

No other changes were made to the rule amendments as proposed.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

RULE NO.:                   RULE TITLE:  
73B-20.006                Computation of Time  
                                  NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 23, June 8, 2012 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

RULE NO.:                   RULE TITLE:  
73B-21.004                Computation of Time  
                                  NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 38, No. 23, June 8, 2012 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE NO.:                   RULE TITLE:  
53ER12-59                 Replacement of Obsolete Emergency  
                                  Rule

SUMMARY: This emergency rule is replacing another emergency rule that has been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-59 Replacement of Obsolete Emergency Rule.

The Department of the Lottery’s emergency rule relating to the Lottery’s Business Partner Program is being replaced because the program has been discontinued and the provisions of the rule are obsolete. This rule shall replace 53ER05-44, F.A.C.

Rulemaking Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 8-29-12, Replaces 53ER05-44, F.A.C.

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

EFFECTIVE DATE: August 29, 2012

**Section V**

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

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN that on August 17, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsections 11B-35.002(2) and 11B-27.002(4), F.A.C., by Arcadia Police Department on behalf of Officer Robert McVey. Petitioner wishes to waive that portion of the rules which requires an officer to obtain employment within four years of beginning basic recruit training. The Petition states that Officer McVey was employed by Petitioner in May of 2012. Officer McVey had commenced cross-over basic recruit training on April 14, 2008. The Petitioner was able to register Officer McVey in the CJSTC’s officer database, but learned in July of 2012, that Officer McVey was ineligible for employment because of the rules cited above. The Petition states that the operation of the rule would violate the principles of fairness because Petitioner was able to register Officer McVey in ATMS in May of 2012, and put him to work in June of 2012, whereas other officers subject to the rule would have been blocked in ATMS and denied registration. The Petition states that the operation of the rule creates a substantial hardship for both Petitioner and Officer McVey in that arrests and citations issued by Officer McVey would be made a nullity should he lose his eligibility to remain certified. The Petitioner would have to fill the vacancy created by Officer McVey with other officers during severe budgeting times. The Petition further supports the requested waiver by stating that Officer McVey would have to return to training school to demonstrate proficiency in the high liability areas and pass the SOCE prior to becoming eligible for employment, which would be a considerable expense to him.

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

**STATE BOARD OF ADMINISTRATION**

The State Board of Administration hereby gives notice that on August 29, 2012, the State Board of Administration (SBA), Florida Hurricane Catastrophe Fund, received a request for withdrawal of a petition for Emergency Variance or Waiver from Rules 19-8.010 and 19-8.030, F.A.C. The SBA originally received the petition from Cypress Insurance Company on August 7, 2012, and Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 33, August 17, 2012. No public comment was received.