

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: Other Personnel
 RULE NO.: 6D-5.003

PURPOSE AND EFFECT: This rule establishes certification requirements needed for various positions at the Florida School for the Deaf and the Blind.

SUBJECT AREA TO BE ADDRESSED: Various positions.

SPECIFIC AUTHORITY: 242.331(3) FS.

LAW IMPLEMENTED: 242.343(6) FS.

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

TIME AND DATE: 9:00 a.m., August 12, 2000

PLACE: Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE TITLE: Program Forms
 RULE NO.: 58A-1.010

PURPOSE AND EFFECT: A rule development workshop will be held to discuss revised DOEA Forms 203A and 203B, Care Plan, and its instructions which will be incorporated by reference in new rule 58A-1.010, FAC.

SUBJECT AREA TO BE ADDRESSED: Revision of care plan forms.

SPECIFIC AUTHORITY: 430.08, 430.101 FS.

LAW IMPLEMENTED: 20.41, 430.101 FS.

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

TIME AND DATE: 1:00 p.m. – 2:30 p.m., Monday, August 21, 2000

PLACE: FCOA Conf. Site, Tampa Marriott Waterside, 700 South Florida Avenue, Tampa, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000. Telephone (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Sharlene Davis or Mary Hodges, Division of Home and Community-Based Services, (850)414-2108

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE TITLE: Program Forms
 RULE NO.: 58C-1.008

PURPOSE AND EFFECT: A rule development workshop will be held to discuss revised DOEA Forms 203A and 203B, Care Plan, and its instructions which will be incorporated by reference in new rule 58C-1.008, FAC.

SUBJECT AREA TO BE ADDRESSED: Revision of care plan forms.

SPECIFIC AUTHORITY: 430.08, 430.203-.205 FS.

LAW IMPLEMENTED: 430.201-.207 FS.

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

TIME AND DATE: 1:00 p.m. – 2:30 p.m., Monday, August 21, 2000

PLACE: FCOA Conf. Site, Tampa Marriott Waterside, 700 South Florida Avenue, Tampa, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000. Telephone (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Sharlene Davis or Mary Hodges, Division of Home and Community-Based Services, (850)414-2108

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE TITLE: Program Forms
 RULE NO.: 58D-1.007

PURPOSE AND EFFECT: A rule development workshop will be held to discuss revised DOEA Forms 203A and 203B, Care Plan, and its instructions which will be incorporated by reference in new rule 58D-1.007, FAC.

SUBJECT AREA TO BE ADDRESSED: Revision of care plan forms.

SPECIFIC AUTHORITY: 430.08, 430.501-.503 FS.
 LAW IMPLEMENTED: 430.501-.504 FS.
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 1:00 p.m. – 2:30 p.m., Monday, August 21, 2000
 PLACE: FCOA Conf. Site, Tampa Marriott Waterside, 700 South Florida Avenue, Tampa, FL
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000. Telephone (850)414-2000
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Sharlene Davis or Mary Hodges, Division of Home and Community-Based Services, (850)414-2108

DEPARTMENT OF ELDER AFFAIRS

Home Care for the Elderly

RULE TITLE: Program Forms
 RULE NO.: 58H-1.009
 PURPOSE AND EFFECT: A rule development workshop will be held to discuss revised DOEA Forms 203A and 203B, Care Plan, and its instructions which will be incorporated by reference in new rule 58H-1.009, FAC.
 SUBJECT AREA TO BE ADDRESSED: Revision of care plan forms.
 SPECIFIC AUTHORITY: 430.08, 430.603 FS.
 LAW IMPLEMENTED: 430.601-.608 FS.
 IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 1:00 p.m. – 2:30 p.m., Monday, August 21, 2000
 PLACE: FCOA Conf. Site, Tampa Marriott Waterside, 700 South Florida Avenue, Tampa, FL
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Pat Dunn, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000. Telephone (850)414-2000
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY CONTACTING: Sharlene Davis or Mary Hodges, Division of Home and Community-Based Services, (850)414-2108

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: School Records; Class Rosters
 RULE NO.: 61J2-17.012
 PURPOSE AND EFFECT: In compliance with new DBPR procedures, the Commission proposes a new format and deadlines for prelicensing, postlicensing, distance and continuing education providers to notify the Division of Real Estate about the identity of course attendees.
 SUBJECT AREA TO BE ADDRESSED: New procedures for education providers to notify the Division of Real Estate about individuals who attend their courses.
 SPECIFIC AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.04, 475.17, 475.175, 475.451, 475.5015 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 8:30 a.m., August 16, 2000
 PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J2-17.012 School Records; Class Rosters.

(1) Each person, school, or institution permitted pursuant to ss. 455.2177 and 475.451, Florida Statutes, is required to keep registration records, course rosters, attendance records, a file copy of each examination and progress test and all student answer sheets for a period of at least 4 3 years subsequent to the beginning of each course and make them available to BPR for inspection and copying upon request.

(2)(a) Each school permitholder of a proprietary real estate school, chief administrative person of an institution or course sponsor, pursuant to s. 455.2177, Florida Statutes, shall deliver to the Education Section of the Division of Real Estate a digital data file, in a format provided by BPR, of all real estate broker and salesperson continuing education and school instructor continuing education course attendees. Submission of a digital data file for courses approved for classroom instruction shall be made available to the BPR no later than 5 business days following completion of the course. Submission of a digital data file for courses approved for distance education shall be made available to the BPR by the 5th day of the month

following the calendar month in which the provider was able to determine the successful completion of the course by the individual. Non-compliance of the required digital data file submission may result in the revocation of the approved course or courses as determined by the Commission pursuant to Chapter 120, Florida Statutes a copy of the classroom course roster of courses that require satisfactory completion of an examination no later than 30 days beyond the course completion date, or distance education course roster no later than 30 days beyond the end of the calendar month in which the course was completed.

(b) Each school permitholder of a proprietary real estate school, chief administrative person of an institution or course sponsor, shall deliver to the Education Section of the Division of Real Estate a digital data file, in a format provided by the Division of Real Estate, of all prelicense and postlicense course attendees no later than 30 calendar days beyond the course completion date.

(3) The digital data file ~~course roster~~ shall consist of the institution or school name and permit number (if applicable), the instructor's name and permit number (if applicable), course title, beginning and ending dates of the course, number of course hours, course location (if applicable), student's full name, license number (if applicable), social security number (only for FREC Course I and Course II), student's mailing address and the numerical grade the student achieved. The digital data file will be forwarded on a 3 1/2 floppy diskette and submitted in a format provided by the Division of Real Estate and ~~course roster~~ shall also include the signature of the school permitholder, chief administrative person or course sponsor.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.175, 475.451, 475.5015 FS. History--New 2-25-93, Formerly 21V-17.012, Amended 11-24-97, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLES: RULE NOS.:
 Citation Authority 61J2-24.002
 Notice of Noncompliance 61J2-24.003
 PURPOSE AND EFFECT: The Commission will consider reducing penalties for certain violations from citations, which include fines, to notices of noncompliance, which do not. Specifically, when licensees, permitholders and registrants fail to notify the Commission of address changes and when licensees fail to provide required notices to potential sellers and buyers and fail to disclose the duties owed to sellers and buyers, if any.

SUBJECT AREA TO BE ADDRESSED: To consider reducing penalties imposed upon licensees, permitholders and registrants for certain violations.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.224, 455.225(3), 120.695 FS.

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

TIME AND DATE: 8:30 a.m., August 16, 2000

PLACE: Office of Florida Real Estate Commission, 400 West Robinson Street, Suite 301, North Tower, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE CHAPTER TITLE: REQUIREMENTS FOR LICENSURE
 RULE CHAPTER NO.: 64B9-3

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to update and clarify the rules regarding requirements for licensure by examination.

SUBJECT AREA TO BE ADDRESSED: Requirements for licensure by examination.

SPECIFIC AUTHORITY: 464.006, 464.008, 464.009, 464.012, 455.574(1)(d) FS.

LAW IMPLEMENTED: 464.002, 464.008, 464.009, 464.012, 464.013, 464.015, 464.022, 464.019, 455.564(1), 455.574(1)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Ruth R. Stiehl, Executive Director, Board of Nursing, 4080 Woodcock Drive, Suite 202, Jacksonville, Florida 32207

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

Section II
Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE TITLE:

RULE NO.:

Alternative Procedure for Voting
by Absentee Ballot

1S-2.026

PURPOSE AND EFFECT: To establish standards for the
implementation of alternative procedures for voting by
absentee ballot under the provisions of section 2 of CS/HB
917, amending section 101.657, Florida Statutes.

SUMMARY: Proposed rule 1S-2.026 provides standards for a
public logic and accuracy test of tabulation devices and
minimum standards for security procedures used in the
implementation of alternative procedures for voting by
absentee ballots.

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: 101.015 FS.

LAW IMPLEMENTED: 101.657 FS., as amended by section
2, chapter 2000-240, LOF.

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: 9:30 a.m., August 7, 2000

PLACE: Director's Conference Room, Room 1801, The
Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Paul Craft, Division of Elections,
(850)921-4110

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.026 Alternative Procedure for Voting by Absentee
Ballot.

(1) Purpose and applicability

(a) This rule provides:

1. standards for conduct of logic and accuracy tests of
tabulating devices used for collection and tabulation of
absentee ballots under the Alternative Procedure, and

2. minimum security standards for the Alternative
Procedure.

(b) This rule applies to all elections held by political
subdivisions and municipalities in which the Supervisor of
Elections or Municipal Elections Official has decided to use

the Alternative Procedure as permitted and described in section
101.657, Florida Statutes, as amended by section 2, chapter
2000-249, Laws of Florida.

(2) Definitions. The terms listed herein are intended to
have the following meanings:

(a) "Alternative Procedure for Voting by Absentee Ballot"
or "Alternative Procedure" means the alternative procedure in
section 101.657, Florida Statutes, as amended by section 2,
chapter 2000-249, Laws of Florida, that permits an elector to
cast an absentee ballot by depositing the voted ballot in a
device used to collect or tabulate ballots.

(b) "Tabulator" means a freestanding computerized device
that is capable of automatically reading, processing, and
depositing voted ballots into a secure storage device (also
known as a precinct tabulation device) or a device that allows a
voter to make selections and cast a vote on a video display or
an array of buttons and which stores the voted ballot data
electronically (also known as a Direct Recording Equipment).

(3) Logic and Accuracy Test for Tabulators. On any day
not more than ten days prior to the first day that voters will be
permitted to cast votes by the Alternative Procedure using a
tabulator, the Supervisor of Elections or Municipal Elections
Official shall have the tabulator tested as required for voting
machines pursuant to section 101.35, Florida Statutes.

(4) Security Procedures. The Security Procedures
Document required by section 101.015, Florida Statutes, shall
include specific standards for the Alternative Procedure which
meet the requirements of section 101.015, Florida Statutes, and
rule 1S-2.015, Florida Administrative Code.

Specific Authority 101.015 FS. Law Implemented 101.657 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Paul W. Craft, Computer Audit Analyst, Florida Department of
State, Division of Elections

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: L. Clayton Roberts, Director,
Florida Department of State, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 5, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 2, 2000

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE CHAPTER TITLE:

RULE CHAPTER NO.:

Florida Building Commission -

Operational Procedures

9B-3

RULE TITLE:

RULE NO.:

State Minimum Building Codes Adopted

9B-3.047

PURPOSE AND EFFECT: Implements legislative directive to
establish criteria for fiscal impact statements and incorporates
legislative criteria for modifications and amendments.