

(12) For reorders of Instant Game Number 680, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a DEAL OR NO DEAL lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(14) Payment of prizes for DEAL OR NO DEAL lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History–New 9-1-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: September 1, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER06-50	Waiver of Electronic Funds Transfer Penalties for Retailers – Tropical Storm Ernesto

SUMMARY OF THE RULE: The emergency rule sets forth the provisions for the waiver of certain retailer penalties set forth in Florida Lottery rules in response to damage and loss sustained by Florida Lottery retailers from Tropical Storm Ernesto.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-50 Waiver of Electronic Funds Transfer Penalties for Retailers – Tropical Storm Ernesto.

Notwithstanding the provisions in Florida Lottery Rule 53ER05-16, F.A.C., Retailer Accountability, this emergency rule sets forth the provisions for the waiver of electronic funds transfer (EFT) delinquency penalties in response to an unsuccessful attempt to electronically transfer funds from a retailer’s bank account to the Lottery in payment of the retailer’s weekly settlement activity when the unsuccessful attempt is due to Tropical Storm Ernesto.

(1) The penalty for an EFT delinquency as set forth in Rule 53ER05-16, F.A.C., shall be waived provided the Lottery determines that a retailer’s unsuccessful EFT resulted from circumstances attributable to Tropical Storm Ernesto.

(2) The Florida Lottery shall make such determinations based on information it is able to obtain from the retailer, the retailer’s bank, and other available sources of relevant information.

(3) This penalty waiver shall remain in effect until such time as this rule (or certain provisions herein) is replaced with a subsequent rule declaring its obsolescence.

Specific Authority 24.105(9)(j), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(j), 24.112(1) FS. History–New 9-1-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: September 1, 2006

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

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that on March 29, 2006, the Department of State filed the Town of Surfside’s Petition for Variance of Section IX(H) of the Public Library Construction Grant Guidelines. These Guidelines are incorporated by reference into Rule 1B-2.011, F.A.C., and provide that a recipient of a Public Library Construction Grant has 540 days from the date of the grant award to place the construction project under contract, unless the recipient is involved in litigation. The Petition requested an extension of the 540-day deadline until September 29, 2007, or a complete waiver of this deadline. Notice of the petition was published in the April 21, 2006 issue of the F.A.W. On August 29, 2006, the Department of State entered an order dismissing the Petition. The general basis for the dismissal is that paragraph 1B-2.011(2)(b), F.A.C., authorizes the Department to grant the requested relief, without waiver or variance, because the Town of Surfside was unable to meet the rule deadline due to litigation.

A copy of the petition and its order of disposition may be obtained from: Lisa Ginn, Agency Clerk, Office of the General Counsel, Department of State, 500 South Bronough Street, Tallahassee, FL 32399-0250.

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 August 28, 2006, the South Florida Water Management District, received a petition for waiver from Miami-Dade County Public Works Department, Application No. 06-0828-3M, for utilization of Works or Lands of the District known as the C-7 Canal, Miami-Dade County, for the replacement of the N. E. 2nd Avenue Bridge. The petition seeks relief from subsections 40E-6.011(4), and (6), and paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the minimum low member elevation of pile-supported structures within Works or Lands of the District.

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

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 August 14, 2006, the Department of Environmental Protection, Division of Air Resource Management has issued an order.

On March 9, 2006, a petition from Pasco Terminals, Inc. (Petitioner), seeking a waiver/variance under Section 120.542 of the Florida Statutes, from pre-construction ambient air quality analysis, sulfur deposition analysis and post-construction monitoring under paragraphs 62-212.600(2)(a), (b), and (c), F.A.C. The petition was assigned OGC Case #06-0739. A Notice of Receipt of Petition for Variance was published March 24, 2006, on the Department's Internet Publication of Official Notices.

No public comment was received. The Department sent the Petitioner a Request for Additional Information on April 7, 2006. On August 14, 2006, the Petitioner withdrew its request. Consequently, the Department will take no further action on this request and no order has been issued.

A copy of the Order may be obtained by contacting: Rebecca Robinette, DEP-OGC, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on August 25, 2005, the Board of Acupuncture, received a petition for waiver or variance of subsection 64B1-4.001(2), Florida Administrative Code, allowing him to waive the required 2700 hours of supervised instruction.

Comments on this petition should be filed with: the Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-0750, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Pam King, Executive Director, Board of Acupuncture, at the above address or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN that on September 6, 2006, the Board of Psychology, received a petition for Adrine McKenzie, Ph.D., C. Psych., seeking a variance or waiver of paragraph 64B19-11.005(1)(c), F.A.C., and the requirement that a supervisor be either a Florida licensed psychologist or a doctoral-level psychologist licensed in good standing in another state.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Love, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3480.

NOTICE IS HEREBY GIVEN that on August 30, 2006, the Department of Health filed Orders disposing of petitions for waiver of subsection 64E-3.004(2), F.A.C., from the following persons: Jacquelyn Blunier, Harold K. Burke, Sr., Diane Durak, Elizabeth Duva, Danielle Marie Geraci, Gail D. Gorman, Monica Reneé Harrison, Carol J. King, Pedro Luis Lambert, Carolina Medrano, Cindy Lee Milano, Sabrina V. Morales, Emmie Elizabeth Newcomb, Bonnie Parise, Eva I. Perez, Emil Pottinger, Angelina Rizzo, Mailen Rodriguez, Carla M. Stacey, Lisa A. Vickery, Aaron Wilson, and Wenona Wyche. The petitions were filed with the Department and were noticed in the F.A.W., on August 25, 2006, Vol. 32, pp 34.

The orders provide in summary that petitioners are entitled to receive a temporary certificate allowing them to continue to work while awaiting their examination results because petitioners have demonstrated that a Department error resulted in a violation of principles of fairness. Further, the waivers may be granted while fully protecting the health and safety of the public and, thus, do not violate the underlying purposes of the

statute. Accordingly, the petitions for waiver of subsection 64E-3.004(2), F.A.C., from the above-named petitioners have been Granted.

A copy of the orders may be obtained from: Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C85, Tallahassee, Florida 32399-3285.

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: October 3, 2006, 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 positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.