

Section I

Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE TITLES:	RULE NOS.:
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PURPOSE AND EFFECT: The proposed rules are needed in order to provide corrections in titles and assignments of administrative responsibilities related to staff housing, to clarify responsibilities of staff housing occupants, and to delete unnecessary provisions.

SUBJECT AREA TO BE ADDRESSED: Staff Housing.

SPECIFIC AUTHORITY: 20.315, 216.262(1), 944.09(1), 945.025(1) FS.

LAW IMPLEMENTED: 20.315, 216.262(1), 944.09(1), 945.025(1) FS.

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

TIME AND DATE: 9:00 a.m., December 9, 1999

PLACE: Law Library Conference Room, Room B-404, 2601 Blair Stone Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.501 Staff Housing – Definitions.

For the purposes of this chapter:

(1) through (3) No change.

(4) "Warden," unless specified, means the senior administrative officer ~~both Wardens~~ in charge of major institutions and any Wardens in charge of each region's smaller satellite units administratively attached facilities in the Department.

(5) through (6) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.001, Amended _____.

33-602.503 Staff Housing Committees.

(1) Committee Membership.

~~(a) The warden of each major institution having staff housing shall appoint a Staff Housing Committee which will include the an Assistant wardens, Business Manager, and the Correctional Officer Chief and Personnel Manager, but also may include other department heads. For those institutions administratively responsible for smaller satellite facilities with staff housing, the senior administrative officer of that satellite unit shall be a member of the housing committee for any issues impacting the satellite unit.~~

~~(b) The warden of each region's smaller facilities having staff housing shall appoint a Staff Housing Committee which will include all of the Correctional Officer Chiefs of the smaller facilities having staff housing and the Regional Personnel Manager, but also may include other regional staff.~~

(2) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.003, Amended _____.

33-602.504 Criteria For Assignment to Staff Housing.

The warden shall assign staff housing based upon the best interests of the institution and the following:

(1) Houses, Apartments and Mobile Homes.

(a) To the extent that houses, apartments and mobile homes are available, certain key staff of a major institution shall be required to live at the institution of their assignment so that emergencies can be resolved with a minimum of delay. An institution with insufficient housing for its key staff may be allocated such housing at a nearby institution by the Regional Director. The following key staff are listed in the order of priority by which the assignment of at least one employee in each category shall be considered by an institution's Staff Housing Committee and warden. Only the Secretary may alter these priorities based upon proof of an employee's significant personal hardship or in the best interests of the Department.

1. Warden.

2. Assistant Warden.

3. Chief Correctional Officer.

4. Correctional Officer Inspectors ~~Institution Investigator.~~

5. Licensed Medical Representative, who is either a Medical Doctor, Registered Nurse or Correctional Medical Technician-Certified.

6. Maintenance Representative, who is qualified to respond to varied maintenance emergencies.

7. Fire Chief or Firefighter Supervisor, where such position is authorized.

8. Food Service Director.

(b) No change.

(2) through (3) No change.

(4) Housing Assignments for Volunteers and Interns.

(a) For the purposes of this rule, "approving authority" means the deputy secretary, assistant secretaries, regional directors, wardens, assistant wardens, circuit administrators and deputy circuit administrators with authorizing authority for volunteers or interns and associated programs at an institution, facility or office. The approving authority is authorized to approve the furnishing of lodging at a department facility or institution, when available, to a volunteer or intern whose presence is determined to be necessary to the department in the performance of department related duties.

(b) Written approval must be obtained from the approving authority prior to any commitment to the intern or volunteer.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, 9-5-89, Formerly 33-26.004, Amended _____.

33-602.506 Staff Housing Agreement Form.

(1) Any employee who is required or requests to occupy staff housing shall submit a completed Staff Housing Agreement, Form DC2-619, for processing in compliance with the assignment criteria in Section 33-602.504 herein. This form is hereby incorporated by reference, and a copy may be obtained from the Forms Control Administrator, ~~any institution Personnel Office of the General Counsel in the Department or from the Bureau of Personnel~~, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is September 1, 1988.

(2) No change.

(3) All Staff Housing Agreements shall be submitted to the ~~assistant warden for operations~~ appropriate Personnel Manager for processing by the Staff Housing Committee and warden, with subsequent filing in the service center Personnel Office.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.006, Amended _____.

33-602.507 Responsibilities of Staff Housing Occupants.

(1) No change.

(2)(a) through (g) No change.

(h) Occupants of non-metered staff housing shall raise the thermostat setting or turn off air conditioners when nobody is present in staff housing. During winter months heat thermostat settings shall be lowered when no one is present.

(i) Occupants shall make an immediate written report to the assistant warden for operations ~~Personnel Manager~~ of any damage to staff housing or state-owned equipment or furnishings.

(j) through (k) No change.

(l) Occupants of officer quarters may utilize small electrical devices such as clocks, radios, televisions, computers, coffee makers and compact refrigerators provided the electrical service is sufficient for the load and use does not create a disturbance to other occupants or present a safety hazard ~~electric clocks and radios in their rooms, but other~~

~~electrical appliances such as television sets, coffee pots and refrigerators must be approved in advance by the Staff Housing Committee based upon the adequacy of the room's size, insulation, ventilation, and electrical wiring.~~

(m) No change.

(3) No change.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.007, Amended _____.

33-602.508 Staff Housing Inspections.

(1) All staff housing shall be inspected by the Staff Housing Committee and a representative of the service center at least once annually, but more often if needed. Inspections are conducted for property accountability and to ensure compliance with sanitation, maintenance and fire safety standards, as well as with laws, rules, policy and procedure directives and institutional operating procedures. Inspection reports shall include any violations of the foregoing in addition to:

(a) through (c) No change.

(2) The appropriate service center ~~Business Office~~ shall keep a current inventory of all staff housing and state-owned equipment and furnishings which shall be used during inspections.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.008, Amended _____.

33-602.511 Staff Housing – Transition Provision.

~~Any occupant of staff housing on the effective date of this chapter who does not meet the criteria for required assignment in Section 33-602.504 herein, will be assigned to the staff housing currently occupied upon submission of a completed Staff Housing Agreement. All other provisions of this chapter shall apply fully to such occupant. Also, when such occupant vacates the assigned staff housing through either expiration or revocation of assignment, he shall have no priority to occupy any other staff housing at any institution except in compliance with Section 33-602.504 herein.~~

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.011, Repealed _____.

33-602.512 Staff Housing Rules – Effective Date.

~~The effective date of this chapter is September 1, 1988, at which time all prior staff housing agreements and all conflicting institutional operating procedures are rescinded.~~

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 945.025(1) FS. History—New 9-1-88, Formerly 33-26.012, Repealed _____.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Commission on Human Relations

RULE TITLE: RULE NO.:

Notice of Meetings; Agenda; and
Emergency Meetings 60Y-1.001

PURPOSE AND EFFECT: The goal and effect of the proposed rule amendment is to annunciate and identify the rule requirements for the notice of meetings, agenda, and emergency meetings, of the Florida Commission on Human Relations.

SUBJECT AREA TO BE ADDRESSED: Notice of meetings, agenda, and emergency meetings, of the Florida Commission on Human Relations.

SPECIFIC AUTHORITY: 760.06(12) FS.

LAW IMPLEMENTED: 120.525 FS.

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

TIME AND DATE: 10:00 a.m., December 7, 1999

PLACE: Florida Commission on Human Relations, 325 John Knox Road, Suite 240, Building F, Tallahassee, Florida 32303-4149

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Stanley G. Gorsica, Assistant General Counsel, Florida Commission on Human Relations, 325 John Knox Road, Suite 240, Building F, Tallahassee, Florida 32303-4149, whose telephone number is (850)668-7283

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-1.001 Notice of Meetings; Agenda; and Emergency Meetings.

The Commission shall follow and conform to Chapter 28-102 ~~28-2~~, Florida Administrative Code, with respect to meeting notices, schedules and convening of emergency meetings.

Specific Authority 760.06(12) ~~120.53, 13.251~~ FS. Law Implemented 120.525 ~~120.53(4)(d)~~ FS. History—New 2-19-76, Formerly 22T-2.01, 22T-2.001, Amended.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Licensing

RULE TITLES: RULE NOS.:

Organization 1C-3.100

Classification of Licenses; Insurance; Fees 1C-3.116

PURPOSE AND EFFECT: To amend portions of rules in ch. 1C-3 relating to proprietary security officers, since s. 8, ch. 96-407, Laws of Florida repealed statutory language authorizing the implementation of those portions of rules, effective July 1, 1997. The effect is that references to an application form and registration fee for proprietary security officers will be removed from ch. 1C-3.

SUMMARY: The proposed action deletes the registration fee for proprietary security officers in 1C-3.116 and deletes the form listed in 1C-3.100 which those applicants used to file for registration.

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: 493.6103, 493.6306 FS.

LAW IMPLEMENTED: 493.6306 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., December 15, 1999

PLACE: 2520 North Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michele Guy, Assistant General Counsel, Department of State, Division of Licensing, Telephone (850)488-3492

THE FULL TEXT OF THE PROPOSED RULES IS:

1C-3.100 Organization.

The Division of Licensing (Division), Department of State (Department) is statutorily empowered with the authority to ensure that the public is protected from private investigation, security, and repossession services by individuals who have a criminal history, or are insufficiently or improperly trained in the field, or are unlicensed, or by agencies that are improperly insured, or are managed in a manner which does not assure compliance with the law and these rules by its licensed employees.

(1) through (5) No change.

(6) Division Forms. Requests for public information or copies of the following applications and support forms, which are incorporated by reference in this rule, may be made by contacting any Division office. Addresses for each Division office are listed in section (2) of this rule.

~~Application for Class "PD" Proprietary Security Officer Registration~~ LC2E169 (eff. 7/95)

(7) No change.