

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 2, January 15, 2010 Florida Administrative Weekly has been continued from February 17, 2010 to September 1, 2010.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-27.0011	Killing Endangered Species
68A-27.0012	Procedures for Listing, Delisting and Reclassifying Endangered, Threatened and Species of Special Concern
68A-27.002	Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property
68A-27.0021	Designation of Candidate Species; Prohibitions; Permits
68A-27.003	Designation of Endangered Species; Prohibitions; Permits
68A-27.004	Designation of Threatened Species; Prohibitions; Permits
68A-27.005	Designation of Species of Special Concern; Prohibitions; Permits
68A-27.006	Reward Program

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**Section IV  
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**Section V**

**Petitions and Dispositions Regarding Rule Variance or Waiver**

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on March 29, 2010, the Criminal Justice Standards and Training Commission has issued an order.

A petition for permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., was received from Angelo Rainey on February 12, 2010. Petitioner requested a waiver of the rule requiring him to wait four years after quitting one temporary employment authorization (TEA) before beginning another TEA. Notice of the petition was published in the Florida Administrative Weekly, Vol. 36, No. 8, on February 26, 2010. The telephonic hearing on the petition was held March 29, 2010. Petitioner was employed on a Temporary Employment Authorization (TEA) by the Department of Corrections (DC) on January 11, 2008 and was assigned to DC, Region 2 in Jacksonville, Florida. Petitioner lived in Miami, Florida, and was serving in the Florida Army National Guard in Miami, Florida. Petitioner had frequent conflicts between his employment in Jacksonville and his commitment to the National Guard. Petitioner states that his Department of Corrections supervisor told him that his first responsibility was to his TEA employment with DC. Petitioner provided evidence that his commanding officers in the National Guard attempted to resolve the issue with DC. Petitioner was coded Absent Without Leave (AWOL) as a result of missed National Guard drills. Petitioner resigned his TEA with DC in order to resolve the AWOL issue with the National Guard. Petitioner now wishes to return to employment as a correctional officer on a TEA. Paragraph 11B-27.00213(4)(b), F.A.C., requires individuals who have not completed a TEA to have a four-year break in service from the last date worked prior to beginning another TEA. Section 943.131(1)(a), F.S., requires those employed on a TEA to complete basic recruit training within 18 months of commencing basic recruit training, and to pass the State Officer Certification Examination within 180 days of completing basic recruit training. Section 943.131(1)(b), F.S., makes it impossible for a person to be employed on at TEA for more than 30 months, or to change employers while on a TEA. The Commission found that the application of the rule to Petitioner's situation would violate the principles of fairness because it would affect him in a manner different from the way that it affects other similarly situated persons who are subject to the rule. The Criminal Justice Standards and Training Commission granted the Petitioner a permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., in its order issued March 29, 2010. The order grants Petitioner a waiver of that