

~~(4) Prizes may not exceed the aggregate entry fees paid by the participants.~~

~~(5) No table rake shall be made during tournament play.~~

~~(6) Gross receipts for a tournament shall mean the total amount received by the cardroom operator from all entry fees.~~

~~(7) Cash received for tournament entry fees must be kept separate and apart from all other cash received by the cardroom operator or management company until such time as it is counted. The cardroom operator shall report tournament activity on BPR Form 16-008. This form shall be filed with the division by the fifth day of each calendar month for the preceding calendar month's activity. BPR Form 16-008 is adopted and incorporated by Rule 61D-12.001, F.A.C.~~

~~(8)(a) The cardroom operator shall provide the tournament rules to the division, and shall furnish copies upon request to interested participants.~~

~~(b) The published tournament rules shall include, but are not limited to, information regarding the amount of the prizes using a stated percentage of gross receipts, whether the tournament's duration of play is based upon a fixed number of games or a stated time period, the use of blinds, and the wagering rules as authorized in paragraph (1)(c) above.~~

Specific Authority 550.0251(12), 849.086(4) FS. Law Implemented 849.086 FS. History—New 5-9-04, Repealed 2-7-06.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE ARE SPECIFIED IN THE RULE.
EFFECTIVE DATE: February 7, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on February 3, 2006 from Lennar Homes, Inc. Pursuant to Section 120.542, Florida Statutes, Lennar Homes, Inc. is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), with respect to Environmental Resource Permit (ERP) Application 4-009-101710-1. The permit applicant is proposing to construct a residential development project, to be known as Chaparral, in Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3., A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the State by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with Sandy Bertram, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-20.

For a copy of the petition or additional information, contact Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, or telephone (386)329-4488.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that a Petition for Emergency Variance was received on February 6, 2006 from Cross City Rehabilitation & Health Care Center, 583 N. E. 351 Highway, Cross City, Florida, 32628. This petition involves applicable Rule 59G-6.010, F.A.C., which incorporates by reference the Florida Title XIX Payment Methodology for Nursing Home Services.

Information regarding this petition may be obtained by writing: Jim Guyton, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 21, Tallahassee, FL 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on February 3, 2006, the Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, ASME A18.1, 2000 edition, as adopted by Chapter 30, Florida Building Code, limiting travel to 12 feet. The petition was received from Scott C. Maloney of mbi | k2m Architecture, Inc. on behalf of Rum Barrel Restaurant (Petition VW 2006-021).

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

The Bureau of Elevator Safety 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 19, 2006 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.0161(2)(c) and subsections 61C-4.0161(4),(5), Florida Administrative Codes from Florida Auto Auction of Orlando located in Ocoee. The above referenced F.A.C. addresses self-sufficient mobile food dispensing vehicles and their operation. They are requesting a temporary variance to operate a mobile unit(s) with direct connection to the City of Ocoee for water and sewage disposal until the permanent structure is constructed. This variance request was approved on February 3, 2006, and is for 7 months from the date the approved variance is date stamped by the Agency Clerk and is contingent upon the Petitioner using the City of Ocoee's sewer and water services that meet the standards provided in Chapters 64E-8, 62-550 and 62-555, Florida Administrative Code. Petitioner is required to meet all provisos and plan review deficiencies prior to licensing. The Petitioner shall follow all applicable Administrative Rules and Federal Food and Drug Administration Food Code references. Any violation of the variance is the equivalent of a violation of the rule and may result in a recession of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

The Board of Accountancy hereby gives notice that it has received a petition, filed on February 1, 2006, by Douglas C. Percz, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, to allow an extension of time in passing the four test sections of the CPA Examination.

Comments on this petition should be filed with the Board of Accountancy/MQA, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607, within 14 days of publication of this notice.

For a copy of the petition, contact John Johnson, Division Director, Board of Accountancy, at the above address or by telephone at (352)333-2505.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Osteopathic Medicine hereby gives notice that it has received a Petition for Variance or Waiver filed on February 7, 2006 by Adam Jeffrey Getzels, D.O. Pursuant to Chapter 28-104, F.A.C. and Section 120.542, F.S., petitioner seeks a waiver of the provisions of Rule 64B15-13.001, F.A.C., (continuing education for biennial review). Specifically, the Petitioner requests that on the basis of substantial hardship and principles of fairness explained in the Petition the Board waive the requirements for continuing medical education 1-A credits and accept instead the petitioner's 1-B credits to fulfill the continuing medical educational requirements under Rule 64B15-13.001, F.A.C.

Copies of the petition may be obtained by writing Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Library and Information Services**, announces the Florida Library Network Council Meeting.

DATES AND TIMES: Monday, February 27, 2006, 8:30 a.m. – Tuesday, February 28, 2006, 12:00 Noon

PLACE: The Board Room, The Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Florida Electronic Library Plan, to review reports from various Council subcommittees, and to review the Plan's implementation status.

For additional information contact: Judith Ring, State Librarian, (850)245-6603 or Suncom 205-6603.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6603 or TDD (850)922-4085.
