

26 FAR 34 | 8/25/2000 | NOTICE OF PROPOSED RULES

DEPARTMENT DEPARTMENT OF MANAGEMENT SERVICES

AGENCY FLORIDA COMMISSION ON HUMAN RELATIONS

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MEETING DATE Friday, September 15, 2000

MEETING TIME 10:00:00

RULE NO 60Y-5.004

TITLE Executive Director's Investigatory
Determination; Notice

**SPECIFIC
AUTHORITY** 760.06(12), 760.11(14) FS.

**LAW
IMPLEMENTED** 760.11 FS.

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ORIGINATOR Dana Baird, General Counsel

APPROVER Derick Daniel, Executive Director

PROPOSAL DATE 5/16/2000

PUBLISH DATE 5/26/2000

Purpose

The proposed rule amendment harmonizes the rule requirements with the statutory requirements.

Summary

The proposed rule amendment will update the current rule by removing all references to Redeterminations.

Regulatory Costs

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.

Notification

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):

FULL TEXT OF THE PROPOSED RULE

60Y-5.004 Executive Director's Investigatory Determination; Notice.

(1) through (4) No change.

(5) A Notice of Determination of No Reasonable Cause, No Jurisdiction or Untimeliness shall advise the complainant of the right to file a Petition for Relief, pursuant to Rule 60Y-5.008, within 35 ~~30~~ days of service of the notice. A form, Petition for Relief, hereby incorporated by reference, in blank, shall be provided to the complainant at the time of service of the notice.

~~(6) A Notice of Determination shall further advise the parties of the right to request redetermination, pursuant to Rule 60Y-5.007, within 20 days of service of the notice. If the complainant requests redetermination, the 30-day period for filing a Petition for Relief shall be tolled until service of a Notice of Redetermination.~~

(6) ~~(7)~~ After service of a Notice of Determination, the parties named in the determination may inspect the records and documents, in the custody of the Commission, which pertain to the determination. The Executive Director may direct that a

particular record, document or portion thereof be withheld from inspection by a party only when necessary for the protection of a witness or third party, or for the preservation of a trade secret.

Specific Authority 760.06(12), 760.11(14) ~~760.06(13)~~ FS. Law Implemented 760.11 ~~760.06~~, ~~760.10~~ FS. History-New 11-2-78, Amended 6-16-83, 8-12-85, Formerly 22T-9.04, 22T-9.004, Amended _____

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