

(h) Children and families served in prevention and diversion programs.

(8) Recruitment and Retention.

(a) A lead agency shall establish a written recruitment plan for finding adequate foster and adoptive parent resources for waiting children. The plan must contain a means to ensure an adequate number of qualified placement options is maintained at all times to meet the needs of children who cannot safely remain in their own homes. The plan must detail a defined approach for recruiting, approving, maintaining and supporting high quality family foster homes and potential adoptive parents to match the needs of the children coming into care and a means by which the agency will measure compliance with this requirement.

(b) All agencies shall maintain documentation of all licensing activities for each family foster home as required by Rule Chapter 65C-13, F.A.C.

(9) Documentation and Record Retention.

(a) A lead agency shall completely document the provision of services to each client. These records shall be produced and updated in accordance with the agency's policy, procedures, and guidelines. In addition, the records shall include:

- 1. Initial and subsequent comprehensive behavioral assessments;
- 2. Relative home studies for in-home placement;
- 3. Family Foster Home Records
- 4. Adoptive and Potential Adoptive Family Records
- 5. Legal documents (e.g. court orders);
- 6. Case plans;
- 7. Medical records;
- 8. Educational records;
- 9. On-going records of contacts with children, legal parents and out-of-home caregivers, court appearances and other collateral contacts on behalf of children and families served under the agency's contract; and
- 10. Records required by applicable state or federal laws, rules, regulations or department operating procedures.

(b) The lead agency shall maintain the Statewide Automated Child Welfare Information System (SACWIS) and provide the department all required data. The lead agency shall register special needs children and maintain current information on the Adoption Exchange System on those children who have been permanently committed to the department and who are legally freed for adoption. Upon request, the lead agency shall provide back-up documentation and records regarding the information provided the department;

(c) Active case files shall be returned to the department upon termination of a lead agency contract.

(d) An agency licensed for the purpose of being a lead agency shall comply with the department record retention schedule as approved by the Florida Department of State Bureau of Archives and Records Management.

Specific Authority 39.409.1671, 409.175 FS. Law Implemented 39.409.1671, 409.175 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chris Lolley
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Patricia Badland
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9B-1	Manufactured Buildings
RULE NOS.:	RULE TITLES:
9B-1.002	Definitions
9B-1.003	Administration and Department Responsibilities
9B-1.004	Adoption of Model Codes
9B-1.006	Certification of Third Party Agencies
9B-1.007	Manufacturer Certification
9B-1.009	Design Plan and Systems Approval
9B-1.0095	Component System
9B-1.010	Manufacturers Quality Assurance Manual Control Procedures
9B-1.016	Department Insignia
9B-1.017	Insignia Application and Issuance
9B-1.020	Schedule of Fees
9B-1.0211	Change in Manufacturer's Status
9B-1.0221	Manufacturer's Obligations Upon Sale of Building
9B-1.028	Factory-built Schools, Inspections and Work Progress Reports
9B-1.030	Factory-built Schools, Insignia and Data Plate

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 30, July 29, 2005, issue of the Florida Administrative Weekly. The changes

are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

9B-1.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

(1) through (25) No change.

(25) through (26) renumbered (27) through (28) No change.

Specific Authority 553.76(4), ~~553.37(4)~~, 553.415 FS. Law Implemented 553.37, ~~553.36~~, 553.415, 553.73 FS. History–New 1-17-72, Amended 2-23-75, 12-8-75, 3-1-80, 9-29-82, Formerly 9B-1.02, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03,_____.

9B-1.003 Administration and Department Responsibilities.

(1) Forms – The following forms are hereby adopted by reference for use in administering this part. These forms may be obtained online at www.floridabuilding.org.

(a) FMBP 1-00 Manufacturer Application for State Approval, effective 10/1/05;

(b) FMBP 2-00 Agency Application for State Approval, effective 10/1/05;

(c) FMBP PS-1-00 School Districts Application Application for School Boards, effective 10/1/05;

(d) FMBP 4-00 Third Party Agency Renewal Form, effective 10/1/05;

(e) FMBP 6-00 ~~Form~~ Insignia Disposition Report, effective 10/1/05.

(2) through (4) No change.

Specific Authority 553.37(1), (2), 553.73(2), 553.76(4) FS. Law Implemented 553.37(1), (2), 553.381, 553.73(2), 553.76(4) FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 11-1-84, Formerly 9B-1.03, Amended 1-1-87, 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01, 7-16-03,_____.

9B-1.004 Adoption of Model Codes.

(1) through (7) No change.

Specific Authority ~~320.01(2)(a)~~, 553.37(1), ~~553.38(1)~~, 553.415, 553.73(2), 553.76(4) FS. Law Implemented 553.37(8), 553.38(1), 553.415, 553.73(1), (2) FS. History–New 1-17-72, Amended 6-19-74, 2-23-75, 12-21-76, 3-20-79, 3-1-80, 6-24-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.04, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, 7-16-03,_____.

9B-1.006 Certification of Third Party Agencies.

(1) through (6) No change.

Specific Authority 553.37(1), 553.38(1), 553.73(2), 553.76(4) FS. Law Implemented 553.37(1)(c), (8) ~~553.37(8)~~ FS. History–New 1-17-72, Amended 2-23-75, 12-8-75, 11-14-76, 3-23-77, 3-1-80, 9-29-82, 4-21-83, 11-1-84, Formerly 9B-1.06, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03,_____.

9B-1.007 Manufacturer Certification.

(1) through (4) No change.

Specific Authority 553.37(1), 553.38(1), 553.381, 553.73(2), 553.76(4) FS. Law Implemented 553.37(8), 553.381 ~~553.38(4)~~ FS. History–New 1-17-72, Amended 2-23-75, 11-14-76, 3-1-80, 11-4-84, Formerly 9B-1.07, Amended 1-1-87, 1-1-89, 3-1-95, 9-7-00, 9-13-01, 7-16-03,_____.

9B-1.009 Design Plan and Systems Approval.

(1) No change.

(2) Design Plan Submittal.

(a) Completed sets of design plans and specifications, prepared by an architect or engineer licensed to practice in the State of Florida, except as exempted by Florida law; supporting calculations and any required test results for each system and prototype to be approved. Based on compliance with the codes in Rule 9B-1.004, F.A.C., the Third Party Agency’s plans examiner licensed under Chapter 468, F.S., shall approve or disapprove the manufacturer’s submittal. If the submittal is approved, the individual shall affix a stamp authorized by the Department on each sheet. Plans drawn to a scale less than 1/8" to the foot are not acceptable. Plans shall be legible for reproduction purposes.

(3) through (7)(g) No change.

(h) ~~Florida Insignia Number.~~

(i) through (q) renumbered (h) through (p) No change.

Specific Authority 553.37(1), 553.76(4) FS. Law Implemented 553.37(1)(a), ~~553.38(4)~~ 553.76(4) FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.09, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03,_____.

9B-1.0095 Component System.

(1) through (3) No change.

Specific Authority 553.37, 553.38, 553.76(4) FS. Law Implemented 553.37, 553.38, 553.36(5), 553.76(4) FS. History–New 9-13-01, Amended 7-16-03,_____.

9B-1.010 Manufacturer’s Quality Assurance Manual Control Procedures.

The manufacturer’s Quality Control Manual shall at a minimum contain the following information.

(1) through (5) No change.

Specific Authority 553.37(1)(b), 553.76(4) FS. Law Implemented 553.37(1)(b), (6), (8), 553.76(4) FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, Formerly 9B-1.10, Amended 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01,_____.

9B-1.016 Department Insignia.

(1) through (11) No change.

Specific Authority 553.37(1)(e), 553.76(4) FS. Law Implemented 553.37(1)(5), 553.38, 553.73(2) FS. History–New 1-17-72, Amended 9-17-73, 2-23-75, 3-1-80, 6-24-80, 9-29-82, 11-1-84, Formerly 9B-1.16, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03,_____.

9B-1.017 Insignia Application and Issuance.

(1) through (2) No change.

Specific Authority 553.37(1)(b) FS. Law Implemented 553.37, 553.38, 553.73(2), 553.76(4) FS. History--New 1-17-72, Amended 9-27-73, 2-23-75, Formerly 9B-1.17, Amended 1-1-87, 3-1-92, 3-1-95, 7-16-03, _____.

9B-1.020 Schedule of Fees.

The Department shall charge the following fees for the indicated items:

(1) Manufacturer's initial application fee is \$300 plus \$300 for the triennial certification. The triennial renewal fee is \$300. Each additional plant will be assessed an initial application fee of \$100 plus \$150 triennial certification. The triennial renewal fee is \$150. Third Party Agency's initial application fee is \$600 plus \$900 for the triennial certification. The triennial renewal fee is \$900.

(2) No change.

(3) Insignia fees:

(a) Factory-built schools fee is ~~\$15~~ \$20 per building;

(b) No change.

(c) Storage sheds (less than 720 square feet in area) is ~~\$5~~ \$7;

(d) Manufactured buildings fee is ~~\$50~~ \$55 per module, including storage sheds over 720 feet.

~~(4) All fees are non refundable, unless otherwise approved by the Department.~~

Specific Authority 553.37(7)(4) FS. Law Implemented 553.37(7) FS. History--New 1-17-72, Amended 2-1-72, 2-23-75, 12-8-75, 3-20-79, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.20, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, _____.

9B-1.0211 Change in Manufacturer's Status.

(1) through (4) No change.

Specific Authority ~~553.37(4)~~ 553.76(4) FS. Law Implemented 553.37(1), (4) FS. History--New 9-13-01, Amended 7-16-03, _____.

9B-1.0221 Manufacturer's Obligations Upon Sale of Building.

The manufacturer shall provide a TRANSPORTATION AND INSTALLATION BOOKLET with each new building and component package. It shall include:

(1) through (2) No change.

Specific Authority 553.38 FS. Law Implemented 553.38 FS. History--New 9-13-01, Amended _____.

9B-1.028 Factory-built Schools, Inspections and Work Progress Reports.

(1) through (2) No change.

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History--New 9-13-01, Amended 7-16-03, _____.

9B-1.030 Factory-built Schools, Insignia and Data Plate.

(1) through (g) No change.

~~(h) Florida insignia number;~~

(i) through (t) renumbered (h) through (u) No change.

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History--New 9-13-01, Amended _____.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CHANGE IS: Michael D. Ashworth, Manufactured Buildings Program Manager, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-6075, e-mail address: michael.ashworth@dca.state.fl.us.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

RULE CHAPTER NO.: RULE CHAPTER TITLE:

9G-2 Comprehensive Emergency Management Plan

RULE NO.: RULE TITLE:

9G-2.002 State Comprehensive Emergency Management Plan Adopted

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 17, April 28, 2006, Florida Administrative Weekly, has been withdrawn.

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

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-1.659 Forms and Instructions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 35, September 1, 2006, issue of the Florida Administrative Weekly:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference in this chapter and may be obtained by contacting the Records Management Specialist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-8045, ext. 6436, or (561)682-6436:

Forms 0050A through 1197 No change.

(2)(a) through (g) No change.

Specific Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 704.06 FS. Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History–New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06,_____.

In addition, the following changes are being made to Form 1192 Deed of Conservation Easement (Standard Riparian):

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes, over the Property described on Exhibit “B” (“Conservation Easement”).

3. Prohibited ~~Prohibitive~~ Uses. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, or other activities described herein that are permitted or required by the permit, the following activities are prohibited in or on the Property described on Exhibit “B” (“Conservation Easement”).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-4.091	Publications, Rules and Interagency Agreements Incorporated By Reference

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 35, September 1, 2006, issue of the Florida Administrative Weekly:

Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District – 2-12-06, incorporated by reference in Rule 40E-4.091, F.A.C., Publications, Rules and Interagency Agreements Incorporated by Reference.

4.3.8 Real Property Conveyances and Restrictions.

(a) through (b) No change.

(c) The use of Form No(s). 1190-1192 and 1194-1197, referenced in Rule 40E-1.659, F.A.C., shall constitute consistency with Section 704.06, F.S. Where the applicant demonstrates that project specific conditions necessitate ~~warrant~~ deviation from language of the accepted forms, alternative language shall be ~~may be~~ accepted provided that the intent of Section 704.06, Fla. Stat. and Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District as long as certain conditions are met.

Specific Authority 373.044, 373.113, 373.171, 373.413, 704.06 FS. Law Implemented 373.413, 373.4135, 373.414, 373.412, 373.416, 373.418, 373.421, 373.426, 704.06 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06,10-1-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE CHAPTER NO.: RULE CHAPTER TITLE:

61A-1 Definitions

RULE NO.: RULE TITLE:

61A-1.010 Approved Advertising and Promotional Gifts

CANCELLATION OF RULE DEVELOPMENT WORKSHOP

Notice is hereby given that the rule development workshop for the above rule, set for Wednesday, November 21, 2006, has been cancelled. The person to be contacted regarding the rule is: David Tarbert, Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399-0750, (850)488-0062.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.006 Educational Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 30, July 28, 2006 issue of the Florida Administrative Weekly.

This change was made to address a concern expressed by the Joint Administrative Procedure Committee.

When changed, subsection (2) shall read as follows:

(2) A non-EAC/ABET accredited engineering degree program (hereinafter “engineering program”) which seeks approval ~~certification~~ pursuant to Section 471.013(1)(a), Florida Statutes, shall submit the following to the Board:

(a) A completed application form and self-study report (which may be obtained from the Board by writing to: Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32304) ;

~~(b) A registration fee as prescribed by the Board;~~

~~(c) A survey fee as prescribed by the Board;~~

~~(b)(4) A current catalog and student and faculty handbook.~~

When changed, subsection (3) shall read as follows:

(3) The Board's survey and evaluation of an engineering program shall consist of two elements:

(a) No change.

(b) A visit to the engineering school, including visits to facilities at locations other than the main campus, at the expense of the applying engineering program. This site visit will encompass all elements of the standards for approval certification set forth in this rule. A site visit is an essential requirement in the review of an engineering program seeking certification, without which no approval certification may be granted by the Board.

When changed, subsection (4) shall read as follows:

(4) The Meaning of Approval Certification.

(a) Purpose.

1. Approval Certification of an engineering program is the responsibility of the Board and is based on standards established by the Board. The same standards as are applied in the accreditation of engineering programs by EAC/ABET will be applied for approval certification of an engineering program.

2. No change.

3. Application for approval Certification is entirely voluntary on the part of the school.

(b) Standards.

1. To be approved certified, engineering programs must meet the standards set forth by the Board in this rule as judged by the Board. These standards are sometimes stated in a fashion that is not susceptible to quantification or to precise definition because the nature of the evaluation is qualitative in character and can be accomplished only by the exercise of professional judgment by qualified persons.

2. In these standards, the words "must" and "should" have been chosen with care. Use of the word "must" indicates that Florida considers meeting the standard to be absolutely necessary if the program is to be certified. Use of the word "should" indicates that Florida considers an attribute to be highly desirable and makes a judgment as to whether or not its absence may compromise substantial compliance with all of the requirements for approval certification.

When changed, subsection (5) shall read as follows:

(5) Objectives.

(a) An essential objective of a program in engineering education leading to a BSE degree must be to meet the standards herein described for approval certification that its graduates will be prepared to qualify for licensure, to provide competent engineering services and to have the educational background necessary for lifelong learning. An engineering program may establish additional objectives consistent with its available resources. Objectives must be defined in writing and made known to faculty and students. While recognizing the existence and appropriateness of diverse institutional missions and educational objectives, the Board subscribes to the proposition that local circumstances do not justify approval certification of a program that fails to meet the standards as set forth in this rule.

(b) Approval is granted Certification is awarded on the basis of evidence of an appropriate balance between the size of the enrollment in each class and the total resources of the program, including the faculty, physical facilities, curricular time and methods of instruction, and the budget. If there is to be substantial change in any of the above functions, the Board must be notified in writing so that reevaluation may be instituted.

(6) through (8) No change.

When changed, subsection (9) shall read as follows:

(9) Site Visit.

(a) The site visit team shall consist of the Educational Advisory Committee and individual(s) designated by the Board who are or have been engineering educators and practitioners experienced in engineering program evaluation. The applicant must assist the Board in making all necessary arrangements for the site visit, including the opportunity to meet trustees, owners or their representatives, administrators, faculty, students, and any others connected with the program.

~~(b) All costs incurred in making site visits to applicant facilities shall be paid by the applicant.~~

~~(b)(c)~~ Following the site visit, the Educational Advisory Committee will report its findings to the Board.

When changed, subsection (10) shall read as follows:

(10) Board Approval.

(a) Upon receipt of a report from the Educational Advisory Committee, the Board will notify the applicant of its intent to grant or deny approval certification. Approval Certification must be denied if deficiencies found are of such magnitude as to prevent the students in the school from receiving an educational base suitable for the practice of engineering.

~~(b) If the Board gives notice of its intent to deny the application for approval certification, the notice shall include a specific list of deficiencies and what the Board will require for compliance. The Board shall permit the applicant, on request, to demonstrate by satisfactory evidence, within 90 days, that it has remedied the deficiencies specified by the Board. The Board shall deny certification if the applicant has not paid all fees and costs required of the Board in connection with the application.~~

(c) If the Board gives notice of its intent to approve the application grant certification, it shall specify which type it intends to grant: provisional or full approval certification.

(d) Provisional approval certification may be granted where deficiencies exist but are not of such magnitude to warrant denial of certification entirely. The Board shall determine the period of provisional approval certification, not to exceed three years, based on the nature of the deficiencies found, and an estimate of the reasonable period of time which may be necessary to remedy the deficiencies. Failure to remedy the deficiencies within the time specified by the Board may be grounds for denial of approval certification. The Board may, however, extend the period within which deficiencies may be

remedied, if there is good cause to do so. A site visit may be required by the Board if it deems it necessary to determine whether the deficiencies have been adequately remedied and whether any other conditions may have changed during the period of provisional approval certification.

(e) Full approval certification will be granted to an engineering school which is in substantial compliance with all of the standards ~~for certification~~ set forth in this rule. The school shall submit to the Board evidence of continued compliance annually.

(f) Periodic surveys and evaluations of all approved certified schools shall be made at least every four years.

(g) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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."

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
64E-2.040 Funding for Verified Trauma Centers
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 46, November 17, 2006 issue of the Florida Administrative Weekly. This is to notice that the public hearing for Rule 64E-2.040, F.A.C., has changed from December 1, 2006 at 10:00 a.m. EST to December 8, 2006 at 1:00 p.m. The hearing will still be held at the Department of Health, Division of Emergency Medical Operations, Capital Circle Office Complex, 4025 Esplanade Way, Conference Room 301, Tallahassee, FL 32399-1738.

**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 THE LOTTERY

RULE NO.: RULE TITLE:
53ER06-59 *Holiday Millionaire Raffle™* Retailer Incentive Rules

SUMMARY OF THE RULE: The Department of the Lottery will conduct a "*Holiday Millionaire Raffle Retailer Incentive*" program between November 20, 2006 and December 30, 2006, in which certain retailers will receive bonus commissions during the promotion period.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-59 *Holiday* MILLIONAIRE RAFFLE™ Retailer Incentive Rules.

(1) *Holiday* MILLIONAIRE RAFFLE is an on-line number match game. *Holiday* MILLIONAIRE RAFFLE tickets will go on sale Monday, November 20, 2006. Sales of *Holiday* MILLIONAIRE RAFFLE tickets will cease immediately after the 1,250,000th ticket is sold or at midnight on December 30, 2006, whichever occurs first.

(2) Each *Holiday* MILLIONAIRE RAFFLE ticket will contain a unique ticket number that will be entered automatically into the *Holiday* MILLIONAIRE RAFFLE drawing. A random computerized drawing from among all *Holiday* MILLIONAIRE RAFFLE ticket numbers issued during the sales period will be held on January 1, 2007. A total of 130 prizes will be awarded. Prizes will be awarded in the order drawn. The first through tenth numbers drawn will win \$1 million cash. The 11th through 30th numbers drawn will win \$100,000 and will be alternates in the order drawn for a \$1 million prize in the event a top prize is not claimed within the 180-day claim period. The 31st through 130th numbers drawn will win \$10,000.

(3) A retailer who sells a winning \$1 million *Holiday* MILLIONAIRE RAFFLE ticket will receive a bonus commission of \$5,000 in addition to the regular five percent sales commission set forth in Rule 53ER05-14, Florida Administrative Code.

(4) Award of a bonus commission is not dependent upon the winning *Holiday* MILLIONAIRE RAFFLE ticket being claimed by the winner. Retailers who sell winning \$100,000 *Holiday* MILLIONAIRE RAFFLE tickets that subsequently become alternate winners of a \$1 million prize will not be awarded the bonus commission. Retailers who sell winning \$10,000 *Holiday* MILLIONAIRE RAFFLE tickets will not be eligible for a bonus commission.