

- Not all licensees must comply with the rule; however, all licensees have the option of taking college courses for continuing education credits toward renewal of their licenses.
- Only rule making costs will be incurred.
- No transactional costs will be incurred.
- The proposed rule will not impact small businesses, small towns, or small cities.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CORRECTION IS: Allen Hall, Executive Director, Dietetics and Nutrition Practices Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-6.0038      RULE TITLE: Formulary

**NOTICE OF CORRECTION**

The above-referenced rule notice was published in Vol. 35, No. 17, of the April 17, 2009, Florida Administrative Weekly. Although the rule notice stated that a Statement of Estimated Regulatory Costs (SERC) had been prepared and was available, the notice did not summarize the SERC. The following is a Summary of the Statement of Estimated Regulatory Costs:

1. The proposed change will allow Physician Assistants (PAs) to prescribe antipsychotics and parenteral preparations.
2. This rule change may affect up to 4,321 PAs and the physicians that supervise them.
3. The rule change will not require any government entity to incur additional costs or receive additional revenues.
4. No transactional costs will be incurred by any person or entity affected by this rule revision.
5. This proposed rule revision will have a positive impact on physician offices because it will expand access to direct patient care.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above. The person to be contacted regarding this rule is: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-149.041      RULE TITLE: Marketing Communication Material and Marketing Guidelines

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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

**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 May 14, 2009, the Suwannee River Water Management District has issued an order.

This order (2009-0005) denied variance under Section 120.542, F.S., to Janice Wood, for a Works of the District existing dock (ERP08-0837). A petition for variance was received on January 29, 2009, and an amendment to petition was received on March 13, 2009. Notices of receipt of petitions requesting variance were published in F.A.W. in Vol. 35, No. 6, on February 13, 2009, and Vol. 35, No. 12, on March 27, 2009, respectively. No public comment was received. This order denies variance of SRWMD's criteria for subsection 40B-4.3030(9), F.A.C., to the zero-rise certification and paragraph 40B-4.3030(12)(b), F.A.C., to the 75-foot setback requirements within Township 6 South, Range 14 East, Section

28, Lafayette County. SRWMD denied the petition because the petitioner did not demonstrate that the underlying statute will be or has been achieved by other means.

A copy of the Order may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

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NOTICE IS HEREBY GIVEN THAT on May 14, 2009, the Suwannee River Water Management District has issued an order.

This order (2009-0003) denies in part and grants in part a variance under Section 120.542, F.S., to Reva Jane Hamilton, for a Works of the District existing non-permitted building (ERP08-0362). A petition for variance was received on November 7, 2008, and an addendum to petition was received on December 19, 2008. Notices of receipt of petitions requesting variance were published in F.A.W. in Vol. 34, No. 47 on November 21, 2008, and Vol. 35, No. 1 on January 9, 2009, respectively. No public comment was received. This order denies variance of SRWMD's criteria for paragraph 40B-4.3020(1)(d), F.A.C., as to the building plan requirement, and grants variance to subsection 40B-4.3030(4), F.A.C., as to the elevation requirement, within Township 1 North, Range 11 East, Section 8, Madison County. Petitioner has satisfied the requirement for paragraph 40B-4.3020(1)(c), F.A.C.; therefore the request for variance for this paragraph was withdrawn. SRWMD denies the petition as to paragraph 40B-4.3020(1)(d), F.A.C., because the petitioner did not demonstrate that the underlying statute will be or has been achieved by other means and approves the petition as to subsection 40B-4.3030(4), F.A.C., because the petitioner has demonstrated that the underlying statute will be or has been achieved by other means.

A copy of the Order may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

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NOTICE IS HEREBY GIVEN THAT on May 15, 2009, the South Florida Water Management District (District), received a petition for waiver from the Collier County Transportation Services, Application No. 09-0227-1, for utilization of Works or Lands of the District known as the Airport Road Canal, to allow an existing bus shelter, concrete pad, and path to remain within 40 feet of the top of the canal bank; Section 11, Township 49 South, Range 25 East, Collier County. The petition seeks relief from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or e-mail: kruff@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: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

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NOTICE IS HEREBY GIVEN THAT on May 26, 2009, the South Florida Water Management District (District), received a petition for waiver that was amended. The amended petition was filed by J. W. McDaniel Sr., Inc., (Application No. 09-0326-1), for utilization of Works or Lands of the District known as the L-28I Canal, to allow an existing water control structure and appurtenances, known as W-D1AB (emergency overflow culvert and riser and associated berm), located approximately 100 feet upstream of the beginning of the L-28I (North Feeder Canal), to remain within 40 feet of top of canal bank; Section 25, Township 47 South, Range 33 East, Hendry County. The petition seeks relief from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above ground encroachments within 40 feet of the top of canal bank; and prohibits water control structures within Works or Lands of the District, and requires crown elevation of discharge culverts to be set at least 1/2 foot below water control elevation of the canal. The petition for waiver was amended to clarify how strict application of the criteria or rule would create a substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or email: kruff@sfwmd.gov. The District will accept comments concerning the amended petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on April 24, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lisa Gerard, the David Associates, on behalf of property owned at 2435 US Highway 19, Holiday, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.1(1987), Rules 211.3.to 211.8 (1996), for Firefighters' Service (VW 2009-111).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for variance from Richard Jones, 20 Whispering Sands Drive, on behalf of Whispering Sands Condominium Association, Sarasota, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service (VW 2009-112).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, and Section 399.15, Florida Statutes, which requires all elevators be keyed with one of seven regional emergency access keys. The request was received from William Snyder on behalf of Mansions by the Sea Condominiums in Treasure Island, FL (VW 2009-113).

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.

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NOTICE IS HEREBY GIVEN THAT on April 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tricia Sexton, P.A., on behalf of Montgomery Wards Store, 101-34th Street, St. Petersburg, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), 3.11.3 and A17.1, 8.6.5.8 for Firefighters' Service and zone restrictors (door) (VW 2009-114).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 1, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Cy Hornsby on behalf of Sunshine Towers, Clearwater, FL (VW 2009-115).

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.

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NOTICE IS HEREBY GIVEN THAT on May 1, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Dr. Ray Smith, Arbomar Apartments, on behalf of Arbomar Condominium Association, Longboat Key, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-116).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 1, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bill Snyder, Florida Certified Elevator Inspections, on behalf of Harbor Hill Condominium Association, St. Petersburg, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, regional emergency fire access (key), and zone restrictors (door) (VW 2009-118).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carole Bowden, CAM, Holmes Beach Property Management, LLC, on behalf of Ironwood Seventh Condominium Association, Bradenton, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-119).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Duane Knecht, PE Stetson University, on behalf

of Presser Hall at Stetson University, Deland, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and mechanical room (VW 2009-120).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sheron Nichols, Jim Nobles Management Inc., on behalf of Island Way Condominium Association, Clearwater, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, zone restrictors (door), and Stop/Run button (VW 2009-121).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for variance from Carole Bowden, CAM, Holmes Beach Property Management, LLC, on behalf of Ironwood Sixth Condominium Association, Bradenton, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-122).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carole Bowden, CAM, Holmes Beach Property Management, LLC, on behalf of Ironwood Fourth Condominium Association, Bradenton, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-123).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carole Bowden, CAM, Holmes Beach Property Management, LLC, on behalf of Ironwood Fifth Condominium Association, Bradenton, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-124).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carole Bowden, CAM, Holmes Beach Property Management, LLC, on behalf of Ironwood Ninth Condominium Association, Bradenton, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-125).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carole Bowden, CAM, Holmes Beach Property Management, LLC, on behalf of Ironwood Fourteenth Condominium Association, Bradenton, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service and zone restrictors (door) (VW 2009-126).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 5, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from A.S.M.E. A18.1, which limits wheelchair lifts to travel of 14 feet. The petition is to allow a lift traveling 15 feet, 9 inches. The petition was received from Gloria Higham on behalf of Highland Properties, in St. Petersburg, FL (VW 2009-129).

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.

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NOTICE IS HEREBY GIVEN THAT on May 5, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Patricia Serley, OTIS Elevator Company, Pensacola, Florida on behalf of Sacred Heart Cancer Center, Pensacola, FL. The petitioner is requesting a temporary variance to grant new sub-systems technology for MRL's and use of coated steel belts per ASME A17.1 (2005s), ASME A17.1 (2004), Section 1.2 (VW 2009-131).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 6, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance for 24-36 months to upgrade the building fire alarm system to allow it to recall the elevator. The petition was received from Donna Kirk on behalf of Waterview Towers Condo in West Palm Beach (VW 2009-132).

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.

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NOTICE IS HEREBY GIVEN THAT on May 6, 2009, the Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Thomas Brantley, PE, Facilities Management Leon County, Tallahassee, Florida on behalf of Leon County Courthouse Annex, 315 S. Calhoun St., Tallahassee, FL. The petitioner is requesting a temporary variance to grant an extension of time for elevator modernization per ASME A17.1 (2004), ASME A17.3 (1996) (VW 2009-133).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 7, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17, ASME for unspecified violations until the modernizations can be completed. The request was received from Dave Palmer on behalf of Winter Park Hospital (VW 2009-134).

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.

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NOTICE IS HEREBY GIVEN THAT on May 7, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Richard Dolson, OTIS Elevator Company, Tampa, Florida on behalf of All Children's Hospital Medical Office Building, St. Petersburg, FL. The petitioner is requesting a variance for installing new OTIS Gen 2 technology for MRLs and use of coated steel belts per ASME A17.1 (2005s), ASME A17.1 (2004), Section 1.2, (VW 2009-135).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.4.5(d) and 3.11.1, A17.3, 1996 which require emergency lighting in the car and two-way communication from within the building to the car, from B. J. Miller on behalf of Sarasota County West Wing Jail (VW 2009-137).

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.

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NOTICE IS HEREBY GIVEN THAT on May 11, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from ASME A17.3, 1996 which requires wires to be covered, emergency lighting in the cab and two-way communication from Larry Williams on behalf of Garden Gate Partners in Winter Park (VW 2009-138).

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.

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NOTICE IS HEREBY GIVEN THAT on May 11, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from David Winter on behalf of Seawatch at Jupiter Island Condominium, Jupiter, FL (VW 2009-139).

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.

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NOTICE IS HEREBY GIVEN THAT on May 11, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.1, 3.11.3 and 2.7.4, A17.3, 1996 and Section 399.15, F.S., which requires Fire Fighter Service Phase 1 and 2 and restricted door

openings, emergency communication and regional emergency elevator access from William Snyder on behalf of 6/10 Cooperation in Winter Haven, FL (VW 2009-140).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rules 3302, 1and 3006.4, 2005 Florida Building Code which require fire rated doors on machine room, from Deighton Babis on behalf of The Grove at Wesley Chapel (VW 2009-141).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from William Boedicker on behalf of Louttit Manor, Orlando, FL (VW 2009-142).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 from Wanda Daberko on behalf of the University of Central Florida (VW 2009-143).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 2.7.4, A17.3, 1996 which requires restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-144).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service

Phase 1 and 2 and restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-145).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 2.7.4, A17.3, 1996 which requires restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-146).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 from Wanda Daberko on behalf of the University of Central Florida (VW 2009-147).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 from Wanda Daberko on behalf of the University of Central Florida (VW 2009-148).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-149).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service

Phase 1 and 2 and restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-151).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-152).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-153).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-154).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 2.7.4, A17.3, 1996 which requires restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-155).

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.

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NOTICE IS HEREBY GIVEN THAT on May 14, 2009, the Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for James Rukin, President, on behalf of Park Towers Condominium Inc., Lake Worth, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, zone restrictors (door) and other modernizations (VW 2009-156).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 14, 2009, the Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Kay Yocum, General Manager, on behalf of Shoreline Island Resort, Madeira Beach, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for code upgrades and modernizations (VW 2009-157).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified rules from Thomas P. Brantley on behalf of Leon County Courthouse Annex, Tallahassee, FL (VW 2009-158).

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.

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NOTICE IS HEREBY GIVEN THAT on May 15, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 2.7.4 and 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Stacia Scofero on behalf of The Greens at Pineborrk in Sarasota. FL (VW 2009-163).

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.

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NOTICE IS HEREBY GIVEN THAT on May 19, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, from P. Thomas Bohlander on behalf of The Manor House in Delray Beach, FL (VW 2009-166).

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.

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NOTICE IS HEREBY GIVEN THAT on May 20, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance until April 1, 2010 from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Lynn Buonacore on behalf of David Associates (VW 2009-168).

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.

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NOTICE IS HEREBY GIVEN THAT on May 20, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Paul McCoy, President, on behalf of Castel Del Mare Condominium Association, Sarasota, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, zone restrictors (door) and other modernizations (VW 2009-170).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 20, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Wayne Johnson, Manager, on behalf of Ormond Beach Surfside Club South Condominium Association, Ormond Beach, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, zone restrictors (door) and other modernizations (VW 2009-171).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Raymond Henney, Manager, on behalf of

Imperial Cove Building VIII Condominium Association, Clearwater, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, emergency access keys, Stop switch, lighting and other modernizations (VW 2009-172).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 21, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bruce Peterson, Operations Manager on behalf of Pointe Santo de Sanibel Condominium Association, Sanibel, FL. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Firefighters' Service, zone restrictors (door) and other modernizations (VW 2009-173).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on May 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Peggy L. Rice on behalf of Oceans Two Condominium in Daytona Beach Shores, FL (VW 2009-174).

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.

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NOTICE IS HEREBY GIVEN THAT on May 13, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 2.7.4, A17.3, 1996 which requires restricted door openings from Wanda Daberko on behalf of the University of Central Florida (VW 2009-1250).

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.

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NOTICE IS HEREBY GIVEN THAT on May 18, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Eric Poulin of Global Tardif requesting a variance from ASME A17.1, 2005 and be allowed to use a 1/4 inch diameter governor rope at an unnamed location.



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.

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#### 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."

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on May 20, 2009, the Board of Clinical Laboratory Personnel, received a petition for waiver or variance filed by, Lois, J. Watts, from subsection 64B3-5.002(6), F.A.C., with regard to the superior academic science requirements. Comments on this petition should be filed with: Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on May 15, 2009, the Board of Optometry, received a petition for waiver or variance filed by, Brent H. Weinman, from subsection 64B13-11.004(3), F.A.C., with regard to the delinquent fee for an expired license. Comments on this petition should be filed with: Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, at the above address, or telephone (850)245-4393.

NOTICE IS HEREBY GIVEN THAT on May 20, 2009, the Board of Podiatric Medicine has issued an order.

The Board of Podiatric Medicine hereby gives notice of the issuance of an order granting the petition for variance or waiver filed by Colleen M. Debar, D.P.M. The Petitioner filed a petition for variance or waiver from Rules 64B18-11.001 and 64B18-11.002, F.A.C., on April 20, 2009. The Notice of Petition for variance or waiver was published in Vol. 35, No. 17, of the May 1, 2009, Florida Administrative Weekly. The petition was heard at a duly-noticed public meeting of the Board of Podiatric Medicine via teleconference on May 18, 2009. The Board's Order, filed on May 20, 2009, grants the petition for variance or waiver, finding that the Petitioner demonstrated that the purpose of the underlying statute would be met by showing she is well qualified and meets the prior

licensure and education requirements of Section 461.006, Florida Statutes. Petitioner further demonstrated that the Board's application of Rules 64B18-11.001 and 64B18-11.002, F.A.C., to her circumstances would impose a substantial economic hardship.

A copy of the Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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#### DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on April 13, 2009, the Department of Financial Services, Division of State Fire College has issued an order.

The Order has been assigned the number 102844-09-FM. On February 19, 2009, the Department of Financial Services, Division of State Fire College, received a Petition for Variance or Waiver from Petitioner, Jonathan P. Herlocker. On March 13, 2009, a Notice of receipt of this Petition was filed in Vol. 35, No. 10, of the Florida Administrative Weekly. Petitioner sought a variance of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, which set forth the requirements for firefighter supplemental compensation. Because Petitioner holds a degree from an educational institution which has chosen not to seek accreditation over concerns that it would jeopardize its religious and philosophical distinctive. Petitioner sought a variance from the requirement that an "eligible Bachelor's Degree" must be conferred by a post-secondary institution that has received accreditation "from an accrediting agency that is recognized by the U.S. Department of Education." The Department examined the documentation submitted by Petitioner in support of his Petition and determined that a variance or waiver of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, was warranted to the limited extent that "accredited" does not require "accreditation from an accrediting agency that is recognized by the U.S. Department of Education" under these particular facts and circumstances.

A copy of the Order may be obtained by contacting: Regina Keenan, Senior Attorney, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

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

#### DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 10, 2009, 10:00 a.m.