

61G20-2.001 Commission Organization and Operations.

(1) The Commission is headed by a Chairman who is appointed by the Governor.

(2) The Chairman presides over all Commission meetings, appoints work groups, Program Oversight Committees, Technical Advisory Committees and Ad Hoc Committees, serves as official spokesman for the Commission, and delegates staff and Committee assignments. The Chairman shall review the membership of Program Oversight and Technical Advisory Committees and reappoint or replace members as needed.

(3) The Chairman may appoint a vice-chairman to act in his absence and appoints the chairman for all Program Oversight, Technical Advisory and Ad Hoc Committees.

(4) Program Oversight Committees shall be standing Committees composed of not less than five (5) members of the Florida Building Commission whose purpose/mission is to provide oversight of the programs the Legislature has assigned to the Commission.

(5) Ad Hoc Committees shall consist of members of the Florida Building Commission as appointed by the Chairman from time to time to whose purpose/mission is to conduct investigations within the areas for which they are created and report all findings along with recommendations to the Commission for action. Members serve until the Ad Hoc completes assigned task(s).

(6) The Chairman shall appoint members of the Commission and other interested parties as members of standing Technical Advisory Committees that reflect each of the technical sections of the Florida Building Code. Membership on each Committee shall be balanced to represent the interests of consumers, producers and a general interest category in conformance with ANSI consensus standards committee membership criteria for regulatory standards. The purpose/mission of the Committees is to review and advise the Commission regarding requests for declaratory statement, proposed amendments to the Florida Building Code pursuant to Rule 61G20-2.002, F.A.C., and in other areas of interest to the Commission as delegated by the Chairman. Non-Commission members of the Committees will serve on a voluntary basis without compensation for travel or per diem.

(7) The Chairman may appoint work groups to study issues and present findings and recommendations to the appropriate Committees.

(8) Non-Commissioner members of Committees and work groups may designate an alternate to participate in meetings and vote in their absence.

(9) The Commission and all of its Committees (Ad Hoc Committees, Program Oversight Committees, and Technical Advisory Committees) shall make decisions only when a quorum is present. A quorum shall be constituted by at least 51% of the appointed members being present (simple majority).

(10) The Commission and all of its Committees will utilize Robert's Rules of Order to make and approve motions except as provided in subsection (11).

(11) Resolution of petitions for declaratory statement shall be resolved as provided in Chapter 120, F.S., and Chapter 28-105, F.A.C., upon a vote of the majority of Commissioners or Committee members present. Resolution of petitions for waiver of accessibility requirements shall be resolved as provided in Chapter 61G20-4, F.A.C.

(12) In all other matters, excepting procedural motions and votes on amendments to the Florida Building Code by Technical Advisory Committees, a 75% supermajority voting requirement will supersede the normal voting requirements used in Robert's Rules of Order for decision making on all motions. The Commission and all of its Committees shall only consider motions to approve and not consider motions to deny. In addition, the Commission and all of its Committees shall utilize their adopted meeting guidelines for conduct during meetings.

(13) With respect to matters within the jurisdiction of the Commission, the Department of Business and Professional Regulation is responsible for the implementation and faithful discharge of all decisions of the Commission relative to Chapter 553, F.S.

(14) The Department shall be responsible for the provision of administration and staff support services relating to functions of the Commission.

(15) Information relative to Commission operations including, but not limited to publications and documents, may be obtained during regular business hours from the Department of Business and Professional Regulation, Office of Codes & Standards, 2601 Blairstone Road, Tallahassee, Florida 32399-0772.

(16) The Commission operates under the provisions of Chapter 553, F.S., as implemented by these rules.

(17) Records of all Commission proceedings are kept by the Department and may be examined in the Department office during regular business hours. Copies of Commission proceedings records may be obtained from the Department by paying the cost of copying.

(18) All Commission proceedings are open to the public, and any member of the public may address the Commission upon request.

Rulemaking Authority 553.76(1), 553.77(1)(a) FS. Law Implemented 553.74, 553.75 FS. History—New 5-15-75, Amended 4-18-78, Formerly 9B-3.04, Amended 9-7-00, 11-20-01, 9-13-07, Formerly 9B-3.004, 9N-2.001, Amended 2-22-18.