

NOTICE OF PROPOSED RULE

DEPARTMENT OF FINANCIAL SERVICES

DIVISION OF STATE FIRE MARSHAL

RULE NO.: 69A-64.005 RULE TITLE: Adjustments to Reflect Consumer Price Index.

PURPOSE AND EFFECT: The proposed amendment changes the amount of firefighter line of duty death benefits in accordance with the June 2009 Consumer Price Index , as directed by statute.

SUMMARY: The rule decreases the amount of firefighter line of duty death benefits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency. 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: 112.191 F.S.

LAW IMPLEMENTED: 112.191 F.S.

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: Monday, October 5, 2009 at 9:30 a.m.

PLACE: Third Floor Conference Room at the Atrium Building, 325 John Knox Road, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lesley Mendelson, 850-413-3604. A copy is posted on the Division's website at <http://www.fldfs.com/SFM/>

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-64.005 Adjustments to Reflect Consumer Price Index.

(1) No change.

(2) The amounts payable for the period from July 1, ~~2009~~ ~~2008~~ through June 30, ~~2010~~ ~~2009~~, using the Consumer Price Index for all urban consumers published by the United States Department of Labor for June, ~~2009~~ ~~2008~~ , which is the most recent month for which data is available as of the time of the adjustment, are:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2) of Section 112.191, F.S.: ~~\$59,879~~ ~~\$60,140.00~~.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2) of Section 112.191, F.S.: ~~\$59,879~~ ~~\$60,140.00~~.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2) of Section 112.191, F.S.: ~~\$166,779.27~~
~~\$175,565.91~~.

Rulemaking Authority 112.191 FS. Law Implemented 112.191 FS. History—New 3-13-03, Amended 7-10-03, Formerly 4A-64.005, Amended 7-13-04, 6-30-05, 8-1-06, 4-7-08, 4-13-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Bannister, Division of State Fire Marshal

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer and State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 4, 2009