

Specific Authority 414.45 FS. Law Implemented 414.1251 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lonna Cichon, Government Operations Consultant II
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Audrey Mitchell, Program
Administrator, Program Support Unit
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 24, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 16, 2001

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE NO.: RULE TITLE:
3C-560.903 Deferred Presentment Transactions

NOTICE OF WITHDRAWAL

Notice is hereby given that the Department is withdrawing the above referenced rule, which was originally published in Vol. 27, No. 39, September 28, 2001 issue of the Florida Administrative Weekly.

DEPARTMENT OF BANKING AND FINANCE

Division of Securities and Finance

RULE NO.: RULE TITLE:
3D-30.060 Preneed Sales Agent Renewal

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. 27, No. 50, December 14, 2001 issue of the Florida Administrative Weekly.

3D-30.060 Preneed Sales Agent Renewal.

(1) through (4) No change.

(5) Deleted.

~~Engaging in preneed sales with an expired license is a violation of Chapter 497 and is subject to disciplinary action.~~

Specific Authority 497.103, 497.105 FS. Law Implemented 497.439 FS. History—New _____.

DEPARTMENT OF REVENUE

NOTICE OF CABINET AGENDA ON JANUARY 29, 2002

The Governor and Cabinet, on January 29, 2002, sitting as head of the Department of Revenue, will consider the proposed amendments to Rule 12A-1.096, F.A.C. (Industrial Machinery and Equipment for Use in a New or Expanding Business). A Notice of Rule Development Workshop was published in the

September 7, 2001 edition of the Florida Administrative Weekly (Vol. 27, No. 36, pp. 4101-4102), and the workshop was held on September 26, 2001. No testimony was received at the workshop, and no written comments were submitted. A Notice of Proposed Rulemaking was published in the Florida Administrative Weekly on November 21, 2001 (Vol. 27, No. 47, pp. 5519-5520), and a public hearing was conducted on December 18, 2001. No testimony was received at the public hearing, and no written comments were submitted.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: RULE CHAPTER TITLE:
14-15 Incorporation by Reference
RULE NO.: RULE TITLE:
14-15.0081 Toll Facilities Description and Toll
Rate Schedule

NOTICE OF CHANGE

SUMMARY OF CHANGE: The proposed action is being taken to determine the Toll Rate Schedule resulting from the Florida Department of Transportation's construction of the CR 470/Florida's Turnpike interchange. The project is located in Lake County. The change is an editorial correction of the date of the publication of the Notice of Rule Development. That correction is as follows:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 16, ~~2000~~ 2001.

Notice of Rulemaking was published in Florida Administrative Weekly, Vol. 27, No. 49, dated December 7, 2001, Page 5699.

STATE BOARD OF ADMINISTRATION

RULE NOS.: RULE TITLES:
19-7.001 Purpose
19-7.010 Pooled Investment Accounts
19-7.011 Rate of Return Calculation
19-7.012 Pool Participation
19-7.013 Reporting Procedures
19-7.014 Number of Accounts
19-7.015 Allocation of Earnings
19-7.016 Close of Business
19-7.017 Pooled Investment Account
Reserve Fund

NOTICE OF HEARING

The Florida State Board of Administration announces a public hearing to which all persons are invited.

TIME AND DATE: 9:00 a.m. – conclusion, Tuesday, January 29, 2002

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on January 29, 2002, will consider nine proposed amended rules in Rule Chapter 19-7, F.A.C., and will be asked for permission to file these nine rules for adoption:

These proposed amended rules implement investment in the local government pools under Chapter 218, Part IV, Florida Statutes. Proposed amended Rule 19-7.001 sets out the purposes of the rules. Proposed amended Rule 19-7.010 describes Rules 19-7.010 through 19-7.016 as relating to the Local Government Pooled Investment Account. Proposed amended Rule 19-7.011 provides the rate of return calculation for the Pooled Investment Account. Proposed amended rule 19-7.012 provides a method for investing surplus funds. Proposed amended Rule 19-7.013 provides reporting procedures for the pool. Proposed amended Rule 19-7.014 provides the maximum number of accounts. Proposed amended Rule 19-7.015 provides for allocation of earnings for accounts participating in the Pooled Investment Account. Proposed amended Rule 19-7.016 provides procedures for investments based on when the Board's records are balanced. Proposed amended Rule 19-7.017 provides procedures for establishing a reserve fund.

A rule development workshop was offered on October 31, 2001, but no one requested the workshop and the workshop was not held. The rule hearing was scheduled for January 3, 2002, but no one requested the hearing and the hearing was not held. The Joint Administrative Procedures Committee had suggestions which are incorporated into the draft rules and will be noticed in the required Notice of Change. If the Trustees approve adopting these rules at their meeting on January 29, 2002, the State Board expects to file for adoption on March 6, 2002.

A copy of the State Board of Administration's agenda for the January 29, 2002, Cabinet meeting may be obtained by contacting: Dorothy Westwood, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1350.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-1.016
RULE TITLE: Examinations, Fees

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. 27, No. 48, (November 30, 2001), issue of the Florida Administrative Weekly.

64B-1.016 Examinations, Fees.

(1)(a) The following fees shall be assessed by the department to cover administrative costs, actual per-applicant costs, and costs incurred to develop, purchase, validate, administer, and defend the following department developed, administered, or managed examinations:

Exam Fees		
Profession	Exam	Exam Fee
Acupuncture Chiropractic <u>Medicine</u>	National Written	\$1,091.00
	Physical Diagnosis	\$610.00
	Technique	\$250.00
	X-Ray	\$180.00
	Laws & Rules	\$60.00
	Acupuncture	\$220.00
	CBT Laws & Rules	\$35.00
	CBT Acupuncture	\$135.00
	Administration & Supervision	\$150.00
	Microbiology	\$150.00
Clinical Lab Personnel	Immunohematology	\$150.00
	Serology	\$150.00
	Immunology	\$150.00
	Clinical Chemistry	\$150.00
	Hematology	\$150.00
	Histology	\$150.00
	Blood Banking	\$150.00
	General Laboratory Technician	\$150.00
	Clinical	\$950.00
	Laws & Rules	\$95.00
Dental	CBT Laws & Rules	\$30.00
	Clinical	\$325.00
	Laws & Rules	\$60.00
Dental Hygiene	CBT Laws & Rules	\$20.00
	Written Exam	\$505.00
	National Written	\$300700.00
Electrolysis	Colonics	\$595.00
	CBT Colonics	\$385.00
	Laws & Rules	\$240.00
Hearing Aid Specialist	CBT Laws & Rules	\$155.00
	Practical	\$385.00
	Neutralization	\$190.00
Massage	Laws & Rules	\$115.00
	Clinical	\$590.00
	Pharmacology	\$370.00
Nursing Home Administrator	Laws & Rules	\$70.00
	Certification	\$168.00
	National Written	\$2,500.00
Opticianry	National Exam	\$458.00
	Laws & Rules	\$120.00
	CBT Laws & Rules	\$80.00
Optometry		
Osteopathic Medicine		
Psychology		

(b) No change.

(2)(e) No change.

Specific Authority 456.004 FS. Law Implemented 456.004(10), 456.017(2)
FS. History—New _____.

DEPARTMENT OF HEALTH**Board of Dentistry**

RULE NO.: RULE TITLE:
64B5-12.0175 Standards for Approved Providers
THIRD NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 40, October 5, 2001 issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. Subsection (2) of this rule shall now read as follows:

(2) Instructors shall be adequately qualified by training, experience or licensure to teach specified courses. Because domestic violence courses must contain information specifically appropriate for, directly pertinent to, and useful in, dentistry, all domestic violence instructors shall be familiar with dental injuries indicative of domestic violence, reporting obligations under Florida and federal law, and incidence statistics in the dental profession. Instructors who have had a professional license revoked, suspended, or otherwise acted against, in Florida or in another jurisdiction, shall be disqualified when the nature and number of disciplinary actions indicate a conscious disregard for the laws, rules and ethics of the profession.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH**Board of Occupational Therapy Practice**

RULE NO.: RULE TITLE:
64B11-5.001 Requirement for License Renewal
of an Active License

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 27, No. 49, December 7, 2001, Florida Administrative Weekly has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE RULE WITHDRAWAL IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF HEALTH**Board of Speech Language Pathology and Audiology**

RULE NO.: RULE TITLE:
64B20-2.002 Educational Requirements

NOTICE OF PUBLIC HEARING

The Board of Speech Language Pathology and Audiology hereby gives notice of a public hearing on the above-referenced rule(s) to be held on February 1, 2002, 9:00 a.m., The Hotel Sofitel, 5800 Blue Lagoon Dr., Miami, FL

33126. The rule was originally published in Vol. 27, No. 46, November 16, 2001 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH**Board of Speech Language Pathology and Audiology**

RULE NO.: RULE TITLE:
64B20-3.015 Unlicensed Activity Fee

NOTICE OF PUBLIC HEARING

The Board of Speech Language Pathology and Audiology hereby gives notice of a public hearing on the above-referenced rule(s) to be held on February 1, 2002, 9:00 a.m., The Hotel Sofitel, 5800 Blue Lagoon Dr., Miami, FL 33126. The rule was originally published in Vol. 27, No. 46, November 16, 2001 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH**Board of Speech Language Pathology and Audiology**

RULE NO.: RULE TITLE:
64B20-3.015 Unlicensed Activity Fee

NOTICE OF CHANGE

Notice is hereby given that the attached changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 27, No. 46, November 16, 2001 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-3.015 Unlicensed Activity Fee.

Upon ~~From each fee for~~ initial licensure or licensure renewal, a \$5.00 ~~fee shall be imposed by the Department in addition to all other fees collected from each licensee to fund efforts to combat earmarked for the purpose of combatting~~ unlicensed activity.

Specific Authority 456.065(3) FS. Law Implemented 456.065(3), 468.1145(1) FS. History--New 8-18-93, Formerly 61F14-3.015, 59BB-3.015, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Speech-Language and Audiology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Speech-Language and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 24, 2001

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE NO.: 64B20-6.001
RULE TITLE: Continuing Education as a Condition for Renewal

NOTICE OF PUBLIC HEARING

The Board of Speech Language Pathology and Audiology hereby gives notice of a public hearing on the above-referenced rule(s) to be held on February 1, 2002, 9:00 a.m., The Hotel Sofitel, 5800 Blue Lagoon Dr., Miami, FL 33126. The rule was originally published in Vol. 27, No. 46, November 16, 2001 issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF HEALTH

Board of Speech Language Pathology and Audiology

RULE NO.: 64B20-7.001
RULE TITLE: Discipline

NOTICE OF PUBLIC HEARING

The Board of Speech Language Pathology and Audiology hereby gives notice of a public hearing on the above-referenced rule(s) to be held on February 1, 2002, 9:00 a.m. at The Hotel Sofitel, 5800 Blue Lagoon Dr., Miami, FL 33126. The rule was originally published in Vol. 27, No. 46, of the November 16, 2001, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Eaton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.606
RULE TITLE: Food Stamp Assets

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. 27, No. 46, November 16, 2001 issue of the Florida Administrative Weekly.

65A-1.606 Food Stamp Assets.

Vehicles-In determining the countable value of vehicles, the public assistance specialist must consider the use of the vehicle, whether or not the vehicle is licensed or unlicensed and the vehicle's equity value to determine whether a household meets the asset eligibility standards.

(1) Vehicles will be excluded pursuant to Public Law 106-187, October 28, 2000, Section 847(a)(2)(D), incorporated by reference in accordance with 7CFR s. 273.8(h)(1). Additionally, vehicles with an equity value of less than or equal to \$1,500 will be excluded.

(2) No change.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation

RULE NO.: 65C-22.003
RULE TITLE: 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. 27, No. 43, October 26, 2001 issue of the Florida Administrative Weekly.

65C-22.003 Training.

(1) Definitions.

(a) "Training Coordinating Agencies" are authorized contract providers, designated by the department and responsible for the coordination of child care personnel training at the district level. ~~Each training coordinating agency is required to establish an advisory committee to provide them with technical assistance and recommendations to improve the quality and effectiveness of child care training.~~

(f) "Before-school and after-school sites," for the purposes of this section means, programs, no matter their location, providing child care for children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one and above, during the school district's calendar year. This is limited to programs providing care before and after the school day only, teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.

(6) Staff Credentials.

(a) Every licensed child care facility must have one member of its child care personnel for every 20 children with one of the following qualifications:

5. Graduate of the approved Florida School-Age Certification Training Program.

a. Early Childhood Education Training organizations seeking to provide the Florida School-Age Certification Training Program, ~~Credential training~~ must utilize the Florida School-Age Certification Credential Training Program as approved by the department. Organizations seeking to provide the Florida School-Age Certification Training Program ~~Credential training~~ must apply for approval on CF-FSP Form 5257, Oct. 01, Application to Provide the Florida School-Age Certification ~~Credential~~ Training Program, which is incorporated by reference.

b. In order to receive the Florida School-Age Certification Credential, a candidate must have completed the department's Florida School-Age Certification Credential Training Program, which consists of the following:

(II) A portfolio containing an autobiographical statement, written examples demonstrating mastery of each of the school-age competency subject areas, and a collection of resource materials as identified in the department's Florida School-Age Certification Credential Training Portfolio and Resource Materials Checklist, CF-FSP Form 5258, Oct. 01, which is incorporated by reference.

(IV) 480 hours of direct contact work with children in a school-age child-care setting within the past five years,

c. Individuals who are enrolled in an existing school-age certification credential training program in Florida, prior to January 1, 2002, and who graduate from this training program by January 1, 2003, will be recognized as having met the Florida School-Age Certification credentialing requirement.

d. Early Childhood Education Training organizations that provide the Florida School-Age Certification Training Program ~~Credential training~~ must complete a CF-FSP Form 5259, Oct. 01, Confirmation of Completion of the Florida School-Age Certification Credential Training Program, which is incorporated by reference, for each graduate. The Early Childhood Education Training Organizations must submit the The completed CF-FSP Form 5259 for each graduate, must be submitted to the local training coordinating agency for processing upon completion of all components of the Florida School-Age Certification Training Program graduation.

e. The training coordinating agency must issue CF-FSP Form 5256, Oct. 01, Florida School-Age Certification Training Program Credential Certificate, which is incorporated by reference, to all graduates of the Florida School-Age Certification Credential Training Program.

f. To maintain a valid Florida School-Age Certification Credential, ~~every five years~~ candidates must complete and document the satisfactory completion of provide documentation of 4.5 Continuing Education Units (CEUs) or one three-hour college credit course in any school-age child care curriculum area, every five years. Coursework completed to renew a State of Florida Teaching Certificate satisfies the coursework requirement for renewal of the Florida School-Age Certification. This documentation must be submitted to the local training coordinating agency to verify completion of the required coursework. The local training coordinating agency will issue a new Florida School-Age Certification Training Program Certificate upon verification of the documentation.

(7) Director Credential.

(a) Pursuant to Section s. 402.305(2)(f), F.S., every child care facility director must have a director credential by January 1, 2003, which consists of the foundational level or advanced level. ~~Pursuant to s. 402.305(1)(e), a credentialed director holding a foundational or advanced level Florida director's credential may supervise multiple before school and after school sites.~~ As of January 1, 2003, every applicant for a license to operate a new child care facility or a license for a change of ownership of a child care facility, must document that the facility director has a director credential, prior to issuance of the license to operate the facility. As it relates to the director credential, the following exceptions apply:

1. A credentialed director is not required for facilities offering child care during the evening hours as defined in Section 402.302(6), F.S.

2. Pursuant to Section 402.305(1)(c), F.S., a credentialed director may supervise multiple before-school and after-school sites.

(b) The foundational level applicants must meet the following educational and experiential requirements:

1. through 3. No change.

4. One of the following staff credentials: a Child Development Associate (CDA) Credential; an approved Florida CDA Equivalency; the approved Florida School-Age Certification Credential; a formal education exemption qualification (waiver); or a documented employment history recognition exemption; and

(c) The advanced level applicants must meet the following educational and experiential requirements:

1. through 3. No change.

4. One of the following staff credentials: a Child Development Associate (CDA) Credential; an approved Florida CDA Equivalency; the approved Florida School-Age Certification Credential; formal education exemption qualification (waiver); or a documented employment history recognition exemption; and

5. through 6. No change.

(d) No change.

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

1. through 3. No change.

4. ~~Persons with more than five or more years of experience as an administrator or director administrative or director experience~~ in a licensed child care facility or a facility that is legally exempt pursuant to Sections 402.3025, and 402.316, F.S., and with three college credit hours in early childhood/child development or school-age child care, and three college credit hours in child care administration, business administration or educational administration. All coursework for this exception must have been completed within the past ten years.

(f) No change.

(g) Renewal.

1. To maintain a valid director credential at either level, every 5 years, candidates must complete and document 4.5 Continuing Education Units (CEUs) or one three-hour college credit course in any one of the curriculum areas listed in subparagraph 65C-22.003(7)(c)5., F.A.C., ~~and demonstrate professional contributions in the field.~~ Coursework completed to renew a State of Florida Teaching Certificate also satisfies this coursework requirement for renewal of a director credential. Candidates must also demonstrate professional contributions in the field through any one or more of the following Professional contributions include:

1. through 9. renumbered a. through i. No change.

2. A director credential issued prior to January 1, 2003, will have an initial renewal date of January 1, 2008, and every 5 years thereafter. A director credential issued after January 1, 2003, will have an initial renewal date after 5 years and every 5 years thereafter.

(h) No change.

(i) Before-school and after-school sites

1. A director holding a foundational or advanced level Florida director credential may supervise multiple before-school and after-school sites as follows:

a. Three sites regardless of the number of children enrolled, or

b. More than three sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before-school and after-school program shall be calculated and viewed as separate programs.

c. In counties where the public school district has included 4-year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts which serve 4-year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in subparagraph 65C-22.003(6)(a), F.A.C., in order to accommodate the 4-year-olds.

2. When a Florida credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet ~~all minimum age and training requirements of a child care facility operator to include~~ the following requirements:

a. Be at least 21 years of age;

b. Have completed the department-approved Introductory Child Care Course (Parts I and II);

c. Have completed the department's basic training in serving children with special needs, either as part of the Introductory Child Care Course, Part II, specialized training module, Developmentally Appropriate Practices for Children with Special Needs, or the annual 8 hours of inservice training, ~~or~~

d. Have completed the department's Developmentally Appropriate Practices for School-Age Children, specialized training module separately, or as part of the Introductory Child Care Course, Part II.

Specific Authority 402.305 FS. Law Implemented 402.305 FS. History--New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 10-10-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Suzanne Bellamy Woodcock, Government Operations Consultant II, 1317 Winewood Blvd. Building 6, Room 392, Tallahassee, FL 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Deborah Russo, 1317 Winewood
Blvd., Building 6, Room 389-A, Tallahassee, FL 32399
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 10, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 20, 2001 and October 26, 2001

Section IV Emergency Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE TITLE: RULE NO.:

Emergency Rule Delineating Wind Speed

Lines for Application of the Florida

Building Code

9BER02-01

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: In accordance with Section 109(4), Chapter 2000-141, Laws of Florida, local jurisdictions with the responsibility to enforce building codes were charged with the responsibility to identify the location of lines delineating wind speeds for that jurisdiction in accordance with American Society of Civil Engineers Standard 7, 1998 edition, by adoption of a local ordinance. The location of the lines was to be identified by landmarks where possible. The wind speed lines govern the design strength necessary to comply with the Florida Building Code, which is currently available as an option to designers on January 1, 2002, and scheduled for implementation statewide on March 1, 2002. Several jurisdictions have not adopted such an ordinance and a minimum of 60 days lead time is necessary for the construction industry generally to comply with the provisions. Inaccurate determination of the applicable wind speed could result in buildings vulnerable to the excessive winds which pose a threat to the State of Florida, especially with the advent of hurricane season.

As a result of this situation, the legislature adopted Committee Substitute for Senate Bill 52-C which was signed by the Governor on December 17, 2001. The bill directs the Department of Community Affairs to adopt a map by emergency rule for application of the Florida Building Code in those jurisdictions which have not adopted the required ordinance by January 1, 2002. The map is to identify the wind speed lines by using physical landmarks where possible.

REASONS FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The maps adopted by the emergency rule were developed by an independent third-party utilizing sophisticated mapping tools.

The lines have been identified by the most objective criteria available; they have been located in conjunction with the nearest landmark. Additionally the application of the map adopted by the emergency rule within a particular jurisdiction until sixty days after the jurisdiction adopts an ordinance identifying the wind speed lines. Therefore, the duration of any perceived burden imposed by the rule is limited and subject to remedy by action of the local government.

SUMMARY: The emergency rule identifies wind speed lines for those jurisdictions that have not done so by adoption of an ordinance by January 1, 2002, for use in application of the Florida Building Code until 60 days after a jurisdiction adopts such an ordinance.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Ila Jones, Community Program Administrator, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE EMERGENCY RULE IS:

9BER02-01 Emergency Rule Delineating Wind Speed Lines for Application of the Florida Building Code.

The composite exhibit entitled "Map Delineating Wind Speed Lines for Application of the Florida Building Code" ("Map") is hereby adopted by reference. The Map is comprised of graphical depictions of 58 counties in the State of Florida and the wind speed lines which cross their jurisdictional boundaries located in accordance with physical landmarks. Each wind speed line is hereby designated to fall on the seaward edge of the physical landmark that coincides with the wind speed line. The wind speed lines are for use in conjunction with Section 1606, Florida Building Code, 2001 Edition. The delineation of the wind speed lines on the Map shall govern application of the Florida Building Code in those jurisdictions that have not adopted an ordinance delineating wind speed lines prior to January 1, 2002. Sixty days following the adoption of such an ordinance by a jurisdiction subject to the map, that ordinance shall supersede adoption and application of the map herein. A copy of the Map is available by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Specific Authority s. 12, 2001-372, Laws of Florida. Law Implemented s. 12, 2001-372, Laws of Florida. History--New 1-3-02.

THIS RULE SHALL TAKE EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: January 3, 2002