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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

December 21, 2012

Ms. R. Kathleen Brown-Blake
Assistant General Counsel
Department of Business and Professional Regulation
Office of the General Counsel
1940 North Monroe Street, Suite 42
Tallahassee, Florida 32399-2202

**Re: DBPR: Florida Building Commission
Rule 61G20-3.015, F.A.C.**

Dear Ms. Brown-Blake:

I have reviewed proposed rule 61G20-3.015, "Equivalence Standards," which was advertised in the Florida Administrative Register on December 17, 2012. I have the following comments.

**Summary of Statement of Estimated Regulatory
Costs and Legislative Ratification:**

This section of the rule notice as published in the Florida Administrative Register states:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

Subparagraph 120.54(3)(a)1., Florida Statutes, now requires a notice of proposed rule to include:

[A] statement as to whether, based on the statement of the estimated regulatory costs or other information expressly relied upon and described by the agency if no

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statement of regulatory costs is required, the proposed rule is expected to require legislative ratification pursuant to s. 120.541(3).

The notice does not state whether this rule is expected to require legislative ratification. Please publish a notice of correction stating whether the rule is expected to require legislative ratification. If no SERC is required, please include the information expressly relied upon by the commission in determining whether the rule is expected to require legislative ratification in the notice of correction.

Rule Title: The rule title in the rule text reads, "Equivalence of Standards is revised to read as follows:". Please publish a notice of correction clarifying the title of the rule.

61G20-3.015(4)(a): It appears the word "windborne" should be capitalized.

61G20-3.015(4)(b): It appears the word "windborne" should be capitalized.

As always, please let me know if you have any questions. Otherwise, I look forward to your response.

Sincerely,



Marjorie C. Holladay
Senior Attorney