

outside the Tallahassee calling area or locally at (850)487-4856. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or 1(800)955-8771.

4. From all participants, Form DP-PAYT (Rev. 05/11), Florida Retirement System Pension Plan Deferred Retirement Option Program (DROP) Selected Payout Method, herein adopted by reference, submitted by the participant which may be obtained by calling the Division's DROP Termination and Refund Payment Section Toll Free at (877)738-3767, if calling from outside the Tallahassee calling area or locally at (850)487-4856, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or 1(800)955-8771, or if the participant has died, Form FST-11g, Florida Retirement System Pension Plan Application of Beneficiary for Benefit Payment, as adopted in paragraph 60S-4.008(1)(a), F.A.C., must be completed by his or her beneficiary, notifying the Division as to which of the following methods of payment he or she has chosen:

- a. Lump sum,
- b. Direct rollover, or
- c. Combined partial lump sum and rollover.

A DROP participant or beneficiary who submits all required forms, but fails to elect a method of payment within 60 days of termination of DROP, will automatically receive a lump sum distribution, less applicable withheld taxes.

## Section IV Emergency Rules

NONE

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that on February 9, 2012, the Department of State, received a petition for Variance of Rule 1A-31.0092, F.A.C. This permanent variance requested by Amelia Research and Recovery, LLC requests a variance to the limitation in size of the exploration permit area (three square miles) so that they might file only one permit application rather than multiple applications for permits to continue exploring an area they have previously explored under contract with the State for 22 years.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Betty Money, Agency Clerk, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6536.

### DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that on February 10, 2012, the Florida's Office of Early Learning, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: The Early Learning Coalition of Clay, Nassau, Baker and Bradford, 1845 Town Center Blvd. Suite 150, Orange Park, FL 32003.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on February 10, 2012, the Florida's Office of Early Learning, received a petition for variance from paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by: The Early Learning Coalition of Clay, Nassau, Baker and Bradford Counties, 1845 Town Center Blvd., Ste. 150, Orange Park, FL 32003.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on February 7, 2012, the Florida's Office of Early Learning, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: The Early Learning Coalition of Putnam and St. Johns, 440 N. SR 19, Ste. 440, Palatka, FL 32177.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on February 10, 2012, the Florida's Office of Early Learning, received a petition for variance from paragraph 6M-8.201(4)(a), F.A.C. (formerly 60BB-8.201(4)(a), which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by: The Early Learning Coalition of Putnam and St. Johns, 440 N. SR 19, Ste. 440, Palatka, FL 32177.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The Florida Division of Emergency Management hereby gives notice the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, hereby gives notice that on January 26, 2012 the Division issued an order. The Final Order was in response to a Petition for Variance from Honours Golf WGV, LLC in Birmingham, AL, filed October 31, 2011, and advertised in Vol. 37, No 51, 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 Rules 9G-14.003 and 9G-14.005, Florida Administrative Code, that requires annual registration fees and late penalties for previous years. Petitioner has demonstrated that the purpose of the statute underlying the rule has been met and that petitioner would suffer a substantial hardship if required to comply with payment of past registration and late fees.

A copy of the Order or additional information may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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#### DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on December 29, 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 Belleview Police Department on behalf of ten officers for the 2006-2008 (7/1/06 – 6/30/08) and an additional five officers for the 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the 15 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 38, No. 2, on January 13, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to

be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on December 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., from Bushnell Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 3, on January 20, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by a non-CJSTC-certified firearms instructor. The officer at issue is himself 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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on January 17, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Center Hill Police Department on behalf of one officer for the 2006-2008 (7/1/06

– 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the officer by stating that the officer is a CJSTC-certified firearms instructor who did, in fact, complete the mandatory firearms requalification retraining. The officer, however, signed his own CJSTC 86A form and was supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 5, on February 3, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by a non-CJSTC-certified firearms instructor. The officer at issue is himself 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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on December 6, 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 Collier County Sheriff's Office on behalf of 174 officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the 174 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 52, on December 30, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice 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 2006-2008 (7/1/06 – 6/30/08) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the eight officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training hereby gives notice 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 2006-2008 (7/1/06 – 6/30/08) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the eight officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice 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 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the 16 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice 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 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the 16 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from DeFuniak Springs Police Department on behalf of 20 officers for the 2006-2008 (7/1/2006 – 6/30/2008) and 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification 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 the officers by stating that the officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 47, on November 23, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 requalifications was to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on January 13, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Dunnellon Police Department on behalf of four officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officers by stating that the officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 4, on January 27, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 requalifications was to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice 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 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the two officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were unable to provide completed CJSTC 86A forms for the 2008 reporting cycle. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to

be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on January 13, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Indian Shores Police Department on behalf of one officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officers by stating that the officer did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. The officer at issue is a CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 4, on January 27, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 passing scores. The only deficiency in the officer's firearms requalifications was to be supervised 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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on January 13, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Indian Shores Police Department on behalf of one officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officers by stating that the officer did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. The officer at issue is a CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 4, on January 27, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 passing scores. The only deficiency in the officer's firearms requalifications was to be supervised 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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from Inglis Police Department on behalf of one officer for the 2010 reporting period (7/1/2008 – 6/30/2010). 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 supported the requested waiver by stating that the officer at issue did successfully complete the course of fire, however, the instructor supervising the requalifications was not a CJSTC-certified firearms instructor. 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 a non-CJSTC-certified firearms instructor supervised the 2010 mandatory firearms requalification for the officer. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from Lake Wales Police Department on behalf of one officer for the 2008 reporting period (7/1/2006 – 6/30/2008). 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 officer at issue did successfully complete the course of fire, however, there is no CJSTC 86A form on file showing that the officer completed the course of fire. 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 CJSTC 86A form is missing for the 2008 mandatory firearms requalification for the officer. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 48, on December 2, 2011. On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on January 13, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Levy County Sheriff's Office on behalf of 13 officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the 13 officers by stating that they did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 4, on January 27, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850) 410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on December 7, 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 Madison County Sheriff's Office on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he signed his own CJSTC 86A form because he is a CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 52, on December 30, 3011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 he signed his own CJSTC 86A form because he is 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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from Madison Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, his CJSTC 86A form cannot be located. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 50, on December 16, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 officer's CJSTC 86A form cannot be located for the 2010 mandatory firearms requalification 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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from Mexico Beach Police Department on behalf of one officer for the 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, his CJSTC 86A form cannot be located. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 50, on December 16, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 officer's CJSTC 86A form cannot be located for the 2010 mandatory firearms requalification 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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from Mexico Beach Police Department on behalf of one officer for the 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, his CJSTC 86A form cannot be located. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 50, on December 16, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 officer's CJSTC 86A form cannot be located for the 2010 mandatory firearms requalification 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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on January 11, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Miccosukee Police Department on behalf of 43 officers for the 2006-2008 (7/1/2006 – 6/30/2008) and 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification reporting cycles. 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 the officer by stating that the officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 4, on January 27, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 requalifications was to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on January 9, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Naples Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officer by stating that the officer named in the petition was hired immediately following the firearms requalification training in 2007. Prior to being scheduled for firearms retraining in January and February of 2008, the officer suffered an accident which damaged one of his hands such that he could not physically complete the firearms requalification requirement as scheduled. Subsequently, the officer successfully requalified for the 2010 (7/1/2008 – 6/30/2010) and 2012 (7/1/2010 – 6/30/2012) requalification cycles. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 3, on January 20, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 failed to complete the 2008 mandatory firearms requalification reporting cycle because of a temporary disability. 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on December 27, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of Rule 11B-27.00212(14), F.A.C., from Office of the Marshal, Florida Supreme Court on behalf of five officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officer by stating that the officer named in the petition did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by a non-CJSTC-certified firearms instructor, their CJSTC 86A forms cannot be located, or they terminated employment during the reporting period after being employed by the Marshal for only a few months. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 3, on January 20, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 officer's firearms requalification was to be supervised by a non-CJSTC-certified firearms instructor, fail to have their CJSTC 86A forms on file, or have terminated their employment after only a few months. 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on November 2, 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 Office of the State Attorney, Ninth Judicial Circuit on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 50, on December 16, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled business agenda meeting held in Destin, 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 to be supervised 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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on January 20, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Office of the State Attorney, Fifteenth Judicial Circuit on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the officer by stating that the officer was hired directly from Basic Recruit Training (BRT) in 2007 and both the agency and the officer believed that sufficed for firearms qualification for the 2008 mandatory firearms requalification cycle. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 5, on February 3, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled business agenda meeting held in Destin, 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 and the Petitioner both misunderstood that BRT firearms was interchangeable with the mandatory firearms requalification required in subsection 11B-27.00212(14), F.A.C. 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice 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 Panama City Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycles. 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 1, on January 6, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised 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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on November 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., from Punta Gorda Police Department on behalf of one officer for the 2008 (7/1/2006 – 6/30/2008) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification 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 officer at issue is a CJSTC-certified firearms instructor. The officer supervised his own requalification shoots and signed his own CJSTC 86A form. 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 he supervised his own requalification shoots and signed his own CJSTC 86A form. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 37, No. 47, November 23, 2011.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

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The Criminal Justice Standards and Training Commission hereby gives notice that on December 29, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-35.001(9)(b), F.A.C., from Sarasota Criminal Justice Academy on behalf of three officers. Paragraph 11B-35.001(9)(b), F.A.C., requires officers to achieve a passing score of 80% or higher on Advanced and Specific Specialized Training Program Courses.

The petition supported the requested waiver by stating that the officers at issue achieved what would have been passing scores (79%) under the old rule that took effect the day before the three officers commenced the week long course. Petitioner stated that the three officers should not be penalized because of the rule change that increased the passing scores from 75% to 80% when that rule change took effect immediately prior to the commencement of the course in which the three officers were affected. Petitioner stated that the officers at issue will suffer a substantial hardship if their scores are not recognized because they will not receive the benefit of their retraining and will be

obliged to repeat the entire course. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement according to the rules as they existed prior to the date the three officers took the examination.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 2, January 13, 2012.

On February 2, 2012, pursuant to notice, at a regularly scheduled business agenda meeting in Destin, 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. These three officers who took the examination for the Criminal Law course one week after the rule changed the passing score for the course should not be penalized. 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on January 18, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Sea Ranch Lakes Police Department on behalf of 19 officers for the 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification 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 the officers by stating that the officers did, in fact, complete the mandatory firearms requalification retraining, however, there are not CJSTC 86A forms in their records. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 5, on February 3, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 requalifications was that there were no CJSTC 86A forms in their files. 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on January 11, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from St. Pete Beach Police Department on behalf of 24 officers for the 2006-2008 (7/1/2006 – 6/30/2008) and 2008-2010 (7/1/08 – 6/30/10) mandatory firearms requalification reporting cycles. 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 the officer by stating that the officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 38, No. 4, on January 27, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 requalifications was to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on December 29, 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 Sweetwater Police Department on behalf of 65 officers for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification 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 the 65 officers by stating that they did, in fact, complete firearms requalification retraining, however, they were unable to provide completed CJSTC 86A forms or proof they shot the mandated course of fire for the 2008 reporting cycle. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 2, on January 13, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 a course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was to have incomplete CJSTC 86A forms and an incorrect course of fire. 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on February 2, 2012, the Criminal Justice Standards and Training Commission has issued an order.

On December 5, 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 University of Central Florida Police Department on behalf of six officers for firearms requalification period ending in 2008 (7/1/2006 – 6/30/2008). 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. 38, No. 3, on January 20, 2012.

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; or, could not locate their CJSTC 86A forms for the 2008 reporting cycle; or, in the case of one officer who is an instructor, signed their own CJSTC 86A form. 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; or, could not locate their CJSTC 86A forms for the 2008 reporting cycle; or, in the case of one officer who is an instructor, signed their own CJSTC 86A form. during the 2008 reporting cycle.

On February 2, 2012, at its regularly scheduled business agenda meeting held in Destin, 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 officers were requalified by non-CJSTC-certified firearms instructors; or, could not locate their CJSTC 86A forms for the 2008 reporting cycle; or, in the case of one officer who is an instructor, signed their own CJSTC 86A form. 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 January 18, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Village of North Palm Beach Police Department on behalf of 38 officers for the 2008 and 2010 mandatory firearms requalification reporting cycles. 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 the officers by stating that the officers did, in fact, complete the mandatory firearms requalification retraining, however, they were supervised by non-CJSTC-certified firearms instructors. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 5, on February 3, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 requalifications was to be supervised by non-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 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 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on January 20, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Webster Police Department on behalf of one officer for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Rule 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 the officer by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 5, on February 3, 2012.

On February 2, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Destin, 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 to be supervised 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 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 32302 or by telephoning (850)410-7676.

#### **WATER MANAGEMENT DISTRICTS**

The South Florida Water Management District (District) hereby gives notice on February 9, 2012, the District's Governing Board issued SFWMD Order No. 2012-013-DAO-ROW to Florida Department of Transportation (Application No. 11-1102-1). The petition for waiver was received by the District on November 2, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 47, on November 23, 2011. No public comment was received. This

Order provides a waiver of the District's criteria to allow the proposed placement of a guardrail within the south right-of-way of C-100C Canal at SR 5/US 1/South Dixie Highway southeast bridge quadrant; Section 21, Township 55 South, Range 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank and within the District's designated equipment staging areas located at all bridges and pile-supported utility crossings within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed guardrail will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406-4680, (561)682-6268, email: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on January 30, 2012, the South Florida Water Management District (District), received a petition for waiver from Broward County Highway and Bridge Maintenance Division, Application No. 12-0130-1M, for a permit modification of Right of Way Occupancy Permit Number 6598 for utilization of Works or Lands of the District known as the C-13 Canal to allow for the placement of curved concrete barrier walls with guardrail at the northwest and southwest quadrants of the Pine Island Road Bridge crossing C-13; Section 28/29, Township 49 South, Range 41 East, Broward County. The petition seeks relief from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1414, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

**DEPARTMENT OF MANAGEMENT SERVICES**

The E911 Board hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 9, 2012, by Leon County, Florida. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 45, of the November 10, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance of Rule 60FF1-5.003, F.A.C., entitled "E911 State Grant Programs," No comments were received. The Petitioner's representative was present at the meeting. Having considered the Petition and relevant statutes and rules, the Board states the following:

The Board's Order, filed on January 5, 2012, the Board grants Petitioner a variance or waiver from Rule 60FF1-5.003, Florida Administrative Code, and allows the Petitioner to waive the two (2) year timeframe to incur cost up through December of 2013.

A copy of the Order or additional information may be obtained by contacting: Ryan Butler, Special Support Manager, 4030 Esplanade Way, Suite 160, Tallahassee, Florida 32399.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on February 2, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Rock Springs Elementary School in Apopka, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5.1 and 2.24.2.1 as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes, wedge shackles to secure the steel ropes and grooved sheaves of a minimum pitch diameter 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 2012-035).

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 February 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lee World Center. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.10.3 and 3.9.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires top-of-car operating devices and normal terminal stopping devices 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 2012-046).

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 February 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Middle School LL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1) & (3) as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 2012-047).

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 February 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Grand Villas Check-In Bldg. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1 and 2.18.5.1 as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm 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 2012-048).

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 February 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 101 Coronado. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.15.9.2(a), 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 48" minimum length platform guard which poses a significant economic/financial hardship. Any interested person may file comments within 5

days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-049).

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

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NOTICE IS HEREBY GIVEN that on February 13, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Florida Hospital Waterman. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, 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 sump pump which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-050).

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

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NOTICE IS HEREBY GIVEN that on February 8, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Citadel Limited Partnership. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 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 with firefighters' emergency operations 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 2012-043).

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

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NOTICE IS HEREBY GIVEN that on February 9, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 1900-2000 N.W. Corporate. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4, 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 with firefighters' emergency operations and restricted door openings 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 2012-044).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on January 12, 2012 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Brandon Regional Hospital, filed 12/13/1011, and advertised in Vol. 37, No. 51, 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 May 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 2011-417).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on February 14, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Hoffman Bldg., filed January 17, 2012, and advertised in Vol. 38, No. 5, 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 2.2.5 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 pipes in the hoistway to be guarded until February 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 2012-018).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on February 13, 2012, the Division issued an order. The Final Order was in response to a Petition for



emergency Variance from Wells Fargo, filed January 4, 2012, and advertised in Vol. 38, No. 3, 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 July 15, 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 2012-002).

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 February 13, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Horizon Bay Memory Care, filed January 4, 2012, and advertised in Vol. 38, No. 3, 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 2.18.5.1 and 2.20.1 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 suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm 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 2012-003).

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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on January 19, 2012, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Jax Market Place Take-Out #1 located in Jacksonville, 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 at the same location.

The Petition for this variance was published in Vol. 38, No. 5 on February 3, 2012. The Order for this Petition was signed on February 9, 2012, and after a complete review of the variance

request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the dishwashing area located within Jax Market Place-Main Restaurant (SEA2609085) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Jax Market Place-Main Restaurant (SEA2609085) changes, the division must be notified immediately and a written agreement provided.

A copy of the Order or additional information 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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on January 19, 2012, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Jax Market Place Take-Out #2 located in Jacksonville, 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 at the same location.

The Petition for this variance was published in Vol. 38, No. 5 on February 3, 2012. The Order for this Petition was signed on February 9, 2012, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the dishwashing area located within Jax Market Place-Main Restaurant (SEA2609085) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Jax Market Place-Main Restaurant (SEA2609085) changes, the division must be notified immediately and a written agreement provided.

A copy of the Order or additional information 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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on January 18, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for

Paragraph 4-301.12(A), 2001 FDA Food Code, subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Marlins Ball Park Carts #7, #9, #10, #11, and #12 (Hot Dog, Nacho, Meatball, BBQ, Sushi) located in Miami, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize dishwashing facilities located within another licensed establishment at the same location and under the same ownership and holding tanks to provide potable water and to collect wastewater.

The Petition for this variance was published in Vol. 38, No. 5 on February 3, 2012. The Order for this Petition was signed on February 9, 2012, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tanks for the handwash sink are emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall ensure that the handwash sink is provided with approved hand drying device and a handwashing sign. In addition, the dishwashing area located within Commissary (SEA2333240) must be maintained in a clean and sanitary manner. All sinks must be provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Commissary (SEA2333240) changes, the division must be notified immediately and a written agreement provided.

A copy of the Order or additional information 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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on January 18, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code, subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Marlins Ball Park Cart #13 (Gelato) located in Miami, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize dishwashing facilities located within

another licensed establishment at the same location and under the same ownership and holding tanks to provide potable water and to collect wastewater.

The Petition for this variance was published in Vol. 38, No. 5 on February 3, 2012. The Order for this Petition was signed on February 9, 2012, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tanks for the handwash sink are emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall ensure that the handwash sink is provided with approved hand drying device and a handwashing sign. In addition, the dishwashing area located within Commissary (SEA2333240) must be maintained in a clean and sanitary manner. All sinks must be provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Commissary (SEA2333240) changes, the division must be notified immediately and a written agreement provided.

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

NOTICE IS HEREBY GIVEN that on February 9, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, Paragraph 5-202.11(A), 2001 FDA Food Code, paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code and Section 6-402.11, 2001 FDA Food Code, from Siesta Key Beach Pavilion located in Sarasota, FL. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment have an approved plumbing system installed to transport potable water and wastewater, and that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize a mopsink located within another licensed establishment under the same ownership, utilize holding tanks to provide potable water and to collect wastewater, and utilize public bathrooms located on the same premises.

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: Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, email: Lydia.Gonzalez@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on February 9, 2012, the Construction Industry Licensing Board, received a petition for permanent waiver of paragraphs 61G4-15.001(2)(a) and (b), F.A.C., filed by Scott D. Brace, dealing with qualifications for certification, and verification of active experience by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

NOTICE IS HEREBY GIVEN that on February 13, 2012, the the Electrical Contractors' Licensing Board, received a petition for Your Security Connection, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board at the above address, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on February 8, 2012, the Board of Accountancy, received a petition for Lenny Tomson, seeking a variance or waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria 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 at the above address, within 14 days of publication of this notice.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection, Northwest District Office hereby gives notice that on December 19, 2011, the Department issued an order granting a variance to the Valparaiso, Okaloosa County Regional Sewer Board (Petitioner). The petition was received on November 10, 2011, and the notice of receipt of this petition was published in the Florida Administrative Weekly on December 2, 2011. The petition requested a variance from subsection 62-610.521(6), F.A.C. Subsection 62-610.521(6), F.A.C., requires a setback distance of 100 feet from a rapid infiltration basin to the property boundary. The Petitioner requested that the setback distance from the rapid infiltration basin to the property line at the NVOC Regional WWTP be reduced from 100 feet to 31-56 feet. No public comment was received. The Order, file number FLA010185-019-DWF/VO [OGC Case No.: 11-1627], granted the Petition from the minimum 100-foot setback requirement to the Petitioner, based on a showing that Petitioner demonstrated that a strict application of the rule would result in substantial hardship to Petitioner or would affect Petitioner differently than other similarly situated applicants and because Petitioner had successfully fulfilled the requirements of the underlying statute. The conditions of the order are:

- a. NVOC, shall maintain the setbacks with a minimum of 31 feet up to approximately 56 feet for the nine proposed RIBs.
- b. NVOC, usage of the proposed RIBs as part of the wastewater treatment facilities shall be authorized by wastewater permit (FLA010185).

A copy of the Order or additional information may be obtained by contacting: Department of Environmental Protection, Northwest District, Bill Evans, 160 W. Governmental Street, Suite 308, Pensacola, Florida 32502-5794, (850)595-0584, bill.evans@dep.state.fl.us.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on February 13, 2012, the Board of Medicine, received a petition for waiver or variance filed by Hector R. Soto Adames, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the applicant's licensure application. Comments on this petition should be filed with: 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 February 13, 2012, the Board of Nursing Home Administrators, received a petition for Amy R. Patrick-Trump. The petitioner is seeking a waiver or variance of paragraphs 64B10-11.002(3)(a) and (b), Florida

Administrative Code, which requires that to establish eligibility for licensure as a nursing home administrator by endorsement under Section 468.1705, F.S., the applicant must successfully pass the required examinations in subsection (1); and

- (a) Hold a valid active license to practice nursing home administration in another state, provided that the current requirements for licensure in that state are substantially equivalent to, or more stringent than, the current requirements in the state of Florida; and
- (b) Have practiced as a nursing home administrator for 2 years within the 5-year period immediately preceding the application by endorsement.

Petitioner is also seeking a waiver or variance of subsection 64B10-16.001(2), Florida Administrative Code, which requires that an applicant for the AIT program must meet those qualifications established by Section 468.1695, F.S., at the time of application, including completion of required forms. The applicant is required to indicate on form DH-MQA-NHA003 (Revised 10/2007) whether the applicant is applying for the AIT 1000-hour program or the AIT 2000-hour program as referenced in Rule 64B10-11.002, F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Nursing Home Administrators within 14 days of publication of this notice.

Notice is hereby given that the Petition for Waiver or Variance filed by Kirsten Knowles, O.D., F.A.O., has been withdrawn, upon request of the Petitioner. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 3, of the January 20, 2012, issue of the F.A.W.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

NOTICE IS HEREBY GIVEN that on February 14, 2012, the Board of Podiatric Medicine, received a petition for David J. Loiselle D.P.M. A.B.P.S., seeking a variance or waiver of Rule 64B18-17.005, F.A.C., with regard the continuing education requirements after initial licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32314-3256.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Agency for Persons with Disabilities hereby gives notice on September 2, 2011, this agency received a Petition for Variance from Advantage Home Assisted Care, Inc. seeking Variance from Rule 65G-5.004, F.A.C, Selection of Housing to be allowed to own property where supported living clients reside. This Petition for Variance was publishing in the Florida Administrative Weekly, Vol. 37, No. 39 on September 30, 2011.

On January 25, 2012, the Agency for Persons with Disabilities issued an Order Denying Petition for Variance filed by Advantage Home Assisted Care, Inc. from paragraph 65G-5.004(2)(b), F.A.C. The Agency’s Final Order denies the Petition on the grounds that the Petitioner failed to demonstrate that the application of the rule, as written, would either create a substantial hardship or violate principles of fairness in order to be granted a variance. Additionally, the Petitioner failed to demonstrate that the purpose of the underlying statute would still be achieved if the variance was granted.

A copy of the Order or additional information may be obtained by contacting: Percy W. “Pete” Mallison, Jr., Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

NOTICE OF CANCELLATION – The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
  - Division of Bond Finance
  - Financial Services Commission:
  - Office of Insurance Regulation
  - Office of Financial Regulation
  - Agency for Enterprise Information Technology
  - Department of Veterans’ Affairs
  - Department of Highway Safety and Motor Vehicles
  - Department of Law Enforcement
  - Department of Revenue
  - Administration Commission
  - Florida Land and Water Adjudicatory Commission
  - Board of Trustees of the Internal Improvement Trust Fund
  - Department of Environmental Protection
- DATE AND TIME: February 28, 2012, 9:00 a.m.  
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida