) A primary ballot for Diebold Global ES 2001 Blended touchscreen voting system shall be substantially in accordance with Form DS-DE 44, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for Diebold Global ES 2001 Blended touchscreen voting system shall be substantially in accordance with Form DS-DE 45, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(21) A primary ballot for ES&S iVotronic touchscreen voting system shall be substantially in accordance with Form DS-DE 22, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general election ballot for ES&S iVotronic touchscreen voting system shall be substantially in accordance with Form DS-DE 23, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(22) A primary ballot for Sequoia AVC Edge touchscreen voting system shall be substantially in accordance with Form DS-DE 46, eff. 4/02, hereby incorporated by reference and available from the Division of Elections. A general

election ballot for Sequoia AVC Edge touchscreen voting system shall be substantially in accordance with Form DS-DE 47, eff. 4/02, hereby incorporated by reference and available from the Division of Elections.

(23) A primary ballot for Diebold 2003B (Blended) + (Plus Audio) touchscreen voting system shall be substantially in accordance with Form DS-DE 78, eff. _____, hereby incorporated by reference and available from the Division of Elections. A general election ballot for Diebold 2003B Blended + (Plus Audio) touchscreen voting system shall be substantially in accordance with Form DS-DE 79, eff. _____, hereby incorporated by reference and available from the Division of Elections.

~~(24)~~(23) The ES&S iVotronic audio ballot must provide the following:

(a) Instructions.

1. Language instructions shall be as follows:

a. If English is the only language available, the message “Press the diamond button to begin voting” shall be given.

b. If multiple language choices are available, the following message shall be given: “Please select your ballot language. Select your choice by using the down arrow button. Press the diamond shaped select button to confirm your choice.” This message is to be read audibly in each language allowed as a choice until a selection is made.

2. General instructions shall be as follows:

a. “To repeat these instructions press the up arrow. You will be notified at completion. The up and down arrows control your movement from contest to contest and candidate to candidate. To vote a contest you must press the diamond shaped button to enter the candidate or issue selections. Moving up or down through the candidates or issues will bring you back to the contest titles. When you arrive at a contest, the selections for that contest will be repeated to you so that you may review your ballot at any time. If you wish to change your selection, you may do so by moving to your new choice and selecting it by pressing the diamond button.

To begin voting, press the diamond button. End of instructions.”

b. After the instructions are given and the diamond button is pressed, the system will read the election title, date, and number of contests on the ballot (election header). Following the election header, the system will read the contest number, office title, vote for statement, and number of candidates.

c. After the diamond button is pressed to enter a contest, the system shall read the candidate number, name of candidate, party designation, if required, and an indication of whether or not the candidate has been selected by the voter.

3. Write-In Instructions: When a voter has selected to write in the name of a candidate, the following message shall be given:

“Use the down arrow button to begin the alpha selection process. Press the diamond button to select a letter. Navigate using the up and down arrow buttons. When complete, arrow down until you reach the return to ballot message at the end of the alphabet. Press the diamond button. The write-in candidate will be read to you. To accept the write-in candidate, press the diamond button.”

4. If the voter tries to overvote a contest, the following message shall be given:

“You have already checked the maximum candidates in this contest. If you wish to select a different candidate in this contest, you must first uncheck a previous selection by moving to that candidate and pressing the diamond button.”

5. At the end of the ballot, the following message shall be read:

“You have reached the end of the ballot. To continue, change or review your ballot, press the diamond button. To review your selections, use the up and down arrow buttons to move through the contest titles to hear your selections. To cast your ballot now, press the vote button located at the top center of the voting terminal.”

6. When a constitutional amendment is on the ballot the message shall read as follows:

“Constitutional amendment number _____. Proposing an amendment to Article _____, section _____ of the Florida Constitution.”

a. The ballot title will then be read.

b. Following the ballot title, the substance of the amendment shall be read.

c. Following the substance of the amendment, the financial impact statement, if provided, shall be read, followed by the choices of Yes and No shall be given.

(b) All audio ballot instructions and information shall be given without voice inflection which either favors or disfavors any potential selection.

(c) The order of the audio ballot shall be the same as the order of the touchscreen ballot.

(25) The Sequoia AVC Edge audio ballot must provide the following:

(a) Instructions.

1. Language instructions shall be as follows:

If multiple language choices are available, the following message shall be given: “Press the round red select button to begin language selection. Press the triangle shaped green next and yellow back buttons to review language selections and then press the round red select button for your selected language.” This message is to be read audibly in each language allowed as a choice until a selection is made. Once the language is chosen, the system will announce the selection, for example, “English selected.”

2. General instructions shall be as follows:

a. After the selection of the language is complete, or if English is the only language available, the following message of general instructions will be given, “Press the round red select button at any time to exit this recording. Use the triangle shaped green next and yellow back buttons to move back and forth through the choices for each contest. When you hear the desired choice, press the round red select button to select your choice or deselect your choice. For write-in choices, use the triangle shaped green next and yellow back buttons, and the round red select button to spell out the desired choice. Press the square blue help button at any time to hear help instructions.”

b. After the general instructions are heard, then the first contest title information is read. After hearing the contest title, further instructions are available by pressing the blue help button. Upon pressing the blue help button, the following message shall be read, “Use the triangle shaped green next and yellow back buttons to move through the contests and propositions. Press the round red select button to enter a contest and make choices. When you are finished, move to the end of the contest list to the choice “Done Voting” and select that.”

c. After the general instructions and contest help instructions are read, the following message shall be read, “Press the SELECT button to begin voting in the first contest.” After pressing the SELECT button, the following message will be added, “Please wait while the list of choices is read. After the list is read, press the green triangle shaped next button to hear the first choice. Repeat this action until you hear the choice you want then press the round red select button to select your choice.”

d. After the instructions and helps are given, and the red select button is pressed, the system will read the election header information, and then proceed to read the contest number, office title, vote for statement and the number of candidates.

e. After entering a contest, the voter may obtain instructions on the process of making a selection within a contest, by pressing the blue help button. The system shall read, “Use the triangle shaped green next and yellow back buttons to move through the list of candidates. Press the round red select button to make choices or to cancel them. At the end of this list of candidates is a selection to exit to the next contest.” When a contest is fully voted, the system will read, “This contest is fully voted. Press the round red select button to exit this contest and hear the title of the next choice.” If there are additional contests, the next contest title information will be read.

3. Write-in Instructions

a. When a voter has selected to write in the name of a candidate, the following message shall be read, “Use the triangle shaped green next and yellow back buttons to move through the alphabet. Press the round red select button to select

letters and spell the desired name. At the end of the list of letters are numbers, punctuation and choices to enter or cancel your choice.”

b. To review the write-in name entered, the voter shall use the triangle shaped green next and yellow back to get to a message that shall read, “Review this write-in entry.” After pressing the red select button, the following message shall be read, “The write-in entries you have made are....”, after which the write-in letters, entered by the voter, shall be read. After completing the review of name of the write-in candidate, the following message shall be read, “Press the round red select button to confirm the write-in selection.”

4. If the voter tries to overvote a contest, the following message shall be given: “This contest is fully voted. To select this choice you must first deselect the choice you have already made. If you need help, press the square blue help button for instructions for deselecting a choice.”

a. During this review process the contest title information shall be given, along with one of the following messages, “This contest is fully voted.” “This contest is not fully voted.” “No selections have been made in this contest.” Any and all candidates that have been selected shall be read for the voter’s review.

b. After the review is completed, the voter shall press the green next button to complete voting, and the following messages shall be given, “Voting is completed. Press the round red select button if you are done voting. Otherwise use the triangle shaped green next and yellow back buttons to move back to the ballot.”

c. If, after the voter presses the red select button to indicate that voting is done, there are any undervoted contests, the following message shall be given, “You have not made all the choices you are entitled to. To return to the ballot press the left pointing yellow triangular back button. To cast your ballot as it is, press the round red select button.”

d. If the voter has not made any choices on the ballot (a blank ballot), the following message shall be given, “You have not made any selections on this ballot.”

6. At the conclusion of the review process, the following message shall be given, “Press the round red select button when you are finished, this will record your vote. Press the yellow back button to return to the ballot.”

a. After pressing the red select button, the following message shall be given, “Press the round red select button. Your vote is being recorded.”

b. After the vote has been recorded, the following message shall be given, “Thank you for voting.”

7. When a constitutional amendment is on the ballot the message shall read as follows: “Constitutional amendment number _____. Proposing an amendment to Article _____, section _____ of the Florida Constitution.”

a. The ballot title will then be read.

b. Following the ballot title, the substance of the amendment shall be read.

c. Following the substance of the amendment, the financial impact statement, if provided, shall be read, followed by the choices of Yes and No.

(b) All audio ballot instructions and information shall be given without voice inflection which either favors or disfavors any potential selection.

(c) The order of the audio ballot shall be the same as the order of the touchscreen ballot.

(26) The Diebold 2003B (Blended) + (Plus Audio) audio ballot must provide the following:

(a) Instructions.

1. Language instructions shall be as follows:

If multiple language choices are available, the following message shall be given: “Using the attached standard telephone keypad, for English press 1...” This message is repeated in each available language with the prompt to press the correct number corresponding to the languages available. This message repeats until a language choice is made.

2. General instructions shall be as follows:

a. After the language choice is made or if there is only one available language, the following three messages will be presented:

(i) A welcome statement that familiarizes the voter with the voting interface:

“Welcome to the Audio Ballot Voting System. The Audio Ballot uses a standard 12 key telephone type keypad to navigate through the ballot and make voting selections. The 5 key has a raised feature to help you maintain orientation with the keypad. To adjust the volume, use the rotary switch on the headphone cord. Complete instructions are provided to guide you through the audio ballot, please follow them carefully. At the end of the ballot, you will be prompted to cast your ballot or review it.”

(ii) A set of repeatable help instructions that shall be as follows:

“The main navigation keys are the 4, 5, and 6 keys. Pressing the 4 key moves you backward through the ballot to the previous candidate or race. Pressing the 5 key selects or unselects a candidate. Pressing the 6 key moves you forward through the ballot to the next candidate or race. If you want to change your vote, you must first unselect your current choice by moving to the chosen candidate and pressing the 5 key. Other keys will be explained when needed. The 0 key is the help key. If you get confused during the voting process pause and wait for instructions or press the 0 key for help.”

(iii) And a prompt to begin voting:

“If you are voting an audio only ballot please ensure the textured secrecy panel is covering the display. To begin voting, press 6.”

These messages repeat until the 6 key is pressed.

b. After the 6 key is pressed, the election header is read, followed by the header for the first race, the number of candidates and write-ins in the race, a message indicating whether any votes have been cast in the race, and the first candidate's name is read. Then instructions prompt the voter:

"To vote for" first candidate name, "Press 5. To advance to the next candidate, press 6." This message repeats until either the 5 or 6 key is pressed.

c. When a selection is made for a candidate, a message informs the voter:

"You have chosen to vote for" name, "To cancel your vote for" name, "press 5". "To advance to the next candidate or selection (or race if the last candidate in the race is selected), press 6." "To return to the previous candidate or selection (or race if the first candidate is selected), press 4."

d. If the voter does not respond or pauses for directions, the race header is repeated to the voter, and a statement declaring either "This race is fully voted" or "You may cast more votes in this race" or "No votes have been cast in this race" is read to the voter.

e. If a voter attempts to exit a race without fully voting the allowed number of candidates, they are prompted to confirm their desire to undervote the race:

"You have chosen to under-vote this race. To confirm, press 9. To continue voting, press 1."

Pressing 9 takes the voter to the next race. Pressing 1 allows the voter to resume voting the undervoted race.

3. Write-in Instructions:

a. When a voter has selected to write in the name of a candidate, the following three messages will be presented:

(i) First a welcome message that gives an overview of voting for a write in:

"Please listen carefully to all instructions while voting the write-in candidate. Use the keypad to spell the candidate's name. As you press keys to enter a letter, the system will speak each letter back to you and prompt you to either accept it, delete it, or enter a different letter. Letters are assigned to the keys according to the standard telephone layout."

(ii) Followed by a repeating set of instructions:

"To enter letters of the candidate's name, press keys 2 through 9. Pressing a key multiple times will cycle through the letters assigned to that key. For a space between names, press 1. These instructions will repeat."

(iii) Followed by a prompt that allows the voter to leave the write in portion of the ballot:

"To cancel your write-in vote, press star."

These messages will repeat until the voter either selects a letter or presses star to exit the write in portion of the ballot.

b. As the voter makes letter selections, the system announces:

"You have entered" letters, "To accept" letter, "Press zero." "To delete" letter, "Press star."

c. As each letter is accepted by pressing the zero key, the list of letters entered is presented, then the write-in instructions on how to choose a letter repeat. Then a prompt on how to delete the most recently entered letter is given:

"To delete" letter, "Press star." Then a prompt instructs: "To accept your entries and vote for this write-in candidate, press zero."

d. Pressing zero to accept the write-in vote brings the voter to a confirmation prompt:

"You have chosen to vote for" "Write-in candidate" letters. "To confirm, press 9. To continue entering write-in candidate, press 1." "To cancel your write-in vote, press star." Pressing the star key cancels the write-in vote. Pressing 9 accepts the spelling and takes the voter out of the write-in portion of the ballot.

4. If the voter tries to overvote a contest, the system will sound an error beep and the selection will not be allowed. The system will cycle through the messages: "To advance to the next candidate or selection (or race if the last candidate in the race is selected), press 6." "To return to the previous candidate or selection (or race if the first candidate is selected), press 4." Then the race header is repeated, and a statement declaring "This race is fully voted" is read to the voter. This cycle continues until the voter follows directions and presses either the 6 key to advance, the 4 key to return, or the zero key for help.

5. At the end of the ballot, the following message shall be read:

"You have reached the end of the ballot. To cast your ballot, press 9." "To return to the previous candidate, press 4." When the voter presses 9 to cast the ballot, another confirmation prompt is presented, giving the voter the option to go back and review the ballot from the beginning:

"You have chosen to cast your ballot, to confirm press 9. To review your ballot starting at the first race, press 4."

6. When a constitutional amendment is on the ballot, the message shall read as follows:

"Constitutional amendment number _____. Proposing an amendment to Article ____, section ____ of the Florida Constitution."

a. The ballot title will then be read.

b. Following the ballot title, the substance of the amendment shall be read.

c. Following the substance of the amendment, the fiscal impact statement, if provided, shall be read, followed by the choices of Yes and No.

(b) All audio ballot instructions and information shall be given without voice inflection which either favors or disfavors any potential selection.

(c) The order of the audio ballot shall be the same as the order of the touchscreen ballot.

~~(27)~~(24) All forms referenced in this rule may be obtained from the Division of Elections, Room 100, The Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-0250, (850)245-6200.

Specific Authority 101.151(8) FS. Law Implemented 101.151(8) FS. History--New 6-6-02, Amended 9-8-02, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0021
 RULE TITLE: Florida Teacher Certification Examinations
 NOTICE OF CHANGE

Notice is hereby given that the following amendment had been made to the proposed rule in accordance in subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 16, of the April 16, 2004, issue of the Florida Administrative Weekly.

The proposed changes to paragraph (9)(c) were deleted.

(9) Scoring of the subject area specialty examinations.

(c) For subject area specialty examinations listed below, a score earned prior to October 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective October 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the April, 1989 test administration:

SUBJECT	SCORE
Art K-12	63 correct items
Elementary Education 1-6	84 correct items
English 6-12	71 on a scale that weights the multiple choice section eighty (80) percent and the essay section twenty (20) percent.
Hearing Impaired K-12	66 correct items
Mathematics 6-12	60 correct items
Music K-12	64 correct items
Primary Education K-3	88 correct items
Social Science 6-12	102 correct items

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Cornelia Orr, Chief, Assessment and School Performance, Department of Education, 325 W. Gaines St., Room 414, Tallahassee, FL 32399, (850)245-0513

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-8.028
 RULE TITLE: Reimbursement Premium Formula
 NOTICE OF CHANGE

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida that the wording of paragraph (3)(g) of Rule 19-8.028, F.A.C., has changed from the Notice of Proposed Rulemaking published in the April 23, 2004 edition of the Florida Administrative Weekly, Vol. 30, No. 17. The changes to that paragraph from the form in which it was published are indicated below by underlining the newly added language.

(g) For the 2004-2005 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2004 Ratemaking Formula Report to the State Board of Administration of Florida, March 17, 2004, Revised May 11, 2004" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 13, 2004, and revised on May 11, 2004, are hereby adopted and incorporated by reference in Form FHCF-Rates 2004, a two-part form titled "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004, (Revised May 11, 2004) Layer: \$11 Billion xs \$4.866 Billion" and "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004, (Revised May 11, 2004) Layer: \$15 Billion xs \$4.5 Billion."

The "Florida Hurricane Catastrophe Fund: 2004 Ratemaking Formula Report to the State Board of Administration of Florida, March 17, 2004" has been revised and is now titled "Florida Hurricane Catastrophe Fund: 2004 Ratemaking Formula Report to the State Board of Administration of Florida, March 17, 2004, Revised May 11, 2004."

The revision to this form consists of the new title page showing the revision date, the removal of all the pages currently filed under Section XIV and replacement of those pages with new pages numbered one through four.

The rates in the "Florida Hurricane Catastrophe Fund Form FHCF-Rates 2004 titled "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004," have been revised and the form now consists of two parts with the following titles: "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004 (Revised May 11, 2004) Layer: \$11 Billion xs \$4.866 Billion" and "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004 (Revised May 11, 2004) Layer: \$15 Billion xs \$4.5 Billion."

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE NOS.: 60DD-3.002
 60DD-3.004
 RULE TITLES: Definitions
 User Responsibilities; Service Level Agreements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 30, No. 12, March 19, 2004 issue of the Florida Administrative Weekly:

60DD-3.002 Definitions.

For the purposes of Rules 60DD-3.001-3.005, Florida Administrative Code, the following terms shall be defined as set forth herein:

- (1) "Business day" means 7:00 a.m. through 6:00 p.m. EST, Monday through Friday, excluding state holidays.
- (2) "Case" means a unique End User problem requiring ETSD Services.
- (3) "Closed case" means all Tier 0 or Tier 1 cases that have been resolved through the ETSD and all cases escalated to Tiers 2, 3 or 4 that have either been resolved or which have been withdrawn.
- (4) "Customer Relationship Manager" means an employee of the State Technology Office assigned to manage the portfolio of one or more Eligible Users.
- (5) "Eligible User" means an entity or organization authorized to utilize ETSD Services.
- (6) "End User" means individuals authorized by an eligible user to received and use ETSD Services.
- (7) "Enterprise Technology Services Desk Services" or "ETSD Services" means those services provided to Eligible Users via the ETSD as agreed by contract between the State Technology Office and the ETSD Service Provider and in Service Level Agreements between State Technology Office and Eligible Users.
- (8) "Enterprise Technology Services Desk" or "ETSD" means the system through which information technology services are provided to eligible users, as described in sections 60DD-3.001-3.005, Florida Administrative Code.
- (9) "Enterprise Technology Services Desk Provider" or "ETSD Service Provider" means the entity that operates the Enterprise Technology Services Desk.
- (10) "Help Desk Professional" or "ETSD Professional" means an individual who opens, attempts to resolve, and closes Tier 1 cases.
- (11) "Knowledge base" means repository of information in an organized and structured format populated with solutions to problems or questions posed by eligible users.
- (12) "Knowledge manager" means an individual who provides support for the resolution of Tier 2 through Tier 4 cases.
- (13) "Product manager" means an individual employed by the State Technology Office who is responsible for contract management, oversight, strategic direction, and decision making regarding Enterprise Technology Services Desk Services.

(14) "Self Service ePortal" means web-enabled support services that provide for the resolution of cases without human interaction.

(15) "Service Level Agreement" means a written agreement, executed by the State Technology Office and the User or End User that describes the ETSD Services that will be provided to the User or End User and the specific responsibilities of the State Technology Office, the ETSD Provider, and the User or End User.

(16) "Tier" means the designation of cases, as Tier 0 through Tier 4, with Tier 0 indicating those Cases resolved without the necessity of human interaction between the End User and Tier 1 indicating those Cases that require human support but can be resolved without the input of a Knowledge Manager. Tiers 2 through 4 refer to increasing levels of input and support from the Knowledge Manager in order to resolve the Case.

(17) "User" means an Eligible User that elects to use ETSD Services and that enters into a Service Level Agreement.

Specific Authority 282.102(16), 282.23(2), 287.057(24)(d) FS. Law Implemented 282.102(3)-(10),(17), 282.23, 282.3032, 287.57(24) FS. History--New _____.

60DD-3.004 User Responsibilities; Service Level Agreements.

All users shall:

- (1) Enter into a Service Level Agreement which shall address:
 - (a) The term of the agreement;
 - (b) The Eligible User's obligation to supply all information needed to support, maintain, and implement ETSD services;
 - (c) Periodic review of information supplied by Eligible User;
 - (d) Service Level Agreement ~~Provider~~ obligations;
 - (e) Procedures relating to changes to any hardware or software that affect technology resources supported by the ETSD
 - (f) Methods for Eligible User to contact Service Provider, including Self Service ePortal, ~~access with prompt to allow ease to be opened~~, telephone contact, voice mail contact, electronic mail contact and facsimile contact;
 - (g) ETSD call procedures;
 - (h) Cost of service;
 - (i) Service level performance standards;
 - ~~(m)(f)~~ Recourse if service level performance standards are not achieved;
 - (k) Procedures for regularly assessing User satisfaction;
 - (l) Case closing procedures;
 - (m) Procedures for operational status reports;
 - (n) Emergency procedures;

(o) Any other matters agreed between the State Technology Office ETSD Service Provider and the Eligible User.

(2) Manage and monitor End User utilization of ETSD Services to identify and increase utilization of Tier 1 and Self Service ePortal services for Tier 1 cases;

(3) Provide support for Cases that are escalated to Eligible Users Tier 2 or for Cases that are escalated to Tier 3;

(4) Update or add to the Knowledge Base with current data;

(5) Assume the responsibility for all charges related to toll, remote access, or remote connectivity ~~charges relating~~ to access to the ETSD;

(6) Install and configure workstation software necessary for End User and Eligible User to access the ETSD Tier 2 or Tier 3 support.

Specific Authority 282.102 (16), 282.23(2), 287.057(24)(d) FS. Law Implemented 282.102(3)-(10),(17), 282.23, 282.3032, 287.57(24) FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-7.009
RULE TITLE: Method Used to Determine Whether an Establishment is Predominantly Dedicated to the Serving of Alcoholic Beverages

NOTICE OF WITHDRAWAL

Notice is hereby given, pursuant to Section 120.54(3)(d)1, F.S., that the above referenced proposed rule, published in Vol. 29, No. 44, October 10, 2003, issue of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-22.006
RULE TITLE: Demonstrating Compliance

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. 29, No. 35, August 29, 2003, issue of the Florida Administrative Weekly.

Based on comments received from the Joint Administrative Procedures Committee, the Board has voted to change the last line of the rule to read as follows:

In addition, the Board ~~may~~ shall use attendance information submitted by the provider to determine whether licensees can demonstrate compliance.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Acting Executive Director, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-33.0065
RULE TITLE: Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States

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. 30, No. 16, April 16, 2004, issue of the Florida Administrative Weekly. Based on Comments from the Joint Administrative Procedures Committee, the rule now reads as follows:

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida because of the spouse’s duties with the armed forces shall be exempt from all licensure renewal provisions under these rules during such absence. The licensee must show proof to the Board of the absence and the spouse’s military status.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite #A, Gainesville, Florida 32607

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-3.003
RULE TITLE: Curriculum Requirements for Clinical Laboratory

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 18, April 30, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-7.0035
 RULE TITLE: Temporary Certificate Requirements for Dentists Practicing in State and Government Facilities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 17, April 23, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.0035
 RULE TITLE: Physician Assistant Licensure Renewal and Reactivation

SECOND NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 44, of the October 31, 2003, issue of the Florida Administrative Weekly (FAW). The change is in response to additional comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board previously published a Notice of Change in Vol. 30, No. 10, of the March 10, 2004, FAW. The Board, at its meeting held on May 14, 2004, in Jacksonville, Florida, voted to make an additional change to the rule to address the additional concerns of JAPC. The change is as follows:

Subsection (7)(a) shall now read as follows:

(a) The delinquent status licensee must apply for active or inactive license status during the licensure cycle in which the license becomes delinquent. The failure by the delinquent licensee to become active or inactive before the expiration of the licensure cycle in which the license became delinquent shall render the license null and void without further action by the Board or the Department.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-211.042
 RULE TITLE: Effect of Law Enforcement Records on Applications for Licensure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 30, No. 7, February 13, 2004, of the Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.: 69L-6.024
 RULE TITLE: Subcontractors Requirement Regarding Proof of Coverage

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 30, No. 7, February 13, 2004, of the Florida Administrative Weekly, has been withdrawn.

**Section IV
 Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 538, POKER FACE
 RULE NO.: 53ER04-27

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 538, "POKER FACE," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER04-27 Instant Game Number 538, POKER FACE.

(1) Name of Game. Instant Game Number 538, "POKER FACE."

(2) Price. POKER FACE lottery tickets sell for \$1.00 per ticket.

(3) POKER FACE lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning POKER FACE lottery ticket, a combination of essential elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), F.A.C. In the event a dispute arises as to the