

LEGISLATIVE SUMMARY

Joint Electric Power Supply Projects, created under the provisions of ch. 361, F.S., are excluded from the definition of "agency," and are thus exempted from the Administrative Procedure Act.

The required content of the statement of economic impact accompanying rules is revised. The requirement that professionally accepted methodology be used in the preparation of these statements is eliminated as is the requirement that a determination that the rule is the least-cost method of achieving the stated purpose of the rule. A comparison of the cost-benefit relation of action to nonaction and a determination that the rule represents the most efficient allocation of resources is no longer required. Requirements which are redundant to other requirements of the chapter are deleted.

The requirement that rules indicate the specific provision of law being implemented is amended to specify Florida law.

The period during which a noticed rule on which a hearing is held but no transcript is prepared nor additional submissions authorized is set at 21 to 45 days to conform to the period applying to rules on which no hearing is held.

Declaratory statements are now limited to an agency's opinion as to the applicability of a rule, statute or order to the petitioner in his particular set of circumstances.

The provision relating to supersedeas in conjunction with a judicial appeal is amended to indicate that a petition to an agency for a stay is not a prerequisite to a petition for supersedeas to the court.

A conflict between s. 112.3143, F.S., which states that no public officer may be prohibited from voting, with a provision in s. 120.71, F.S., which requires that persons serving as agency heads shall be disqualified from acting for bias and other causes, is resolved by authorizing the disqualification.