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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

April 15, 2016

Mr. Gerard York
Senior Attorney
Agency for Enterprise Information Technology
4050 Esplanade Way, Suite 115
Tallahassee, Florida 32399-0950

**RE: Agency for State Technology
Rule Chapter 71A-1**

Dear Mr. York:

After reviewing the above-referenced rules, I offer the following comments for your consideration and written response:

Notice: Section 120.54(3)(a)1., Florida Statutes, requires the notice of proposed rulemaking to include whether "based on the statement of the estimated regulatory costs or *other information expressly relied upon and described by the agency* if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification." [Emphasis added]. Since a SERC was not prepared, it appears that the notice fails to state what information was relied upon in reaching the stated conclusions. Please publish a notice of correction to address this omission.

Further, the notice of proposed rulemaking does not specifically state whether legislative ratification will be required for the rule. Since a SERC was not prepared for this rule, please address this issue in your notice of correction by describing the information expressly relied upon by the Agency in determining whether the rule is expected to require legislative ratification.

Mr. Gerard York
April 15, 2016
Page 2

If you have any questions, please do not hesitate to contact me. Otherwise, I look forward to your written response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharon Jones', with a stylized flourish at the end.

Sharon Jones
Senior Attorney

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