

AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
July 29, 2010

Attachments to the items below can be viewed at the following link:
<http://www.fdle.state.fl.us/Content/getdoc/b2d2beb1-8be5-4fae-81bd-df25a3dab70d/test-home.aspx>

ITEM 1. Respectfully submit the **Minutes of the April 27, 2010 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2. Respectfully submit **Notice of Proposed Rules** for the following:

11B-30 - State Officer Certification Examination – Revises State Officer Certification Examination fee to conform with Section 943.1397(3), FS, as set by the Criminal Justice Standards and Training Commission. The proposed effective date is January 1, 2011.

(See Attachment 2)

RECOMMEND APPROVAL

**MINUTES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT**

April 27, 2010

The Florida Department of Law Enforcement met on this date in the Cabinet Meeting Room, LL-03, The Capitol, Tallahassee, Florida with the following Cabinet members present:

Honorable Charlie Crist, Governor
Honorable Charles H. Bronson, Commissioner of Agriculture
Honorable Bill McCollum, Attorney General
Honorable Alex Sink, Chief Financial Officer

ITEM 1. Respectfully submit the **Minutes of the February 24, 2010 Cabinet Meeting**.

Motion to approve by Chief Financial Officer Sink. Seconded by Commissioner Bronson. Minutes approved without objection.

ITEM 2. Respectfully submit for final adoption the **Proposed Rules** for the following:

11B-18 - Criminal Justice Standards and Training Trust Fund - Revises the name of training schools. Permits training center director designee to represent the director at Commission meetings.

11B-20 - Certification of Criminal Justice Training Instructors - Permits training center director designee to administer polices set by the Commission or director, approve documents or make routine requests consistent with Commission or director guidance, and represent the director at Commission meetings.

11B-27 - Certification and Employment or Appointment - Revises various moral character violations to include definitions and new statutory citations reflecting changes in various sex and drug related officer misconduct. Revises requirements for complying with the Commission's Firearms Qualification Standard, background investigations, and reporting. Permits training center director designee to represent the director for all Commission activities. Revises forms CJSTC-77, CJSTC-4 CMS, and CJSTC-60 to correspond with proposed rule revisions.

11B-30 - State Officer Certification Examination - Deletes the Law Enforcement Traditional State Officer Certification Examination from the State Officer Certification Examination and updates the names of the training schools on the Application for Officer Certification Examination form CJSTC-500.

11B-35 - Training Programs - Permits training center director designee to administer polices set by the Commission or director, approve documents or make routine requests consistent with Commission or director guidance, and represent the director at Commission meetings. Revises rule language to exempt specific individuals from First Aid course as part of Auxiliary Officer Basic Recruit Training Program.

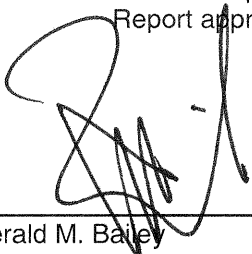
11C-6 – Procedures for Requesting Criminal History Records – Revises fees for criminal history checks.

11C-7 – Procedures on Court-ordered Expunctions and Sealings – Simplifies the language in the State Attorney's endorsement section of FDLE form 40-021 Application for Certification of Eligibility.

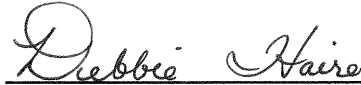
11D-6 – DNA Database Collection – Revises the definitions and procedures for the collection of DNA samples to comport with technological advances relating to DNA collection and record keeping.

11G-2 – Standard Investigation Procedures – Clarifies information required in an autopsy report and updates the Medical Examiners' Practice Guidelines.

Motion to approve by Attorney General McCollum. Seconded by Commissioner Bronson.
Report approved without objection.



Gerald M. Bailey
Commissioner



Debbie Haire
Executive Assistant

STATE OF FLORIDA
DEPARTMENT OF LAW ENFORCEMENT
CHAPTER 11B-30, FLORIDA ADMINISTRATIVE CODE
AMENDING RULE 11B-30.007
STATE OFFICER CERTIFICATION EXAMINATION
SUMMARY OF THE RULE

Increase State Officer Certification Examination fee as set by the Criminal Justice Standards and Training Commission and authorized by Section 943.1397(3), FS. The proposed effective date is January 1, 2011.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The State Officer Certification Examination fee is being increased to provide additional revenue to the Criminal Justice Standards and Training Trust Fund. If additional revenue is not collected, the current \$67 per officer allocation to the state's training centers for training the state's certified law enforcement, correctional and correctional probation officers will be reduced. The fee was last increased in 2001.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

FDLE received no requests for a public hearing and no written comments were submitted.

NOTICE OF PROPOSED RULE

NAME OF AGENCY: Florida Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

RULE NO.: **RULE TITLE:**

11B-30.007 Application for the State Officer Certification Examination and Notification Process.

PURPOSE AND EFFECT: The State Officer Certification Examination fee is being increased to provide additional revenue to the Criminal Justice Standards and Training Trust Fund. If additional revenue is not collected, the current \$67 per officer allocation to the state's training centers for training the state's certified law enforcement, correctional and correctional probation officers will be reduced. The fee was last increased in 2001.

SUMMARY: Increase State Officer Certification Examination fee as set by the Criminal Justice Standards and Training Commission and authorized by Section 943.1397(3), FS. The proposed effective date is January 1, 2011.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(17), 943.1397(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, September 1, 2010 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement (FDLE), Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, FL 32308.

AMERICANS WITH DISABILITIES ACT: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at 850-410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at 850-410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donna Hunt at 850-410-8615, or donnahunt@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-30.007 Application for the State Officer Certification Examination and Notification Process.

(1) Application to take the State Officer Certification Examination (SOCE) shall be made by submitting:

(a) An Application for State Officer Certification Examination form CJSTC-500 to the Florida Department of Law Enforcement, Office of Finance and Accounting, Post Office Box 1489, Tallahassee, Florida 32302-1489. All applications shall be accompanied by a cashier's check, money order, or public agency instrument in the amount of \$150 ~~\$100~~ made payable to the Criminal Justice Standards and Training Trust Fund; or

(b) An on-line application electronically, via the internet, at <http://www4.fdle.state.fl.us/examregister>. All on-line applications shall be accompanied by payment of the \$150 ~~\$100~~ examination fee using a credit card or debit card.

(c) No change.

(2) – (6) No change.

PROPOSED EFFECTIVE DATE: January 1, 2011.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.1397(3) FS. History—New 1-10-94, Amended 1-2-97, 7-7-99, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09,_____.