

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Financial Services Commission believes adopting an emergency rule is the fairest method to protect the public because of the inability of the residents in Florida to obtain affordable residential property insurance, and because implementation without exception of the pending reforms to Florida's insurance code are essential to resolution of the existing crisis. This procedure is fair as insurers are keenly aware of the nature of the insurance crisis and participated in the development of the legislation which this emergency rule is intended to support. The limited emergency measures provide the least intrusive means to protect a compelling public interest and, because resolution of the existing crisis benefits not only insureds but insurers as well, the limited emergency action undertaken herein will not unfairly affect the ability of insurers to conduct business in Florida.

In consideration of the emergency conditions currently existing, and given the Office's responsibility to protect the public interest and implement the Insurance Code, an emergency rule is necessary.

SUMMARY: Emergency Rule 69OER07-1 provides for a temporary limitation on residential property insurance rate filings by requiring any filings made from this date forward to incorporate the reforms adopted by CS/HB 1A, thus stabilizing the market until the provisions of CS/HB 1A can be implemented fully by the Office. The emergency rule also prevents circumvention by limiting an insurers ability to cancel or non-renew a policy prior to implementation of the new law.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Stephen Fredrickson, Assistant General Counsel, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, FL 32399-4210, (850)413-4144 or E-mail at Steve.Fredrickson@fldfs.com

THE FULL TEXT OF THE EMERGENCY RULE IS:

69OER07-1 Residential Property Insurance Rate Filings.

Rates for residential property insurance coverage shall remain at the rates in effect as of the date CS/HB 1A became law until a rate filing is made and approved that reflects the provisions of CS/HB 1A and the presumed factor or factors calculated by the Office of Insurance Regulation (Office). Insurers may make filings for rate reductions, and for changes that do not result in increases in policyholder premiums. Insurers may make form filings, but may not reduce coverage except as required by statute. Until an insurer makes a rate filing reflecting the effects of CS/HB 1A and the presumed factor calculated by the Office, an insurer may not non-renew a personal residential insurance policy covering property in Florida, nor may an insurer cancel a personal residential insurance policy except for material misrepresentation, fraud or non-payment of premium by the insured. Nothing in this emergency rule is intended to be nor shall be construed as an

approval of any rate filing which is pending before the Office of Insurance Regulation or which is currently subject to an administrative or arbitration proceeding.

Specific Authority 120.54(4), 624.307, 624.308, 626.9611 FS. Law Implemented CS/HB 1A, 627.062, 627.4133, 626.9561, 626.9641 FS. History—New 1-31-07.

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

EFFECTIVE DATE: January 31, 2007

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that on January 17, 2007, the Department of Education, received a petition for an Emergency Petition for Temporary Variance or Waiver of Section Private School Scholarship Compliance, paragraphs 6A-6.03315(1)(c), (d), F.A.C., from Champion Schools, Inc. d/b/a Champion Preparatory Academy and Terry Greiner and Isabel Greiner, husband and wife.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400, (850)245-9661. Comments on this Petition should be filed with Jason Hand, Office of the General Counsel, Department of Education, 325 West Gaines Street, Room 1244, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that on September 12, 2006, the Department of Community Affairs has issued an order.

The Final Order is in response to the Petition for Waiver filed by CITRUS COUNTY on June 22, 2006. This petition was assigned the number DCA06-WAI-159. Notice of this petition appeared in the July 14, 2006, edition of the F.A.W. It is ordered that the Petition for Waiver by Petitioner CITRUS COUNTY be, and by this Final Order is, hereby DENIED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that on December 8, 2006, the Department of Community Affairs has issued an order.

The Final Order is in response to the Petition for Waiver filed by the TOWN OF CROSS CITY on October 23, 2006. This petition was assigned the number DCA06-WAI-272. Notice of this petition appeared in the November 17, 2006, edition of the

F.A.W. It is ordered that the Petition for Waiver by Petitioner the TOWN OF CROSS CITY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Department of Community Affairs has issued an order.

The Final Order is in response to the Petition for Waiver filed by the CITY OF STARKE on September 15, 2006. This petition was assigned the number DCA06-WAI-235. Notice of this petition appeared in the October 6, 2006, edition of the F.A.W. It is ordered that the Petition for Waiver by Petitioner the CITY OF STARKE be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Palm Beach Community College on January 19, 2007, a petition for Waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive certain requirements concerning mandatory retraining and demonstration of proficiencies for instructor certifications for seven instructors.

Comments on this Petition should be filed with the: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Grace A. Jaye. A copy of the Petition may be obtained by contacting Assistant General Counsel, Grace A. Jaye at the above address, or by calling (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on January 24, 2007, South Florida Water Management District (District) received request for Withdrawal of Petition for Waiver from Juan Cabado, Application No. 06-0404-2, for utilization of Works or Lands of the District known as the C-12 Canal, Section 21, Township 55S, Range 39E, Miami-Dade County. Notice of receipt of

petition requesting waiver was published in the issue Vol. 32, No. 22, of the F.A.W., on June 2, 2006. No public comment was received. A copy of the withdrawal request may be obtained from Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail at kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, of the F.A.W., by Steve Powell of KONE, Inc. regarding Scientology Garage in Clearwater, FL (VW 2006-262). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, of the F.A.W., by Steve Powell of KONE, Inc. regarding Aloma Office in West Oviedo, FL (VW 2006-263). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding Village of Imagine in Orlando, FL (VW 2006-265). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that

this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding Mona Lisa in Celebration, FL (VW 2006-266). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding First Priority Bank in Bradenton, FL (VW 2006-267). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding Ferran Services & Contracting, Inc. Corporate Off. in Orlando, FL (VW 2006-268). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be

obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, F.A.W., by Steve Powell of KONE, Inc. regarding Berriman-Morgan Building in Tampa, FL (VW 2006-269). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Costa Azul Catering located in Fort Pierce. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on January 23, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Cracker Shack BBQ to Go located in Blountstown. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The Petitioner requests to use bathroom facilities located in an adjacent establishment that is owned by the Petitioner.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on January 9, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Delmonte Catering of Fort Myers. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved January 24, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and

61C-4.010(6), Florida Administrative Code, from El Charro of Arcadia. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on January 12, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Franky's Deli located in Hialeah. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of sixteen (16).

This variance request was approved January 24, 2007, and is contingent upon the Petitioner ensuring public bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed sixteen (16) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on January 25, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Lotus Cafe located in Wilton Park. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 24.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on January 8, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from One Tea Lounge located in Wilton Manors. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 30.

This variance request was approved January 24, 2007, and is contingent upon the Petitioner ensuring public bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed thirty (30) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on January 26, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6) Florida Administrative Code, from Van Mar Corporation of Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on three Mobile Food Dispensing Vehicles.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received a Petition for Waiver from Giesecke & Devrient America, Inc., Petitioner, in DBPR Case No. 2007004109 (VW 2007-013). The Petition requests the Division of Pari-Mutuel Wagering to permit the Petitioner to omit information from the required Form DBPR PMW-3440 relevant to a single director of a parent corporation who lives

overseas and has no direct involvement in Petitioner's business activity within the United States. Any person whose substantial interests may be affected by a waiver on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Waiver may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on January 24, 2007, the Construction Licensing Industry Board, received a petition for waiver or variance filed by James Charles Maddox on January 24, 2007. The Petitioner seeks a variance or waiver from Rule 61G4-16.005, Duration of Validity, F.A.C., with regard to the duration of validity of a passing test grade.

A copy of the Petition for Variance or Waiver may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750, within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on December 13, 2006, the Department of Environmental Protection, received a petition for the Hillsboro Beach Pressure Equalizing Modules Experimental Project. The petition requested a variance from paragraph 62B-41.0075(1)(b), Experimental Coastal Construction, F.A.C. This rule states that, "the proposed location must be properly suited for a non-biased comprehensive analysis of the results of the proposed coastal construction." Since the project location is within the influence of the Deerfield Beach groin field, a variance has been requested from the rule. The variance request and associated joint coastal permit application may be viewed online at http://bcs.dep.state.fl.us/env-prmt/broward/pending/0269543_Hillsboro_Beach_PEM_Experimental/. The petition has been assigned File No.: 0269543-002-EV.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd. Mail Station 300, Tallahassee, Florida 32399-3000; Attn: Lizbeth Childs, telephone (850)413-7787. Written comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that on January 18, 2007, the Department of Environmental Protection, received a petition for variance or waiver pursuant to Section 120.542, Florida Statutes, and Rule 28-104, F.A.C., from Thomas G. Tomasello, P.A., on behalf of MERCEDES LA., LTD., and JAGUAR LA., LTD. The petition request a variance or waiver of subparagraph 62B-33.0051(1)(a)1., Coastal Armoring and Related Structures, F.A.C., which provides the conditions where construction of armoring shall be authorized. The property is located at 291 Highland Dr. Santa Rosa Beach, in Walton County.

A copy of the Petition for Variance or Waiver may be obtained by contacting Rosaline Beckham at (850)488-7815, or by e-mail at rosaline.beckham@dep.state.fl.us. The petition is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Bldg. B, Suite 160, Tallahassee, Florida 32304. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399-3000, and should be submitted within 30 days of the date of this publication.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on January 23, 2007, the Board of Podiatric Medicine, received a petition for Variance or Waiver filed on January 23, 2007 on behalf of James Louis Thomas, D.P.M. Pursuant to Chapter 28-104, FAC and Section 120.542, FS, petitioner seeks a waiver of Rule 64B18-11.001, entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C, entitled "Examination for Licensure." Specifically, for reasons outlined in the Petition, the Petitioner requests a permanent waiver of Rules 64B18-11.001 and 64B18-11.002 requiring that he take and pass the PM Lexis examination after August 1996.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

NOTICE IS HEREBY GIVEN that on October 12, 2006, the Board of Nursing has issued an order.

The Petitioner requested that on the basis of principles of fairness, as described in the Petition, the Board waive the requirement for National Certification as a condition for the Petitioner to be licensed as an ARNP in the State of Florida. The Board of Nursing considered the Petition at its meeting held on October 12, 2006, in Miami, Florida. The Board's Order, filed on January 16, 2007, approved the Petition for Variance or Waiver, finding that the petition is in substantial

compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code and that the purpose of the underlying statute has been met.

NOTICE IS HEREBY GIVEN that on January 24, 2007, the Department of Health has issued an order.

The order was issued in response to a petition for a variance filed on November 17, 2006, by Richard H. Bachelder, representing Advanced Drainage Systems, Inc., regarding the "ADS ARC 24". Petitioner sought a variance from Rule 64E-6.009, F.A.C., Alternative Systems; subsection 64E-6.009(7) and subparagraph 64E-6.009(7)(a)4., Florida Administrative Code, which requires alternative system components to undergo innovative system testing in Florida. Notice of the petition was published in the December 8, 2006, edition of the F.A.W.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH STIPULATIONS Petitioner's request for a variance.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.007, Fees, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from CSA RRH, Ltd./Countryside Apartments. ("Petition"). The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, Application and Selection Procedures for Developments, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.007, Fees, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from Pensacola RRH, Ltd./Sugar Hill Apartments. ("Petition"). The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, Application and Selection Procedures for Developments, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.007, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from Thornbury RRH, Ltd./Thornbury Apartments. ("Petition"). The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

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

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles

- Department of Law Enforcement
 - Department of Revenue
 - Department of Education
 - 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 27, 2007, 9:00 a.m.
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular scheduled meeting of the Governor and Cabinet
 The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or