

property would have been \$85,000, and the real property made up 95% of the value of all assets owned by the corporation. The only asset owned by the LLC was its interest in the corporation. Tax of \$299.60 was due on the transfer of Pam's ownership interest based on consideration of \$42,750 (\$45,000.00 multiplied by the 95% attributable to the real property), since Pam was the grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the corporation.

(e) Example 5: On July 2, 2009, Tom transferred Florida real property (the real property) owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Tom sold 50% of his interest in the LLC to Imogene for \$200,000. Tax of \$1,400 was due on the transfer of Tom's ownership interest in the LLC based on consideration of \$200,000, since documentary stamp tax was not paid on full consideration for the real property when it was transferred to the LLC. On July 25, 2009, Tom sold one-half of his remaining 50% ownership interest in the LLC for \$105,000, and Imogene sold one-half of her 50% ownership interest in the LLC for \$105,000. Tax of \$735 was due on the transfer of Tom's ownership interest, since Tom was the grantor of the real property and since tax was not paid on the fair market value of the real property when it was transferred to the LLC. No tax was due on Imogene's transfer, since Imogene was not a grantor of the real property.

Rulemaking Authority s. 6, Ch. 2009-131, L.O.F. Law Implemented Ch. 2009-131, L.O.F. History—New 11-3-11.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 3, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Economic Opportunity issued an Order Granting Waiver on October 25, 2011.

NAME OF THE PETITIONER: City of Inverness, Florida, DCA11-WAI-176

DATE PETITION WAS FILED: August 22, 2011

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9B-43.0051(7), Florida Administrative Code.

THE GENERAL BASIS FOR THE DECISION:

The petition sought a waiver of the twenty-five point penalty imposed upon the City under the Small Cities Community Development Block Grant Program by subsection 9B-43.0051(7), Florida Administrative Code, for failure to timely file an audit. The waiver was granted because the City had timely prepared the audit and timely filed it in other venues.

A copy of the Order or additional information may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 E. Madison St., MSC 110, Tallahassee, FL 32399.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order on September 21, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Atlantis Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that the officer at issue is a CJSTC-certified firearms instructor and that he did successfully complete the course of fire, however, he signed his own CJSTC form 86A. Petitioner stated that the officer will suffer a substantial hardship if his certification were rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because he signed his own CJSTC form 86A for the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer is a CJSTC-certified firearms instructor and that he signed his own form CJSTC 86A. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 15, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Canaveral Port Authority Police Department on behalf of one officer. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire for the 2010 reporting cycle, however, the firearms instructor who supervised the requalification shoot was not CJSTC certified at the time. Petitioner stated that the agency's officer would suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer affected by this situation did successfully complete the requirement simply because the instructor had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming a CJSTC certified firearms instructor on the date he supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 8 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Clewiston Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that the officer is a CJSTC-certified firearms instructor and that he did successfully complete the course of fire, however, the instructor utilized by the Petitioner during the 2006-2008 and 2008-2010 reporting cycles to supervise the officer's firearms requalification was not a CJSTC-certified firearms instructor. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his CJSTC form 86A was not signed by a CJSTC-certified firearms instructor during the 2006 – 2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/08 – 6/30/10) reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer was not supervised by a CJSTC-certified firearms instructor during his requalifications. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued a final order on October 27, 2011. The Criminal Justice Standards and Training Commission received a petition from the Coral Springs Police Department on August 23, 2011, requesting a permanent

waiver of subsection 11B-27.00212(14), F.A.C., on behalf of 67 officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire for the 2008 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011. On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officers had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued an order. August 30, 2011, the Criminal Justice Standards and Training Commission, received a petition for a variance of subsection 11B-27.002(4), F.A.C., from Diego Abel Colon-Batiz. Subsection 11B-27.002(4), F.A.C., requires recruits to complete basic recruit training, pass the SOCE, and gain employment within four years of beginning basic recruit training. The petition states that the Petitioner began basic on April 2, 2007, and paid his own way through basic by working full time. Petitioner further states that he was injured while completing basic and that prevented him from graduating until

August 13, 2008. Petitioner states that he will suffer a substantial hardship if he is not permitted an extra six months to find employment because he will have to retake basic recruit training and retake the SOCE. The Petitioner requests an extra six months to find employment.

Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 37 on September 16, 2011. On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that recruits receive adequate and timely retraining, will not be met by granting this waiver request. The Commission issued an order denying the Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission, issued an order. The Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Duval County School District Police Department on September 21, 2011, behalf of 18 officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire for the 2008 and 2010 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011. On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's

course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officers had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on September 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Edgewater Police Department on behalf of Officer Lawler for the 2006 – 2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008-6/30/10) mandatory firearms requalification reporting cycles and Chief Arcieri for the 2008-2010 (7/1/08 – 6/30/10) reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for Officer Lawler by stating there is no CJSTC form 86A on file for him for the 2006-2008 reporting cycle, however, Officer Lawler did complete the required course of fire in 2008, but after the reporting period. The petition further supported the requested waiver by stating that the officers did successfully complete the course of fire in 2010, however, Officer Lawler did so after the reporting date and Chief Arcieri requalified under a non-certified firearms instructor and later in the year requalified under a certified firearms instructor after the reporting date. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was one of timing. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and

timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 21, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Florida Atlantic University Police Department on behalf of 30 officers for firearms requalification period ending in 2008. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors conducting the course of fire were not CJSTC certified firearms instructors during the 2008 reporting cycle. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors were not CJSTC certified firearms instructors for their requalification shoots during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer is a CJSTC-certified firearms instructor and that he signed his own form CJSTC 86A. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued an order. On September 28, 2011, the Criminal Justice Standards and Training Commission, received a petition for a variance of subsection 11B-18.0071(1), F.A.C., from the Florida Criminal Justice Training Center Directors' Association. Subsection 11B-18.0071(1), F.A.C., requires criminal justice training centers to submit budgets to the CJSTC staff by February 1 each year. The petition supported the requested waiver by stating that the Legislature meets in January this year and, therefore, the budget of available moneys from the CJSTC trust fund to fund training at the centers will not be finalized by February 1, 2012. The FCJTCDA requested a variance for this reporting deadline for this year so that their budgets may be based upon the actual CJSTC budget as approved by the Legislature. The FCJTCDA requested to be permitted to submit budgets for the training centers to the CJSTC staff by April 1, 2012.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that training centers submit timely budgets for review, will be met by granting the petition. The Commission issued an order granting the Petitioner's request for a waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 9, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Glades County Sheriff's Office Police Department on behalf of two deputies for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that one deputy's paperwork for the 2006-2008 reporting period (July 1, 2006 – June 30, 2008) is missing, however, the deputy has since successfully requalified twice. The second deputy's CJSTC form 86A, which showed a successful requalification score, was signed by a non-CJSTC certified firearms instructor for the 2008-2010 reporting cycle (July 1, 2008 – June 30, 2010). Petitioner stated that these two deputies will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the deputies did successfully complete the firearms requalification requirement simply because the paperwork was misfiled in one case and the instructor was not CJSTC certified in the other.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that: one deputy's CJSTC 86A form was missing for the 2008 reporting cycle; and, one deputy's CJSTC 86A form was signed by a non-CJSTC-certified instructor for the 2010 reporting cycle. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Graceville Police Department on behalf of eight officers for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 31, on August 19, 2011.

The petition supported the requested waiver by stating that the eight officers did successfully complete the course of fire, however, the instructor was not an active CJSTC-certified

firearms instructor at the time of the requalifications for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/08 – 6/30/10) mandatory requalification periods. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor was not an active CJSTC-certified firearms instructor at the time that he supervised the mandatory requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the Petitioner's officers were not supervised by a CJSTC-certified firearms instructor during requalifications for the 2008 and 2010 reporting cycles. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 21, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Groveland Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 and 2010 reporting cycles. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would

violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 and 2010 reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner was requalified by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued a final order on October 27, 2011. The Criminal Justice Standards and Training Commission received a petition from Holmes County Sheriff's Office on September 27, 2011, on behalf of 21 deputies for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011.

The petition supported the requested waiver by stating that the 21 deputies did successfully complete the course of fire for the 2008 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's deputies will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the deputies affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's deputies had, in fact, completed the Commission's

course of fire and achieved a passing score. The only deficiency in the deputies' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's deputies had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued an order. On October 7, 2011, the Criminal Justice Standards and Training Commission, received a petition for a temporary variance of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Ashley Humphrey. Paragraphs 11B-27-00213(4)(a), (b), F.A.C., requires individuals who are terminated in one Temporary Employment Authorization (TEA) to wait four years prior to becoming employed on another TEA. The Petitioner wished to be granted a waiver so that she could seek another TEA without waiting four years from her termination date. The Petitioner stated as a reason for granting the waiver that she will face economic hardship if the waiver is not granted. She stated that she will have to pay for the class that she failed at Basic Recruit Training and then pay to take the State Officer Certification Examination. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 32 on October 21, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that recruits receive adequate and timely retraining and do not unreasonably expand their time on a TEA or unreasonably burden employers with multiple TEAs, will not be met by granting this waiver request. The Commission issued an order denying the Petitioner's request for a permanent waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 23, 2011 for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Lady Lake Police Department on behalf of two officers for the 2008 and 2010 reporting cycles. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the two officers did successfully complete the course of fire for the 2008 and 2010 reporting cycle, however, the firearms instructor who supervised the requalification shoot was not CJSTC certified at the time. Petitioner stated that the agency's officers would suffer a substantial hardship if their certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming a CJSTC certified firearms instructor on the dates that he supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued a final order on October 27, 2011. The Criminal Justice Standards and Training Commission received a petition from the Margate Police

Department on August 4, 2011, requesting a permanent waiver of subsection 11B-27.00212(14), F.A.C., on behalf of 106 officers.

Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. The petition supported the requested waiver by stating that the officers did successfully complete the course of fire for the 2008 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 33, on August 19, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officers had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 19, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Mascotte Police Department on behalf of two officers for the 2010 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a

firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors conducting the course of fire were not a CJSTC certified firearms instructors during the 2010 reporting cycle. Petitioner stated that these officers will suffer a substantial hardship if their certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that these officers did successfully complete the requirement simply because the instructors were not CJSTC certified firearms instructors for the requalification shoot during the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that they were requalified by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 1, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Milton Police Department on behalf of 27 officers for the 2008 and 2010 reporting cycles. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 37, on September 16, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 27 officers did successfully complete the course of fire for the 2008 and 2010 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers would suffer a substantial hardship if their

certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 9, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Monticello Police Department on behalf of 2 officers for the 2008 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the CJSTC-certified firearms instructor signed his own CJSTC form 86A for the 2010 reporting cycle (7/1/08 – 6/30/10). The second officer did not complete his mandatory retraining qualification for the 2008 cycle (7/1/2006 – 6/30/2008) because of an extended sick leave. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications were rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the one of the officers affected by this situation did successfully complete the

requirement simply because the firearms instructor signed his own CJSTC 86A form and the other officer was on extended sick leave and, thus incapable of completing the requirement.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The firearms instructor completed the course of fire as mandated in the Commission rule, however, he signed his own CJSTC 86A form. The other officer could not complete his mandatory firearm requalification because of extended sick leave.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 7, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Orange City Police Department on behalf of 25 officers for the 2008 and 2010 reporting cycles. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 38, on September 23, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 25 officers did successfully complete the course of fire for the 2008 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner additionally requests that the requalification of one officer for the 2010 reporting cycle be viewed as in compliance because the officer is a CJSTC-certified firearms instructor and signed his own CJSTC 86A form after successfully completing the mandatory firearms retraining course of fire. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm

requalifications or because a CJSTC-certified firearms instructor signed his own CJSTC 86A form for completing the course of fire for the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 31 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Oviedo Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011. The petition supports the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner states that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner

demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score for the 2008 firearms requalification period. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer was not supervised by a CJSTC-certified firearms instructor during his requalifications. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 17, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Palatka Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not CJSTC certified firearms instructors during the 2008 reporting cycle. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor supervising the requalification shoot for the 2008 reporting period was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the

underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327, or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 15, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Sanibel Police Department on behalf of 37 officers for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period and one officer for the 2008-2010 (7/1/2008 – 6/30/2010) reporting period. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

Petitioner supported the requested waiver by stating that the officers at issue did successfully complete the course of fire, however, the CJSTC form 86A's for these officers cannot be located for the 2008 reporting period. For the 2010 reporting period, one of the officers was supervised by a non-CJSTC-certified firearms instructor, but the officer did successfully complete the course of fire. Petitioner stated that the officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement for the 2008 reporting period simply because the agency cannot locate their CJSTC form 86A's; and, for the one officer for the 2010 reporting period, because the instructor had not become CJSTC-certified prior to supervising the requalification shoot.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The officers involved did complete the requirement of subsection 11B-27.00212(14), F.A.C. The only deficiency in these officers' requalification was that the agency cannot locate the officers' CJSTC 86A forms. The officer who requalified under a non-CJSTC-certified firearms instructor for the 2010 reporting cycle did, in fact, successfully complete his requalification.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 10, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Sarasota – Manatee Airport Authority Police Department on behalf of two officers for the 2008 and 2010 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire, however, the CJSTC form 86A for each officer was not signed by a CJSTC certified firearms instructor during the 2008 and 2010 reporting cycles. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had failed to sign their CJSTC form 86A for their requalification shoots during the 2008 and 2010 reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that their CJSTC 86A forms were not signed by a CJSTC-certified firearms instructor for the 2008 and 2010 reporting cycles. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 19, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Sebring Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner stated that this officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that this officer did successfully complete the requirement simply because the instructor was not CJSTC certified firearms instructors for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner was requalified by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training

Commission received a petition on September 7, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Suwannee County Sheriff's Office on behalf of one deputy for the 2008 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 38, on September 23, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the deputy did successfully complete the course of fire, however, he was the only CJSTC certified firearms instructor in the agency at the time and signed his own CJSTC form 86A requalification certifications for the 2008 and 2010 reporting cycles. Petitioner stated that this deputy will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the deputy did successfully complete the requirement.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The firearms instructor completed the course of fire as mandated in the Commission rule even though he signed his own CJSTC 86A form for the 2008 and 2010 reporting cycles.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Titusville Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, October 7, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner stated that this officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that this officer did successfully complete the requirement simply because the instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor supervising the requalification shoot for the 2008 reporting period was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Venice Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC-certified firearms instructor during the 2008 and 2010 reporting cycles. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the

officer did successfully complete the requirement simply because the instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 and 2010 reporting periods.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the firearms instructor supervising the requalification shoot was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 3, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Washington County Sheriff's Office on behalf of one deputy for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 33, August 19, 2011.

The petition supported the requested waiver by stating that the deputy did successfully complete the course of fire for the 2006-2008 reporting period (July 1, 2006 – June 30, 2008), however, the instructor who supervised the deputy's requalification was not a CJSTC-certified firearms instructor at the time he supervised the requalification shoot. Petitioner states that the deputy will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the deputy did successfully complete the firearms requalification requirement simply because his instructor had failed to complete the CJSTC Instructor Techniques Course and did not file all paperwork necessary to becoming a CJSTC-certified firearms instructor for the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's deputy had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the deputy's firearms requalification was that the firearms instructor supervising the requalification shoot for the 2008 reporting period was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on August 17, 2011, for a permanent waiver of Subsection 11B-27.00212(14), F.A.C., from Williston Police Department on behalf of 10 officers for the 2008 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 10 officers did successfully complete the course of fire for the 2008 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms

requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 15, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Windermere Police Department on behalf of 22 officers for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period, and for 12 officers for the 2008-2010 (7/1/2008 – 6/30/2010) reporting period. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors conducting the course of fire were not CJSTC certified firearms instructors during the 2008 and 2010 reporting cycle. Petitioner states that the 34 officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because the instructors were not CJSTC certified firearms instructors for the requalification shoots during the 2008 and 2010 reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The officers involved did complete the requirement of subsection 11B-27.00212(14), F.A.C. The only deficiency in these officers' requalification was that their firearms instructors were not CJSTC-certified firearms instructors.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 9, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Winter Garden Police Department on behalf of 9 officers for the 2008 and one officer also for the 2010 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 9 officers did successfully complete the course of fire for the 2008 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner additionally requests that the requalification of one officer for the 2010 reporting cycle be viewed as in compliance because the officer is a CJSTC-certified firearms instructor and signed his own CJSTC 86A form after successfully completing the mandatory firearms retraining course of fire. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications or because a CJSTC-certified firearms instructor signed his own CJSTC 86A form for completing the course of fire for the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers

receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation hereby gives notice that on October 19, 2011, the Department of Transportation entered an Order Granting Petition for Waiver. On July 27, 2011, the City of Umatilla filed a petition seeking a permanent waiver of the set-back requirements for overhanging encroachments along a state highway under Rule 14-43.001, F.A.C. Notice of the Petition for Waiver was published in the August 19, 2011, edition of the Florida Administrative Weekly. The Petitioner has demonstrated the purpose of the statutes underlying Rule 14-43.001, F.A.C., can be achieved through other means due to the additional set-back offered by the traffic berm located in front to the encroachments.

Petitioner's request for permanent waiver is granted.

A copy of the Order or additional information may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, MS #58, Tallahassee, Florida 32399-0458, email: deanna.hurt@dot.state.fl.us.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on October 14, 2011, the E911 Board, received a petition for Leon County Florida c/o Richard Smith, Director of Emergency Management, seeking a variance or waiver of subparagraph 60FF1-5.003(3)(b)6., Florida Administrative Code, providing the right to incur costs expires two years from receipt of award and funds.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ryan Butler, E911 Board, 4030 Esplanade Way, Suite 160Q, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Colony Hotel, filed September 1, 2011, and advertised in Vol. 37, No. 37 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.4, 3.10.4(e), (h) and (u),

3.3.2, 3.11.1, 3.10.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings, top-car stop switch, final terminal stopping devices, emergency stop switch, platform guards, car emergency signaling device and top-of-car operating devices because the features required under the new rules will not be installed within a reasonable time period and no means of meeting the code have been put forth (VW 2011-293).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from FSU Wellness Center, filed October 3, 2011, and advertised in Vol. 37, No. 41, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm steel rope because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-331).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Betty Drew Apartments, filed September 9, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a permanent means of access to the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-308).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Australian Condo, filed August 29, 2011, and advertised in Vol. 37, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.4.4(a) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires car top emergency exits because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-288).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Suntrust Tower at Rialto Place, filed September 9, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until December 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-311).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Land End at Sunset Beach 2, filed October 6, 2011, and advertised in Vol. 37, No. 42, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for

Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a shut off valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-339).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Land End at Sunset Beach 2, filed October 6, 2011, and advertised in Vol. 37, No. 42, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a shut off valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-338).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for a Variance from Bellair Condos, filed August 31, 2011, and advertised in Vol. 37, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until September 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-292).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 24, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from P.B. Professional Building Condo, filed September 26, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a shut-off valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-326).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 24, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Diamond, Truth & Cropper Halls, filed September 23, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.19.4.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a temporary emergency shut-off valve until January 31, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-323).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 25, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Church of Scientology, filed September 26, 2011, and advertised in Vol. 37, No. 40 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for

Variance denies the Petitioner a variance from Rule 3.3.2, 3.10.4(u), 2.1.3(b), 2.1.5, 3.4.3(a)(3) and 3.4.5(d), ASME A17.3, 1996 edition and from Rule 303.2c, ASME A17.1, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards, emergency stop switch, fascia under the hoistway sill to extend no less than the depth of the leveling zone plus 3 inches, counterweight guard in the pit, the maximum distance between hoistway and car doors as 5.5 inches, emergency lighting and support of the hydraulic line because the Petitioner has not demonstrated substantial hardship would be suffered if required to comply with this rule (VW 2011-328).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 24, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Church of Scientology – Sandcastle, filed September 27, 2011, and advertised in Vol. 37, No. 40 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the distance of travel was verified by a state inspector as greater than 25 feet, thus making the Petitioner's reasoning for seeking a variance invalid (VW 2011-327).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from 250 Royal Palm Way, filed September 28, 2011, and advertised in Vol. 37, No. 41, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the

statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-329).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from FSU Wildwood Hall, filed September 30, 2011, and advertised in Vol. 37, No. 41, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires 9.5 mm ropes because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-330).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 27, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 723 Whiskey Bravo Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.18.5.1 and 2.20.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires that suspension be provided by steel wire ropes and that governor ropes be no less than 9.5mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-362).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 24, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Clarion Resort & Waterpark. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/

financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-363).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 28, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for News Press Publishing Co. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.9.1 and 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires normal terminal stopping devices and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-368).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 28, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for News Press Publishing Co. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-367).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 27, 2011, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Lauderdale Tennis Club located in Ft. Lauderdale, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment under the same ownership.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, hereby gives notice on October 31, 2011, it issued a final order on a petition for variance from Petitioner Hartman & Tyner, Inc., d/b/a Mardi Gras Racetrack & Gaming Center (Mardi Gras), filed June 13, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly – DBPR Case No. 2011030307 (VW 2011-203).

The final order denies, as moot, Petitioner's request for a variance from Rule 61D-14.073, Florida Administrative Code (F.A.C.), as it existed prior to amendment on August 14, 2011, subsection (1) of which required Petitioner monthly to manually read all slot machine meters referenced in subsections 61D-14.042(1), (2), F.A.C., and reconcile those readings with the information in its facility based monitoring system (FBMS). The amendment to Rule 61D-14.073, F.A.C., effective August 14, now permits Petitioner and all Florida licensed slot machine facilities to record just 25% of their slot machine meters each quarter and reconcile them with information in the FBMS. As this is the relief Petitioner requested in its petition for variance, Petitioner's request is moot and, accordingly, denied.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

NOTICE IS HEREBY GIVEN that on October 26, 2011, the Board of Accountancy, received a petition for Carson J. Moss, seeking a variance or waiver of subsection 61H1-38.004(2), F.A.C., which requires that applicants must be enrolled as full-time students in a fifth year accounting program as defined in Section 473.306(2), F.S., at an approved institution as defined in Rule 61H1-27.001, F.A.C., and declared a major in accounting in order to be eligible to receive an award from the CPA Education Minority Assistance Program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on September 7, 2011, by Valerie Hoelscher Garoutte. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 38, of the September 23, 2011, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of paragraph 64B4-3.003(3)(c), F.A.C., entitled, "Examination for Licensure," which requires for Marriage and Family Therapists that the minimum passing score is the recommended cut-off score provided by the national vendor and established according to the Angoff procedure. The Board considered the instant Petition at a duly-noticed meeting, held October 13, 2011, in Tampa, Florida.

The Board's Order, filed on October 26, 2011, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B4-3.003(3)(c), F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN that on October 24, 2011, the Board of Medicine, received a petition for waiver or variance filed on behalf of Edward K. Miller, M.D., from paragraph 64B8-13.0045(2)(b), F.A.C., with regard to the requirement for taking and passing the SPEX examination for the purpose of reinstatement of a retired license. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on October 25, 2011, the Board of Medicine, received a petition for permanent waiver filed by Sreenivas Vangara, M.D., from Rule 64B8-9.009, F.A.C., with regard to the requirement for dantrolene on site for Level III office surgery. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on October 20, 2011, the Board of Medicine, received a petition for waiver or variance filed by Frantz Saint Vil, M.D., from Rule 64B8-4.018, F.A.C., with regard to the requirement for two years of approved post-graduate training. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on October 12, 2011, the Board of Opticianry, received a petition for waiver or variance filed by Johnny Miracola, from subsection 64B12-16.003(4), F.A.C., with regard to an apprentice completing 6,240 hours of training within a five year limit after first registering with the Department of Health. Comments on this petition should be filed with the: Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN that on November 1, 2011, the Board of Osteopathic Medicine, received a petition for waiver or variance filed on behalf of David J. Sassano, D.O., from subparagraph 64B15-14.0051(2)(n)6., F.A.C., with regard to the time requirement for completion of the 40-hour CME requirements in the rule, or in the alternative, to grant Petitioner a permanent waiver of the requirement to have successfully completed an AOA approved residency in Family Practice by accepting his AOA certification in Family Practice in lieu of successful completion of the required residency program. Comments on this petition should be filed with: Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3056, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, at the above address, or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN that on October 17, 2011, the Board of Psychology, received a petition for waiver or variance filed by Donna K. Hippman-West, Psy.D., from Rule 64B19-11.0075, F.A.C., with regard to an extension of time in which to complete the EPPP licensing examination. Comments

on this petition should be filed with the: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

NOTICE IS HEREBY GIVEN that on October 31, 2011, the Department of Health, received a petition for Emergency Variance or Waiver from subsection 64B23-7.003(1), F.A.C., from Dr. Chulhaeng Huh. The Petition requests a Variance or Waiver from the rule that specifies that a medical physicist-in-training may renew the certificate every year, for a period not to exceed eight years. Comments on this Petition should be filed with: Bruce Deterding, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on October 17, 2011, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Erwin Famous, assigned Case No. 11-037W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for case work services shall have a bachelor's degree of social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Bureau of Historic Preservation**, Florida Folklife Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2011, 10:00 a.m.

PLACE: R. A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general Council business and review the nominees for the 2012 Heritage Awards.

A copy of the agenda may be obtained by contacting: Emily Douglas at (850)245-6333 or via email: Emily.Douglas@dos.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Emily Douglas at (850)245-6333. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Emily Douglas at (850)245-6333.

The **Bureau of Historic Preservation**, Florida Historical Marker Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2011, 2:00 p.m.

PLACE: R. A. Gray Building, 4th Floor, Room 417, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications for the Florida Historical Marker Program. A copy of the agenda may be obtained by contacting: Michael Zimny at (850)245-6333 or email: Michael.Zimny@dos.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Michael Zimny at (850)245-6333 or email: Michael.Zimny@dos.myflorida.com. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Michael Zimny at (850)245-6333 or email: Michael.Zimny@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.