

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION AGENDA

September 20, 2011

Attachments to the agenda items below can be viewed at the following link:
http://www.myflorida.com/myflorida/cabinet/flwac/20110920_index.html

- 1. Request authorization to certify to the Joint Administrative Procedures Committee that the Florida Land and Water Adjudicatory Commission elects to comply with the Office of Fiscal Accountability and Regulatory Reform (OFARR) review requirements consistent with Executive Order 2011-01, which was superseded by Executive Order 11-72, in the review of the Commission's rules; and is therefore exempt from requirements set forth in section 120.745, FS, subsections (1) through (8).**

During the 2011 Legislative Session, section 120.745, FS, was adopted requiring agencies to complete an enhanced biennial review of all existing rules and providing options to accomplish the task. The statutory language included a provision allowing an agency to elect to cooperate and comply with the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) in a review of the agency's rules in a manner consistent with requirements set forth in Executive Order 2011-01, which was superseded by Executive Order 11-72. Review of the rules in compliance with the executive order exempts the agency from requirements in section 120.745, FS, subsections (1) through (8). Staff recommends reviewing the Commission's rules through the process consistent with OFARR requirements. Authorization for election of this review is required by the agency head.

Recommendation:

Authorize the Secretary to execute and file the certification notice with the Joint Administrative Procedures Committee.

Back-Up:

Section 120.754, FS.

Draft certification notice. (To be distributed separately.)