

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-3.001 Licensure as a Physical Therapist by Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-3.003 Licensure by Endorsement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-4.001 Licensure as a Physical Therapist Assistant by Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-4.003 Licensure by Endorsement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
20ER11-2 Oranges: 2011-2012 Anhydrous Acid Maturity Standards

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 120.54(4)(b), Florida Statutes, states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

Due to early maturity and adverse climactic conditions during September and October significant amounts of the Florida orange crop in the 2011-2012 season will have an acid content below the 0.4 minimum established in Section 601.19, Florida Statutes. Strict enforcement of the anhydrous acid content requirements, which were adopted largely to control abuse of plant growth regulators which are no longer in use, could cause economic waste by allowing good and safe food to be ruled immature.

After taking testimony and discussing the matter at a public meeting and hearing in Bartow, Florida on December 21, 2011, the Florida Citrus Commission found that there exist unusual growing conditions which could cause a substantial portion of the orange crop to fail minimum acid requirements. They voted unanimously to adopt Emergency Rule 20ER11-2, adjusting the percentage of anhydrous citric acid requirement for oranges for fresh and processed use from .40 to .36, from December 22, 2011 up to and including March 21, 2012.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER11-2 adjusting the percentage of anhydrous citric acid requirements for oranges, in that notice was made via email of the meeting notice on December 13, 2011 to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corps and other interested persons.

SUMMARY: Emergency Rule 20ER11-2 adjusts the percentage of anhydrous citric acid requirement for oranges from .40 to .36 from December 22, 2011 up to and including March 21, 2012.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER11-2 (20-13.0011) Oranges: 2011-2012 ~~2004-2005~~ Anhydrous Acid Maturity Standards.

(1) During the period beginning December 22, 2011 ~~October 29, 2004~~ up to and including March 21, 2012 ~~July 31, 2005~~ oranges shall be deemed mature when the juice sample contains not less than .36 percent of anhydrous citric acid.

(2) No change.

Rulemaking Authority 601.10(1), (7), 601.11, 601.19 FS. Law Implemented 601.111, 601.19 FS. History—New 3-14-93, Amended 2-12-95, 1-17-96, 5-1-02, 2-19-03, 3-22-05, 12-28-11.

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: December 28, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Department of Economic Opportunity, received a petition for waiver from the City of Lynn Haven. It has been assigned the case number DEO-11-0052. THE RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER IS SOUGHT: Paragraph 9B-43.0041(1)(c), F.A.C. Requesting a waiver of the \$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, FL 32399.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on December 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 Columbia County Sheriff's Office on behalf of eight officers for the 2008 (7/1/2006 – 6/30/2008) and 2010 (7/1/2008 – 6/30/2010) reporting periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the eight officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner states that the 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 non-CJSTC-certified firearms instructors supervised the 2008 and 2010 mandatory firearms requalifications for the officers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on December 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 Davenport Police Department on behalf of 16 officers for the 2008 (7/1/2006 – 6/30/2008) reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the 16 officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner states that the 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 non-CJSTC-certified firearms instructors supervised the 2008 mandatory firearms requalifications for the 16 officers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on December 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 Gretna Police Department on behalf of two officers for the 2008 (7/1/2006 – 6/30/2008) mandatory firearms requalification reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers at issue attempted to comply, and in one instance, did physically comply with the requirements of the rule. Petitioner states that the officer 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 one officer did successfully complete the requirement but could not produce a CJSTC 86A form and the other officer did not have an opportunity to complete training at her full-time employment and her part-time employment was unaware of the situation.