

29 FAR 35 | 8/29/2003 | NOTICE OF PROPOSED RULES

DEPARTMENT DEPARTMENT OF MANAGEMENT SERVICES

AGENCY FLORIDA COMMISSION ON HUMAN RELATIONS

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MEETING DATE Wednesday, September 24, 2003

MEETING TIME 9:00:00

RULE NO 60Y-2.007

TITLE Public Information and Inspection and Copying of Documents

SPECIFIC AUTHORITY 120.52, 120.53, 120.54, 760.06(12), 760.11(14), 760.32(5) FS.

LAW IMPLEMENTED 120.52, 120.53, 120.533, 120.54, 120.542, 509.092, 23.167, 119, 760.01, 760.03, 760.05, 760.06, 760.10, 760.11, 760.30 FS.

CONTACT William Tait

EMAIL William.Tait@FCHR.MyFlorida.com

PHONE (850) 488-7082

ORIGINATOR William James Tait, Jr., General Counsel

APPROVER Cecil Howard, Executive Director

PROPOSAL DATE 8/18/2003

PUBLISH DATE 8/1/2003

Purpose

The rule chapter provides for the commission organization and general information.

Summary

Amendments have updated commission information, new address and personnel, current organizational patterns and forms, provision for electronic filing and new sections relating to variances or waivers from rules and commission orders, numbering, indexing and maintenance in accordance with the Uniform Rules of Procedure and statutory guidance.

Regulatory Costs

None. Any person who wishes to provide information regarding the statement of estimated regulatory cost, 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:

FULL TEXT OF THE PROPOSED RULE

60Y-2.007 Public Information and Inspection and Copying of Documents.

(1) All public records within the meaning of Chapter 119, F.S., and not otherwise restricted by law, may be inspected upon approval of a written request. Any written request must specifically identify the requested material. Requests for information may be directed to the Office of Customer Service.

(2) All complaints filed pursuant to Rule 60Y-5.001, F.A.C., and all related records and documents in the custody of the Commission which relate to and identify a person shall be confidential, unless the record or document is made part of the record of any hearing or court proceeding. Access to confidential records and documents, by the parties to a complaint or proceeding, is provided in subsections 60Y-5.001(9), 60Y-5.003(9) and 60Y-5.004(7), F.A.C. (3) Copies of public records maintained by the Commission are available on the following basis:

- (a) Two dollars (\$2.00) per instrument for preparation and transmittal of original records on appeal with no charge for postage or certification;
- (b) One dollar (\$1.00) for the first page copied from a Commission file; fifteen cents (\$0.15) per page for any additional page from the same file;
- (c) Actual postage costs are charged for mailing copies other than original records on appeal; provided that no charge will be made for mailing one ounce by first class mail;
- (d) Transcripts of Commission proceedings may be obtained by independent contract of a court reporter at the ordering party's expense;
- (e) Payment must be made in advance by cash, check or money order made payable to the Florida Commission on Human Relations;
- (f) Commission orders and subject matter indices thereto are published by Florida Administrative Law Reports and by The Florida Bar, Labor and Employment Law Section.

Specific Authority 760.06(13) FS. Law Implemented 760.06, 760.10(14), 119, 120.54 FS. History-New 11-2-78, Amended 2-10-80, 8-12-85, Formerly 22T-6.07, Amended 4-20-87, Formerly 22T-6.007, Amended _____.