

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.

SUMMARY: Adopts criteria for fiscal impact statements and incorporates legislative criteria for modifications and amendments.

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: 553.73(3), 553.73(7) FS., as amended by section 40, Chapter 98-287, Laws of Florida, section 109, Chapter 2000-141, Laws of Florida.

LAW IMPLEMENTED: 553.73(3), 553.73(7) FS., as amended by section 40, Chapter 98-287, Laws of Florida, section 109, Chapter 2000-141, Laws of Florida, 553.73(9) FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:30 p.m., August 7, 2000

PLACE: Hyatt Orlando, 6375 West Irlo Bronson Memorial Highway, Kissimmee, Florida

Any person requiring special accommodation at the workshop because of a disability or physical impairment should contact Mo Madani, Planning Manager, Codes & Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824, at least seven days before the date of the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mo Madani, Planning Manager, Codes and Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-3.047 State Minimum Building Codes Adopted.

(1) through (2) No change.

(3) Modifications and Amendments. All proposed modifications to the selected base codes and amendments to the Florida Building Code shall be submitted on Form No. 2000-01, which the Commission hereby incorporates by reference, effective _____ . Form No. 2000-01 must be completed in full prior to submittal. The text of the proposed modification or amendment must be provided on Form No. 2000-01 in legislative format, with underlining indicating where new language is added to the existing provisions and strikeout indicating where existing language is deleted. Copies of Form No. 2000-01 may be obtained by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Specific Authority 553.73 FS., 553.73(7) FS. as amended by section 40, Chapter 98-287, Laws of Florida, section 109, Chapter 2000-141, Laws of Florida, Law Implemented 553.73(3),(9) FS., 553.73(7) FS. as amended by section 40, Chapter 98-287, Laws of Florida, section 109, Chapter 2000-141, Laws of Florida, History—New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, Codes & Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Suncom 277-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Pierce, Division Director, Division of Housing and Community Development, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2000

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE CHAPTER TITLE: Land Acquisition Procedures with Preservation 2000 Funds

RULE CHAPTER NO.: 9K-6

RULE TITLES: Trust Governing Body Action Closing

RULE NOS.: 9K-6.013 9K-6.014

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments will streamline the procedure for project plan approval and shorten the time for related real estate acquisitions.

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: 380.507(11) FS.

LAW IMPLEMENTED: 259.101, 375.045, 380.501-.515 FS.

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

TIME AND DATE: 10:00 a.m. – 12:00 Noon, August 8, 2000

PLACE: Randall Kelley Training Center, 3rd Floor, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida

Any person requiring special accommodation at the hearing because of a disability or physical impairment should contact Ann Wild, Trust Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207, at least seven days before the date of the hearing. If you are hearing or speech impaired,

please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ann Wild, Trust Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207

THE FULL TEXT OF THE PROPOSED RULES IS:

9K-6.013 Trust Governing Body Action.

(1) No change.

(2) ~~The Trust shall consider~~ ~~Consideration~~ and ~~approve~~ ~~approval~~ of the terms of the acquisition, together with all other requirements associated with the grant award to the recipient and the release of funds for the grants, ~~shall occur at a regularly scheduled meeting of the governing body of the Trust.~~

(3) through (4) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.101, 375.045, 380.501-.515 FS. History--New 7-7-94, Amended.

9K-6.014 Closing.

(1) No change.

(2) The Trust Executive Director shall have the authority to modify the purchase agreement previously approved by the ~~Trust governing body~~ to extend the time for option exercise, closing date, submittal deadlines or any other time limit relating to such agreement, provided the total extension of time for closing does not exceed 180 calendar days after the date contemplated in the purchase instrument approved by the ~~Trust governing body~~. The Executive Director shall also have the authority to execute or modify all documents necessary for the implementation of ~~Trust governing body~~ action, including but not limited to the purchase agreement, letter of notification of exercise of option, leases, easements, legal descriptions, deeds, assignments, and other miscellaneous agreements and affidavits, provided the modification does not change the substance nor the scope of ~~Trust governing body~~ approval, and provided the document executed or modified was either approved by the ~~Trust governing body~~ or contemplated by ~~Trust governing body~~ approval. Any changes in the purchase price to be paid to the owner not contemplated by the terms of the purchase agreement must be approved by the ~~Trust governing body~~. An extension or modification may only be made under the terms of the purchase agreement, or with the owner's agreement.

(3) through (8) No change.

Specific Authority 380.507(11) FS. Law Implemented 259.101, 375.045, 380.501-.515 FS. History--New 7-7-94, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ann Wild, Trust Counsel, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207, Suncom 292-2207

NAME OF SUPERVISOR OF PERSON WHO APPROVED THE PROPOSED RULE: Ralph D. Cantral, Acting Executive Director, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 26, 2000

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Administration of Combined Design and Construction Contracts (Design-Build) RULE CHAPTER NO.: 14-91

RULE TITLES: Public Announcement Procedures RULE NOS.: 14-91.005
Selection and Award Process 14-91.007

PURPOSE AND EFFECT: The method of publishing notice of Design-Build projects is being updated to Internet and letter notification instead of the Florida Administrative Weekly.

SUMMARY: The amendment to Rules 14-91.005 and 14-91.007 will update the method of publishing notices of proposed Design-Build projects.

SPECIFIC AUTHORITY: 334.044(2), 337.11(7)(b) FS.

LAW IMPLEMENTED: 337.025, 337.11(7) FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been developed at this time.

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.

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: 10:00 a.m., August 15, 2000

PLACE: Room 479, Fourth Floor Conference Room, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-91.005 Public Announcement Procedures.

Except in emergency situations where a proper declaration of emergency has been executed, the Department shall publish an announcement on the Internet web site at <http://www.dot.state.fl.us>, and the Department will seek to notify all listed pre-qualified contractors in a letter, in the ~~Florida Administrative Weekly~~, setting forth a general description of the project requiring design-build services and defining the process for interested Firms to submit a letter of interest. ~~For major bridge projects (or other design-build projects under Section 337.025, Florida Statutes), this announcement shall be sent to all prequalified contractors as well.~~ The announcement will state where the letters of interest are to be sent. Additionally, the Department may utilize other forms of communication to announce the Project.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.11(7), 337.025 FS. History—New 3-13-88, Amended 2-20-96, 9-3-96, _____.

14-91.007 Selection and Award Process.

(1) Letters of Interest Requirements. Firms desiring to submit bid proposals on a design-build project must submit a letter of interest setting forth the qualifications of the members of the Firm and providing any other information required by the announcement of the project.

(2) Short Listing Criteria and Procedures. On Adjusted Score Design-Build projects, the Department will determine the short list of Firms based on an evaluation of the information provided by the letters of interest and in accordance with Rule Chapter 14-75. For this purpose, all references to “consultant” in Rule Chapter 14-75 shall be deemed to be a reference to “Firm” under this Rule Chapter. Low Bid Design-Build projects will not require short listing.

(3) Scope of Services Requirements. The Department shall develop a scope of services which furnishes sufficient information upon which Firms may prepare bid proposals and which sets forth the technical proposal evaluation criteria.

(4) Bid Proposal Requirements. Bid proposals shall consist of a technical proposal and a price proposal. The technical and price proposals will be received by the Department by the deadline stipulated in the public announcement.

(a) Technical Proposal. A technical proposal shall include all information requested in response to the request for proposals.

(b) Price Proposal. A price proposal shall include one lump sum cost for all costs of the project as defined by the scope of services requirements. Examples of such services are: design, permits, construction engineering and inspection and construction of the proposed project.

(5) Technical Review Committee. There shall be a Technical Review Committee consisting of Department employees whose members are selected based on their

experience and the nature of the project. This committee will be used to evaluate letters of interest and review technical proposals in accordance with the provisions of the request for proposal.

(6) The Department will use the Low Bid Design-Build Bid process when its scope of work is precise, explicit and clearly defined, and will use the Adjusted Score Design-Build Bid process when the scope of work is flexible and identifies an end result that the Department wants to achieve, rather than dictating specific methods and materials. The public announcement ~~Florida Administrative Weekly~~ notice for a particular project will specify which process will be used.

(7) When time is to be used as an evaluation criteria ~~a project will operate under time constraints~~, the Department will include an adjustment for the value of time in either type of design-build process referenced in Section 14-91.007(6). This adjustment will be based on the Firm’s proposed number of days to complete the project multiplied by a value per day established by the Department in the request for proposals , i.e., number of days multiplied by the dollar value per day equals the price proposal adjustment (increase). This factor will be used for selection purposes only and shall not affect the Department’s liquidated damages schedule or affect the incentive/disincentive provisions of the contract.

(8) The contractor or design professional cannot team with other partners to submit more than one bid per project.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.025, 337.11(7) FS. History—New 3-13-88, 6-13-90, Amended 2-20-96, 9-3-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Leuderalbert, Manager, Quality Initiatives Office
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas F. Barry, Jr., P.E., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2000

DEPARTMENT OF TRANSPORTATION

| | |
|----------------------------------|-------------------|
| RULE CHAPTER TITLE: | RULE CHAPTER NO.: |
| Incentive/Disincentive Procedure | 14-93 |
| RULE TITLES: | RULE NOS.: |
| Purpose | 14-93.001 |
| Background | 14-93.002 |
| Procedure | 14-93.003 |
| Incentive/Disincentive Procedure | 14-93.004 |

PURPOSE AND EFFECT: The proposed amendment to Rule Chapter 14-93 is to clarify the incentive/disincentive procedures. The three existing rules are to be repealed and replaced with a single rule. This realignment is consistent with the streamlining of rules which began around 1996. Specific

amendments include clarification regarding revenue producing projects. The fee structure table is deleted. Also, the statutory citations are updated.

SUMMARY: Rule Chapter 14-93 is being amended to clarify the Department's incentive/disincentive procedures. The statutory citations are being updated and the three existing rules are being repealed and replaced by one new rule.

SPECIFIC AUTHORITY: 334.044(2), 337.18(4)(b) FS.

LAW IMPLEMENTED: 337.18(4) FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been developed at this time.

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.

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: 10:00 a.m., August 15, 2000

PLACE: Room 479, Fourth Floor Conference Room, Haydon Burns Building, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Administrative and Management Support Level IV, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-93.001 Purpose.

Specific Authority 334.044(2), 337.18(4)(~~5~~)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed.

14-93.002 Background.

Specific Authority 334.044(2), 337.18(4)(~~5~~)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed.

14-93.003 Procedure.

Specific Authority 334.044(2), 337.18(4)(~~5~~)(b) FS. Law Implemented 337.18(5) FS. History--New 6-7-89, Repealed.

14-93.004 Incentive/Disincentive Procedure.

(1) Purpose. This rule governs the use of incentive/disincentive provisions in construction contracts. Directions are included for selecting projects, establishing the amounts and durations for incentive/disincentive provisions, and approval authority.

(2) Background. Section 337.18(4), Florida Statutes, authorizes the use of incentives/disincentives. Incentive/disincentive provisions in a contract compensate the contractor a predetermined amount of money for each day identified work is completed ahead of schedule and/or assesses a deduction for each day the contractor is late in meeting the time specified.

All contracts containing incentive/disincentive provisions shall be approved by the District Secretary (District Projects) or the Secretary of Transportation (Central Office Projects).

(3) Procedure.

(a) Incentives/disincentives may be applied when it is documented that the project will provide a substantial benefit to the public health, safety, or welfare; will limit the disruptive effect of construction on the community; or is cost beneficial on a revenue producing project. The incentive/disincentive contract should include the identification of critical phases of work or critical locations within the project limits warranting use of incentive/disincentive provisions as a measure to mitigate the extent of anticipated problems.

(b) Monetary and Time Limitations. The monetary and time requirements for incentive/disincentive provisions should be established based on the facts supporting each project. Existing state statutes limit incentive/disincentive provisions to a maximum of \$10,000 per calendar day, except for revenue producing projects. For revenue producing projects, the incentive amount per calendar day may be greater if an analysis indicates that additional revenues projected to be received upon completion of the project will exceed the cost of the incentive payments.

(c) Justification of Allowance.

1. Projects determined to be capable of accelerated construction will be considered eligible for inclusion of an incentive/disincentive provision.

2. The incentive/disincentive monetary amount set for each project should be supported by an estimated cost of damages expected to be mitigated or revenue to be received by early or late completion for the overall project or critical phase of work. The cost for construction engineering inspection services, delay cost to facility users, or expected improvements at high-accident locations, are examples of impacts for which costs normally can be estimated.

3. Other justifications for use of incentive/disincentive provisions, such as more circuitous access to residences or businesses during construction, or lessening disruptive impacts to community services, etc., cannot be converted easily to monetary terms, but are examples of valid impacts.

Specific Authority 334.044(2), 337.18(4)(b) FS. Law Implemented 337.18(4) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Leuderalbert, Manager, Quality Initiatives Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Thomas F. Barry, Jr., P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 5, 2000

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Community Mental Health Services
 RULE NO.: 59G-4.050

PURPOSE AND EFFECT: The purpose of the rule amendment is to incorporate by reference the Florida Medicaid Community Mental Health Services Coverage and Limitations Handbook, July 2000. The effect will be to incorporate by reference in the rule the current Florida Medicaid Community Mental Health Services Coverage and Limitations Handbook.

SUMMARY: The proposed rule amendment will incorporate by reference the Florida Medicaid Community Mental Health Services Handbook, July 2000.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 FS.

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

TIME AND DATE: 10:00 a.m., August 16, 2000

PLACE: 2728 Fort Knox Boulevard, Building 3, Conference Room H, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marilyn Bryant, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-2618

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.050 Community Mental Health Services.

(1) This rule applies to all community mental health services providers enrolled in the Medicaid program.

(2) All community mental health services providers enrolled in the Medicaid program must comply with the Florida Medicaid Community Mental Health Services Coverage and Limitations Handbook, July 2000 ~~April 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up EPSDT 221, which is incorporated by reference in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.9081 FS. History—New 1-27-82, Amended 10-25-84, Formerly 10C-7.525, Amended 1-19-94, Formerly 10C-7.0525, Amended 9-21-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marilyn Bryant, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)487-2618

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Douglas Russell for Ruben J. King-Shaw, Jr., AHCA Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 21, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Standards for Assembled Financial
 RULE NO.: 61H1-20.0053

PURPOSE AND EFFECT: This rule is being amended to substitute the word fraud in place of the word irregularities throughout the text of the rule.

SUMMARY: This rule sets out the standards for assembled financial statements which must be complied with if a CPA offers to perform or performs services assembling financial statements.

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: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.0053 Standards for Assembled Financial Statements.

A Certified Public Accountant holding an active license may offer to perform or perform services involving assembled financial statements so long as the Certified Public Accountant complies with the standards for assembled financial statements, which are as follows:

- (1) No change.

(a) that the engagement cannot be relied upon to disclose errors, fraud, irregularities, or illegal acts; and

(b) disclose whether or not the entity preparing the financial statement is or is not licensed by the Florida Board of Accountancy. An example engagement letter is provided for illustrative purposes:

(Appropriate Salutation)

This letter is to confirm our understanding of the terms and objectives of our engagement to provide accounting services during (date), the output of which will be in the form of (monthly/quarterly/other frequency) assembled financial statements.

- We will perform the following services (selected illustrations):
- Assist you in recording transactions on a (monthly/quarterly /other frequency) basis.
- Prepare a trial balance from your accounts and journals.
- Assemble that information in the form of financial statements.
- Provide comments of a business advisory nature.

We do not undertake to, and will not, provide any opinion or form of assurance on the financial statements we assemble in connection with these services and, accordingly, we do not undertake to make inquiries or perform other procedures to verify, corroborate, or review information supplied by you. In addition, those statements may (will) contain departures from generally accepted accounting principles or an other comprehensive basis of accounting.

Our engagement to assemble financial statements cannot be relied upon to disclose errors, fraud irregularities, or illegal acts, including fraud or defalcations that may exist. These assembled financial statements are prepared by an entity that is (is not) licensed by the Florida Board of Accountancy.

Our fees for these services

We shall be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to us.

Sincerely yours,

(Signature of certified public accountant)

Accepted and agreed to:

XYZ Company

President

(2) through (12) No change.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS. History–New 10-28-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Form of Practice and Name – Shared Office Space
RULE NO.: 61H1-26.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to add a limited liability company as a forum whereby a certified public accountant may practice public accounting as an owner or an employee.

SUMMARY: This rule clarifies when and how a CPA may practice public accounting and when and how the term “and Company,” “an Associates,” “Certified Public Accountants,” “CPAs and Associates,” or “Certified Public Accountants and Associates” may be used.

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: 473.304, 473.3101, 473.321 FS.

LAW IMPLEMENTED: 473.3101, 473.321 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-26.001 Form of Practice and Name – Shared Office Space.

(1) A certified public accountant may practice public accounting, whether as an owner or employee, only in the form of a proprietorship, a partnership, a corporation, or a limited liability company. A certified public accountant shall not allow any person to practice in his name that is not a partner or shareholder with him or in his employ. A certified public accountant shall not practice under a name which is misleading

or deceptive as to the legal form of the firm or as to persons who are partners or shareholders of the firm or as to any other matter. In this regard:

(a) through (b) No change.

(c) Use of the term "and Company" or "and Associates" requires at least one other fully employed licensee or non-CPA owner other than those named in the firm name; however, this rule does not preclude a licensee initially meeting this requirement from using the above-mentioned terms if the licensee subsequently does not fully employ at least one licensee other than those named in the firm name.

(d) A firm may ~~not~~ use the term "Certified Public Accountants" in the firm's name if all owners are CPAs if the name of a non-CPA owner also appears in the firm's name. If there are non-CPA owners, the ~~The~~ firm may use the terms "CPA Firm," ~~or~~ "CPAs and Associates" or "Certified Public Accountants and Associates" provided the firm has more than one CPA. Further, a CPA firm with non-CPA owners may not use the term Certified Public Accountants without indicating there are other owners such as Associates or Consultants.

(2) through (3) No change.

Specific Authority 473.304, 473.3101, 473.321 FS. Law Implemented 473.3101, 473.321 FS. History—New 12-4-79, Amended 11-7-84, 10-28-85, Formerly 21A-26.01, Amended 10-20-86, 12-28-89, 7-1-91, 1-7-93, Formerly 21A-26.001, Amended 11-30-93, 12-30-97, 8-16-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Accountancy

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE:

RULE NO.:

Minimum Capitalization or Adequate Public

Liability Insurance for Public Accounting

Corporations, Limited Liability Companies

(LLCs) and Partnerships (LLPs)

61H1-26.002

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to be in compliance with the underlying statutes by specifying that Letters of Credit may be used in lieu of the minimum capitalization or liability insurance requirement.

SUMMARY: This rule clarifies the minimum capitalization or public liability insurance required to engage in the practice of public accounting.

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: 473.304, 473.309 FS.

LAW IMPLEMENTED: 473.309 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-26.002 Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs). A public accounting corporation, LLC, or LLP shall not engage in the practice of public accounting in this state unless:

(1) No change.

(2) it has an irrevocable letter of credit which meets the following criteria:

(a) the responsibility for repayment of any sums disbursed under the letter of credit is not an obligation of the CPA firm, its owners, or any entity affiliated with the CPA firm;

(b) the letter of credit contains an "evergreen clause," which automatically renews the letter of credit unless the issuer of the letter of credit notifies the CPA firm and the Board within sixty (60) days of the decision not to renew; and

(c) the letter of credit is issued by a financial institution authorized to do so under applicable state or federal banking laws.

~~(3)~~(2) No change.

~~(4)~~(3) No change.

Specific Authority 473.304, 473.309 FS. Law Implemented 473.309 FS. History—New 12-4-79, Formerly 21A-26.02, Amended 10-20-86, Formerly 21A-26.002, Amended 11-30-93, 5-23-94, 6-10-96, 10-6-96, 12-30-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Accountancy

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 30, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Licensure of Changes by Firms
RULE NO.: 61H1-26.004

PURPOSE AND EFFECT: The Board proposes to amend the rule to require any licensee to advise the Board of any new admission or addition of a non-CPA co-partner, shareholder, member and whether any member has any convictions or findings of guilt of a crime in any jurisdiction.

SUMMARY: This rule sets forth guidelines for CPA firms requiring the reporting any changes in the ownership/personnel of the firm; any convictions or findings of guilt, regardless of adjudication; or any evidence that shows a lack of good moral character as defined by section 473.306(4)(a), F.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: 473.304, 473.3101 FS.

LAW IMPLEMENTED: 473.3101 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-26.004 Licensure of Changes by Firms.

(1) A firm licensed pursuant to Rule Chapter 61H1-26.003, shall file a written notification with the Department within thirty (30) days after the occurrence of any of the following events:

(a) The admission or addition of a non-CPA co-partner, shareholder or member in any Florida office, including whether any non-CPA co-partners, shareholders or members have convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having been acted against, including denial of licensure, by any regulatory agency or by a court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(b) The admission or addition of a CPA co-partner, shareholder or member in any Florida office, including whether any CPA co-partners, shareholders or members have

convictions or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having the right to practice acted against, including denial of licensure, by the Securities Exchange Commission (SEC), Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S.;

(c) Any conviction or findings of guilt, regardless of adjudication, of a crime in any jurisdiction; judgment or settlements of civil lawsuits in any jurisdiction (excluding domestic matters); having the right to practice acted against, including denial of licensure, by the Securities and Exchange Commission (SEC), Internal Revenue Service (IRS), or any other regulatory agency or court; and any other matters which show a lack of good moral character as defined in Section 473.306(4)(a), F.S., for any licensee and any non-licensee owner.

~~(d)~~(e) The retirement or death of a co-partner, shareholder or member in any Florida office;

~~(e)~~(f) A change in the name of the partnership, corporation or limited liability company;

~~(f)~~(g) The termination of the partnership, corporation or limited liability company.

(2) through (3) No change.

Specific Authority 473.304, 473.3101 FS. Law Implemented 473.3101 FS. History—New 12-4-79, Amended 2-3-81, Formerly 21A-26.04, Amended 6-4-86, Formerly 21A-26.004, Amended 11-3-97, 7-16-98, 8-17-98,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Examinations
RULE NO.: 61H1-28.001

PURPOSE AND EFFECT: The Board proposes to amend this rule to remove language that is obsolete.

SUMMARY: This rule defines the examination and sets forth its requirements. It defines a first-time candidate and an extended candidate for purposes of the examination, and sets forth the four (4) areas tested.

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: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-28.001 Examinations.

(1) through (2)(b) No change.

(c) A conditioned candidate is defined as a candidate taking an examination after sitting as a first-time or extended candidate who has been granted credit for ~~either accounting practice or~~ two or three subjects on the examinations commencing with his most recent sitting as a first-time candidate.

(d) through (3) No change.

Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History—New 12-4-79, Amended 2-3-81, 9-16-84, 4-8-86, Formerly 21A-28.001, Amended 5-23-94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:

Experience for Licensure by Endorsement 61H1-29.003

PURPOSE AND EFFECT: The Board proposes to amend this rule to set forth what an applicant must do to complete the requirements for licensure by endorsement pursuant to 473.308(4), F.S.

SUMMARY: This rule defines the requirements for licensure by endorsement as apposed to sitting for Florida’s licensing examination.

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: 473.304, 473.308 FS.

LAW IMPLEMENTED: 473.308 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, FL 32606

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-29.003 Experience for Licensure by Endorsement.

Experience used to meet the requirements of Section 473.308(4), F.S., must include five years experience in the practice of public accounting as a Certified Public Accountant ~~certified public accountant~~ or chartered accountant. In addition, the applicant must have practiced at least two years of the last three years immediately preceding application for licensure. The applicant must submit acceptable Peer Review Reports (including the Letter of Comment) covering the years being used to evidence the experience. The Peer Review must have been performed by a state regulatory agency, the American Institute of Certified Public Accountants, or any full service association of certified public accounting firms whose plans of administration have been approved by the Board. The applicant shall, during those three years, complete continuing education in public accountancy at least equivalent to that required in Florida during that period.

Specific Authority 473.304, 473.308 FS. Law Implemented 473.308 FS. History—New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLES: RULE NOS.:

| | |
|---|------------|
| Continuing Education for Active and Inactive Broker and Salesperson Licensees | 61J2-3.009 |
| Continuing Education for School Instructors | 61J2-3.011 |
| Distance Education Courses for Hardship Cases | 61J2-3.013 |
| Notice of Satisfactory Course Completion | 61J2-3.015 |

PURPOSE AND EFFECT: To require continuing education providers to notify the Commission of changes to pre-approved courses and to submit course materials for evaluation. To improve distance education learning objectives and examinations, to establish a minimum number of end of course examinations for distance education courses and to define distance education and required learning levels.

SUMMARY: The Commission proposes to increase the quality of continuing and distance learning education through improved learning levels, objectives and testing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs was 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: 455.2123, 475.01(1)(d),(e), 475.05, 475.42(1)(c) FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.17(2), 475.182, 475.183, 475.451, 475.451(2)(c), 475.451(3),(6) FS., Georgia Association of Realtors, Inc. et al. v. Florida Real Estate Commission, et al., Civil Action No. 87-15-Orl-Civ-18 (M.D. Fla. 1987).

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: 8:30 a.m., August 16, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULES IS:

61J2-3.009 Continuing Education for Active and Inactive Broker and Salesperson Licensees.

(1) All persons holding active or inactive licenses as brokers or salespersons must satisfactorily complete a minimum of 14 classroom hours of instruction of 50 minutes each as prescribed or approved by the Commission during each

license renewal period excluding the first renewal period of their current license. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course. Approval must be granted before the course and examinations, if required, may be offered. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(2)(a) The Commission prescribed Core Law course or courses totaling 3 classroom hours of instruction of 50 minutes each will review and update licensees on the Florida real estate license law, Commission rules, and agency law, and provide an introduction to other state laws, federal laws, and taxes affecting real estate. Approval or denial of the Commission-required Core Law course will be based on the extent to which the course content covers the above-referenced subject areas. Examinations, if required, must test the course material. Approval must be granted before the course and examinations may be offered. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(b) "Specialty" courses on real estate practices totaling 11 classroom hours of instruction of 50 minutes each will be prescribed or approved by the Commission. Approval or denial of a specialty course will be based on the extent to which the course content focuses on real estate issues relevant to Chapter 475, Florida Statutes. Examinations, if required, must test the course material. Approval must be granted before the course and examination may be offered. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(c) No change.

(3) through (4) No change.

(5)(a) The continuing education courses required in this rule may be taught by a Commission approved equivalent distance education correspondence course. Distance education is education that takes place when the learner is separated from the source of instruction by time and/or distance. Such distance education correspondence course subject matter, assignment work, scholastic standards and other related requirements shall

be substantially the same as the course offered by classroom instruction, having due regard however, to the different method of presentation.

(b) Satisfactory completion of the Commission prescribed continuing education course or courses through distance education by correspondence study is demonstrated by achieving a grade of 80% or higher on the Commission approved course final examination prepared and administered by the Florida institution or licensed real estate school offering such distance education correspondence course ~~after completing the correspondence study material~~. Students failing the Commission prescribed course examination must repeat the Commission prescribed distance education correspondence course of study prior to being eligible to again take the course examination, which ~~examination~~ must be a different examination from the one the student previously failed. No examination shall contain more than 20% duplication of questions contained in other approved final examinations administered by the Florida institution or licensed real estate school offering the distance education course.

(c) A copy of the distance education correspondence course materials and a copy of each form of the end of course examinations that will be distributed to students shall be submitted to the Commission for evaluation and approval at least 60 days prior to use. A minimum of five end of course examinations for each course shall be submitted for approval. The Commission will issue a status report to the course provider within 30 days after submission of the course and examinations. Approval must be granted before the course and examinations may be offered. Thereafter, the course and examinations shall be maintained by each institution or school offering the distance education correspondence course in accordance with the Commission approved standard as subsequently modified by changing times, standards and laws. It is the responsibility of the institution, school or sponsor offering the Commission approved distance education correspondence courses to keep the course material current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(d) The objective of the distance education correspondence course of study end of course examination is to test fairly and reliably whether students have learned essential facts and concepts from the course. This examination shall consist of a minimum of 30 questions. All questions shall be multiple choice with 4 answer choices each. The order of the examination questions may not follow the sequence of the course content. The answer key must be unique for each form of the examination. The answer key must reference the page number(s) containing the information on which each question and correct answer is based. At least ~~70%~~ 20% of the questions on each form of the test shall be at the application level or higher oriented. No more than 10% of the questions on each

form of the test shall be at the knowledge level. The answer key must be unique for each form of the examination. Any Florida institution or licensed real estate school offering the Commission prescribed continuing education course of study by distance education correspondence must maintain a sufficient bank of questions to assure examination validity when administered to licensees from a common source such as a specific business, firm or family. Application level is defined as the ability to use the learned material in a completely new and concrete situation. It usually involves the application of rules, policies, methods, computations, laws, theories, or any other relevant and available information. Knowledge level is defined as recalling specific facts, patterns, methods, terms, rules, dates, formulas, names, or other information that must be committed to memory.

(e) In all Commission approved continuing education ~~correspondence~~ courses by distance education, the real estate school and school ~~permitholder~~ permit holder shall provide to students an address and telephone number of a ~~an~~ permitted instructor registered licensed with such school to answer inquiries. The instructor shall be available during normal working hours each business day. Normal working hours are defined as being 9:00 A.M. to 5:00 P.M., in the appropriate time zone, Monday through Friday excluding legal holidays.

(f) Continuing education courses by distance education correspondence will be approved for 24 months plus the remaining period of the license renewal cycle following the end of the 24 month period at which point the course will expire. The license renewal cycles can be found in Rule 61-6.001(4) under Real Estate (Group I, Group II, Group III or Group IV). Courses may not be offered, distributed or graded after the expiration date. However, a 15 day grace period beyond the expiration date will be allowed in order to grade an examination postmarked or otherwise received prior to the expiration date of the course. Students must be notified of the course expiration date upon receipt of the course materials.

(g) When the continuing education ~~correspondence~~ course by distance education is in the form of a video tape, the video tape must conform to the video tape quality standards found in paragraphs (2) through (4) of Rule 61J2-3.016, Florida Administrative Code.

(6) The Florida institution, licensed real estate school or Commission approved sponsor entity offering these Commission prescribed or approved courses shall inform each student of the standards and requirements at the commencement of each course by providing each student a course syllabus that clearly states the course objective(s) and explains the desired learning outcomes. At least 70% of the desired learning outcomes shall be at the application level or higher. No more than 10% of the desired learning objectives shall be at the knowledge level. Notice of course completion shall be made as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(7) through (9) No change.

(10) An instructor who teaches a Commission approved continuing education course may use the course towards the satisfactory completion of the continuing education requirement. However, an instructor may not claim the course more than once in a renewal cycle.

Specific Authority 455.2123, 475.01(1)(d), (e), (2), 475.05, 475.42(1)(c) FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 10-19-83, 9-16-84, Formerly 21V-3.09, Amended 10-13-88, 6-17-91, 12-29-91, 12-8-92, 6-28-93, Formerly 21V-3.009, Amended 2-2-94, 11-13-94, 5-13-96, 12-30-97, 10-25-98, 3-7-99, 1-18-00,_____.

61J2-3.011 Continuing Education for School Instructors.

(1) No change.

(2) The Commission prescribed 15 classroom hours of instruction shall consist of one 7-classroom hour seminar conducted by the Commission and a minimum of 8-classroom hours of Commission approved instruction in real estate subjects and/or instructional techniques. The 8-classroom hour course of instruction may be offered by accredited universities, colleges, and community colleges in this state, by real estate schools registered pursuant to s. 475.451, Florida Statutes, and sponsors entities approved by the Commission. Requests for approval to offer the 8-classroom hour instructor course shall be made to the Commission. This request shall include a detailed course description and the criteria for satisfactory course completion. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider within 30 days after submission of the course. Approval or denial of the 8-classroom hour course will be based on the extent to which the course content focuses on issues relevant to real estate and/or instructional techniques. Approval must be granted before the course and examination, if required, may be offered. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. It is the responsibility of the institution or school offering the Commission-approved courses to keep the course materials current and accurate, and notify the Commission at least 60 days before implementing any significant changes to the course during its approval period.

(3) Satisfactory completion of the 7-classroom hour seminar is demonstrated by attending all 7-classroom hours of instruction. Satisfactory completion of the remaining classroom hours of instruction is demonstrated by attending the Commission approved course in accordance with the standards established by the individual institution, school or Commission approved sponsor entity offering said course.

(4) No change.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.451(2)(c) FS. History—New 7-28-80, Amended 8-24-80, 1-3-84, Formerly 21V-3.11, Amended 7-25-90, 7-20-93, Formerly 21V-3.011, Amended 12-30-97, 1-18-00,_____.

61J2-3.013 Distance Education Correspondence Courses for Hardship Cases.

(1) Distance education Correspondence courses containing the same subject matter and requiring substantially the same assignment work will be prescribed by the Commission for any person who by reason of hardship cannot attend the place for classroom instruction prescribed in Rules 61J2-3.008, 61J2-3.010 and 61J2-3.020, Florida Administrative Code. The scholastic standards and other related requirements will be substantially the same as the courses offered by classroom instruction, having due regard, however, to the different method of presentation. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The approval or denial of the course will be based on the extent to which the course complies with the requirements set forth in Rules 61J2-3.008, 3.009, or 3.020, Florida Administrative Code. Examinations, if required, must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. ~~Enforcement of said standards and requirements shall be the responsibility of the Commission and the BPR.~~

(2) No change.

(3) Any person desiring to complete the education course by means of distance education correspondence shall make a request to the Commission in writing, setting forth the basis of the alleged hardship. The Commission shall require said request to be supported by statements of doctors and other persons having knowledge of the facts.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17(2), 475.451(3), (6) FS.; Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Action No. 87-15-Orl-Civ-18 (M. D. Fla. 1987). History—New 1-1-80, Amended 8-24-80, Formerly 21V-3.13, Amended 4-10-88, 10-13-88, 7-20-93, Formerly 21V-3.013, Amended 12-30-97,_____.

61J2-3.015 Notices of Satisfactory Course Completion.

(1) through (4) No change.

(5) Salesperson preclicensing courses completed through video tape instruction and continuing education courses completed by distance education correspondence study must be noted on the grade report.

(6) through (7) No change.

Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.15, Amended 10-13-88, 12-29-91, 6-7-92, 6-28-93, Formerly 21V-3.015, Amended 9-11-94, 12-30-97, 1-18-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2000

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Florida Real Estate Commission

RULE TITLE: School Records; Class Rosters
 RULE NO.: 61J2-17.012

PURPOSE AND EFFECT: To remove, in certain situations, the requirement that education providers include the social security numbers of students on class rosters. The change will also recognize distance education consistent with the proposed changes in Rule 61J2-3.009, FAC.

SUMMARY: The Commission determined it is no longer necessary for education providers to include the social security numbers of students on class rosters in certain situations. In addition, correspondence courses will be referred to as distance education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs was 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: 455.2123, 475.05 FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.175, 475.451, 475.5015 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: 8:30 a.m., August 16, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-17.012 School Records; Class Rosters.

(1) No change.

(2) Each school permitholder ~~permit holder~~ 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 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 ~~correspondence~~ course roster no later than 30 days beyond the end of the calendar month in which the course was completed.

(3) The 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 course roster shall also include the signature of the school permit holder, 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.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 21, 2000

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Florida Real Estate Commission

RULE TITLES: Citation Authority
 Notice of Noncompliance
 RULE NOS.: 61J2-24.002
 61J2-24.003

PURPOSE AND EFFECT: Currently, licensees who improperly renew their licenses prior to completing continuing education requirements may be subject to revocation if their actions are discovered by the BPR. The Commission will consider imposing alternative penalties, such as citations and notices of noncompliance.

SUMMARY: Licensees who complete continuing education requirements within 90 days of the end of their renewal periods may be considered for lesser penalties than are currently permitted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs was 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: 475.05 FS.

LAW IMPLEMENTED: 455.224, 455.225(3), 120.695 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: 8:30 a.m., August 16, 2000

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Herbert S. Fecker, Jr., Director, Division of Real Estate, 400 West Robinson Street, Suite 308, North Tower, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULES IS:

61J2-24.002 Citation Authority.

(1) Pursuant to s. 455.224, Florida Statutes (1999~~4~~), the Commission sets forth ~~below those~~ violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a violation for which there is no substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the fine or other conditions to be imposed.

(2) The following violations with accompanying fine or other conditions may be disposed of by citation:

(a) through (j) No change.

(k) 475.25(1)(m) and 61J2-3.009 –

1. Renewed a license without completing the continuing education requirement and the act is discovered by the BPR but the licensee has completed the continuing education requirements within thirty (30) days after his or her renewal date but voluntarily notified the Division after license renewal cycle ended

\$200.00
\$1000.00 and
completion of
the continuing
education
requirement
for the
previous
renewal cycle

2. Renewed a license without completing the continuing education requirement and the act is discovered by the BPR but the licensee has completed the continuing education requirements within ninety (90) days after his or her renewal date

\$500.00 and
completion of the
continuing
education
requirement for
the previous
renewal cycle

3. Renewed a license without having complied with Rule 61J2-3.009 and voluntarily notified the BPR more than thirty (30) days after the renewal cycle ended

\$500.00 and
completion of the
continuing
education
requirement for
the previous
renewal cycle

(l) through (6) No change.

Specific Authority 475.05 FS. Law Implemented 455.224 FS. History—New 12-29-91, Amended 4-16-92, 1-20-93, 6-28-93, Formerly 21V-24.002, Amended 8-23-93, 4-7-94, 4-12-95, 7-5-95, 2-13-96, 6-5-96, 7-23-96, 1-22-97, 3-30-97, 11-10-97, 3-24-98, 7-1-98, 10-25-98, 1-19-99, 1-18-00, _____.

61J2-24.003 Notice of Noncompliance.

(1) Pursuant to s. 455.225(3), Florida Statutes F.S., and s. 120.695, Florida Statutes F.S., the Commission sets forth below those statutes and rules which are considered minor violations for which the ~~DBPR~~ shall provide a licensee, registrant or permitholder ~~permit holder~~ with a notice of noncompliance. A violation is considered a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. The notice of noncompliance shall only be issued for an initial offense of a listed minor violation.

(a) through (s) No change.

(t) 475.25(1)(m) and 61J2-3.009 – renewed license without having complied with Rule 61J2-3.009 and voluntarily notified the BPR within thirty (30) days after the renewal cycle ended.

(2) The ~~DBPR~~ shall issue a notice of noncompliance to the licensee, registrant or permitholder ~~permit holder~~ subject to the statute and rule that the statute and rule have been violated. The notice of noncompliance shall identify the statute and rule being violated and shall provide information on how to comply with the statute and rule. The ~~DBPR~~ shall allow 15 days for compliance with the statute and rule and shall so notify the licensee, registrant or permitholder ~~permit holder~~. The time for compliance shall begin to run from the time the licensee, registrant or permitholder ~~permit holder~~ receives the notice of noncompliance. The failure of a licensee, registrant or permitholder ~~permit holder~~ to comply with the notice of noncompliance within the time allowed shall thereafter result in the issuance of a citation pursuant to Rule 61J2-24.002, Florida Administrative Code, and, if there is no citation for the violation, then the institution of regular disciplinary proceedings pursuant to s. 455.225, Florida Statutes.

(3) No change.

Specific Authority 475.05 FS. Law Implemented 455.225(3), 120.695 FS. History—New 1-9-94, Amended 1-1-96, 11-10-97, 6-30-98, 10-25-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: June 21, 2000
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: May 12, 2000

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Learnfare Program
 RULE NO.: 65A-4.213
 PURPOSE AND EFFECT: The rule proposed for repeal is unnecessary as the statutory authority for this rule has been repealed. The 2000 Legislature in Senate Bill (SB) 2050 enacted Chapter 2000-165, Laws of Florida (LOF), to create the Workforce Innovation Act of 2000 and replace the Work and Gain Economic Self-Sufficiency (WAGES) Act of 1996. Many provisions of the original WAGES Act were transferred, renumbered, revised, or deleted in the Workforce Innovation Act. Section 50 of SB 2050 repealed s. 414.125, F.S., Learnfare Program and in Chapter 2000-165, LOF, transferred and renumbered s. 414.065, F.S., as s. 445.024, F.S., and removed reference to the Learnfare Program in s. 445.024(3)(a), F.S.
 SUMMARY: This rule proposed for repeal is not necessary, as statutory authority for it no longer exists.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.
 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: 414.45 FS.
 LAW IMPLEMENTED: Chapter 2000-165, 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
 TIME AND DATE: 9:00 a.m., August 7, 2000
 PLACE: 1313 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700. Telephone (850)488-8004
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: Audrey Mitchell, Program Administrator, Public Assistance Policy, Policy Support Unit, 1317 Winewood Boulevard, Building 3, Room 406A, Tallahassee, Florida 32399-0700
 THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.213 Learnfare Program.

Specific Authority 414.45 FS. Law Implemented 414.125 FS. History--New 4-13-98, Amended 10-14-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Lonna Cichon, Operations and Management Consultant II
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Audrey Mitchell, Program
 Administrator, Public Assistance Policy
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: June 27, 2000

FLORIDA HOUSING FINANCE CORPORATION

RULE TITLE: Eligible Uses for the Loan
 RULE NO.: 67-38.008
 PURPOSE AND EFFECT: The purpose of Rule Chapter 67-38.008(3)(d), Florida Administrative Code (FAC.), is to delineate legal fees eligible to be paid with Predevelopment Loan Funds. The purpose of the proposed revision to the above listed rule is to clarify this issue.
 SUMMARY: The proposed amendment to the Rule will eliminate the restrictive description attached to eligible legal fees.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.
 Any person who wishes to provide information regarding the statement of estimated regulatory cost or to provide a proposal for lower cost regulatory alternative must do so in writing within 21 days of this notice.
 SPECIFIC AUTHORITY: 420.528 FS.
 LAW IMPLEMENTED: 420.526, 420.527, 420.528 FS.
 IF REQUESTED, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
 TIME AND DATE: 10:00 a.m., August 7, 2000
 PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, Tallahassee, FL 32301
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melanie Jordan, Manager, or Joyce Martinez, Administrator, Predevelopment Loan Program Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197 or facsimile (850)921-6060
 THE FULL TEXT OF THE PROPOSED RULE IS:
 67-38.008 Eligible Uses for the ~~Advance and/or the~~ Loan.
 (1) through (2) No change.
 (3) ~~For Sponsors who elect to use PLP funds during the Pre-Acquisition Phase,~~ Eligible Predevelopment activities or expenses shall include, for example, the following:
 (a) through (c) No change.

(d) Legal fees that are reasonable and necessary and incurred in conjunction with acquiring or permitting of property; however, legal fees for litigation, application preparation or legal research are not considered eligible uses of Predevelopment Loan funds (development team's counsel);

(e) through (4)(d) No change.

Specific Authority 420.528 FS. Law Implemented 420.526, 420.527 FS. History—New 3-23-93, Amended 1-16-96, 5-21-96. Formerly 9I-38.008, Amended 3-26-98, 7-17-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melanie Jordan, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197 or facsimile (850)921-6060

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gwen Lightfoot, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197 or facsimile at (850)921-6060

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 1998, Corporation Board Meeting
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 26, No. 2, January 14, 2000

Any person requiring special accommodation at this workshop because of a disability or physical impairment should contact Linda Hawthorne at the above address. If you are hearing or speech impaired, please use the Florida Dual Party Relay system which can be reached at 1(800)955-8771 (TDD).

AHCA Form 3160-0007, 05/00

AHCA Form 3160-0008, 05/00

AHCA Form 3160-0010, 05/00

AHCA Form 3160-0011H, 05/00

AHCA Form 3160-0011S, 05/00

Statewide Provider and Subscriber Assistance Program Request for Review and Release Form
Agency for Health Care Administration Statewide Provider and Subscriber Assistance Program HMO Response Form
Statewide Provider and Subscriber Assistance Program Hearing Information Sheet
Statewide Provider and Subscriber Assistance Program HMO Hearing Response Form
Statewide Provider and Subscriber Assistance Program Subscriber/Provider Hearing Response Form

Section III Notices of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-12.020
RULE TITLE: Statewide Provider and Subscriber Assistance Program 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. 15, April 14, 2000, issue of the Florida Administrative Weekly.

FORM NO./REVISION DATE: AHCA Form 3160-0006, 05/00
TITLE: Agency for Health Care Administration Statewide Provider and Subscriber Assistance Program Quarterly Report of Subscriber Grievances

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-2.008
RULE TITLE: Clinical Training

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. 15, of the April 14, 2000, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee, and voted upon by the Board at its meeting held on June 7, 2000, in Jupiter Beach, Florida. When changed, subsections (13) through (16) shall read as follows:

(13) An approved program which includes preceptorships must demonstrate to the Board upon application for approval or upon application for approval of a curriculum change it meet all of the following requirements:

- (a) Written objectives are specified and given to the preceptor prior to the experience.
- (b) The preceptor is approved by the faculty of the program and the facility or agency.
- (c) The preceptor shall have clinical expertise and competence in the area where serving as a preceptor.