

(6) A licensed medical professional must conduct a face-to-face evaluation of the individual within one hour of administration of a chemical restraint, if the restraint was ~~ordered~~ ~~authorized~~ by telephone. The medical professional must record the results of this evaluation in the individual's records and document whether the administration of medication achieved the expected results.

(7) Staff must monitor an individual who has been chemically restrained at least once every half-hour and record the effects of the restraint in the individual's records.

Specific Authority 393.501, ~~393.13(4)(h)2~~, ~~916.1093(2)~~ FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.009 Prohibited Procedures.

The following reactive strategies are prohibited:

(1) through (9) No change.

(10) Use of any ~~containment immobilizing~~ technique ~~medically contraindicated for an individual prior to obtaining a medical release that rules out increased risk to the individual by use of this position;~~

(11) through (12) No change.

Specific Authority 393.501, ~~393.13(4)(h)2~~, ~~916.1093(2)~~ FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.010 Documentation and Notification.

(1) Staff must document the following information in the individual's records ~~as soon as possible, but no later than the end of the work shift~~ ~~immediately~~ following the use of a reactive strategy:

(a) through (d) No change.

(2) through (4) No change.

Specific Authority 393.501, ~~393.13(4)(h)2~~, ~~916.1093(2)~~ FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.011 Access to Rules.

(1) The ~~provider program~~ or facility employing reactive strategies must maintain on-site a copy of Rule Chapter 65G-8, F.A.C., accessible by these rules and provide access to staff, clients, parents, guardians, and guardian advocates.

(2) No change.

Specific Authority 393.501, ~~393.13(4)(h)2~~, ~~916.1093(2)~~ FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

65G-8.012 Enforcement.

(1) through (2) No change.

Specific Authority 393.501, ~~393.13(4)(h)2~~, ~~916.1093(2)~~ FS. Law Implemented 393.13(4)(h), 916.1093(2) FS. History–New \_\_\_\_\_.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-204.010	Purpose and Scope
69O-204.020	Definitions
69O-204.030	Forms Incorporated By Reference
69O-204.040	Prohibited Practices
69O-204.050	Verification of Coverage
69O-204.060	Required Supplemental Annual Transaction Detail
69O-204.070	Anti-Fraud

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 50, December 14, 2007 issue of the Florida Administrative Weekly has been withdrawn.

Section IV  
Emergency Rules

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NO.:	RULE TITLE:
12DER08-13	Repeal of Forms from 2007 Millage Levy Compliance

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2007-321, Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. This act further provided that all conditions imposed by Chapter 120, Florida Statutes are deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2007-321, Laws of Florida. The law provided that these emergency rules could remain in effect for a period of 18 months and that they could be renewed. The Department of Revenue has taken several actions to inform interested parties about the need to repeal forms that are no longer applicable, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and counties, municipalities, and independent districts and their associations. The actions that the Department has taken include: e-mailing the Property Appraisers, and posting on the Department's website an announcement, "Repeal of Forms from 2007 Millage Levy Compliance." The forms now being repealed were effective only for 2007 and are not applicable to 2008. This Emergency Rule avoids having two versions of the same form available, and prevents the inadvertent use of outdated forms by the public.

SUMMARY: Emergency Rule 12DER08-13 (Repeal of forms from 2007, Millage Levy Compliance). The provisions of HB 1B required that the Department promulgate forms that were effective for 2007 only. In preparation for completing the implementation process, the Department will promulgate forms that will be effective for 2008 and beyond. The Department will repeal some emergency rules and forms from 2007. The following rules and their accompanying forms are being repealed: (1) 12DER07-10 How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents. (2) Rule 12DER07-09 Disclosure and Certification of Compliance; Option to Prefile Documents. The following forms that were adopted in Rule 12DER07-09 are also being repealed: (a) Form DR-420C, (County Maximum Millage Levy Calculation Final Disclosure; N. 09/07); (b) Form DR-420I, (Independent Special District Maximum Millage Levy Calculation Final Disclosure; N. 09/07); (c) Form DR-420M, (Municipality Maximum Millage Levy Calculation Final Disclosure; N. 09/07); (d) Form DR-487P (Pre-Filing Certification of Compliance; N. 09/07); (e) Form DR-487 (Certification of Compliance; N. 09/07); (f) Form DR-487V (Vote Record for Final Adoption of 2007-2008 Millage Levy; N. 09/07); (3) Rule 12DER07-07 Forms for Use in the Maximum Millage Calculations Required by Chapter 2007-321, Laws of Florida. The following forms that were adopted in Rule 12DER07-07 are also repealed: (a) Form DR-420C-P (County Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07); (b) Form DR-420I-P (Independent Special District Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07); (c) Form DR-420M-P (Municipality Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07); (d) Form DR-428 (Maximum Millage Calculation-General Information; N. 07/07); (4) Rule 12DER07-05 Forms for Use in Administering House Bill 1B. The following forms that were adopted in Rule 12DER07-05 are also repealed: (a) Three Truth in Millage forms: 1. Form DR-420 (Certification of Taxable Value; R. 06/07). 2. Form DR-420TIF (Tax Increment Adjustment Worksheet; N. 06/07). 3. Form DR-420S (Certification of School Taxable Value; R. 06/07). (b) Two forms: 1. Form DR-426 (For Use by Property Appraisers; Report on the Correctness of Total Tax Levies; N. 06/07). 2. Form DR-427 (For Use by Chair of Local Governing Body; Report on the Correctness of Total Tax Levies; N. 06/07). (c) Informational material – Form DR-425 (Steps for Reviewing Taxes Levied Used in Determining Fiscal Year 2007-08 Maximum Millage Levies Under HB 1B; N. 06/07.)

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Claudia Kemp, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)488-4436; Fax (850)921-4063; email address [kempc@dor.state.fl.us](mailto:kempc@dor.state.fl.us)

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER08-13 Repeal of Forms from 2007 Millage Levy Compliance.

The following rules are hereby repealed:

(1) 12DER07-10 How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents. EFFECTIVE OCTOBER 23, 2007.

(2) Rule 12DER07-09 Disclosure and Certification of Compliance; Option to Prefile Documents. EFFECTIVE SEPTEMBER 14, 2007. The following forms that were adopted in Rule 12DER07-09 are also repealed:

(a) Form DR-420C (County Maximum Millage Levy Calculation Final Disclosure; N. 09/07).

(b) Form DR-420I (Independent Special District Maximum Millage Levy Calculation Final Disclosure; N. 09/07).

(c) Form DR-420M (Municipality Maximum Millage Levy Calculation Final Disclosure; N. 09/07).

(d) Form DR-487P (Pre-Filing Certification of Compliance; N. 09/07).

(e) Form DR-487 (Certification of Compliance; N. 09/07).

(f) Form DR-487V (Vote Record for Final Adoption of 2007-2008 Millage Levy; N. 09/07).

(3) Rule 12DER07-07 Forms for Use in the Maximum Millage Calculations Required by Chapter 2007-321, Laws of Florida. EFFECTIVE JULY 12, 2007. The following forms that were adopted in Rule 12DER07-07 are also repealed:

(a) Form DR-420C-P (County Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07).

(b) Form DR-420I-P (Independent Special District Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07).

(c) Form DR-420M-P (Municipality Maximum Millage Levy Calculation-Preliminary Disclosure; N. 07/07).

(d) Form DR-428 (Maximum Millage Calculation-General Information; N. 07/07).

(4) Rule 12DER07-05 Forms for Use in Administering House Bill 1B. EFFECTIVE JUNE 27, 2007. The following six forms that were adopted in Rule 12DER07-05 are also repealed:

(a) Three Truth in Millage forms:

1. Form DR-420 (Certification of Taxable Value; R. 06/07).

2. Form DR-420TIF (Tax Increment Adjustment Worksheet; N. 06/07).

3. Form DR-420S (Certification of School Taxable Value; R. 06/07).

(b) Two forms to be used by Property Appraisers and Chairs of local governing bodies for reporting purposes (on or before July 2, 2007):

1. Form DR-426 (For Use by Property Appraisers; Report on the Correctness of Total Tax Levies; N. 06/07).

2. Form DR-427 (For Use by Chair of Local Governing Body; Report on the Correctness of Total Tax Levies; N. 06/07).

(c) Form DR-425 (Steps for Reviewing Taxes Levied Used in Determining Fiscal Year 2007-08 Maximum Millage Levies Under HB 1B; N. 06/07).

Specific Authority Section 9 of Ch. 2007-321, L.O.F. Law Implemented Sections 1 through 11 of Ch. 2007-321, L.O.F. History—New 6-3-08.

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

EFFECTIVE DATE: June 3, 2008

**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.: 53ER08-35  
 RULE TITLE: Instant Game Number 761, BETTY BOOP

SUMMARY: This emergency rule describes Instant Game Number 761, “BETTY BOOP,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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:

53ER08-35 Instant Game Number 761, BETTY BOOP.

(1) Name of Game. Instant Game Number 761, “BETTY BOOP.”

(2) Price. BETTY BOOP lottery tickets sell for \$2.00 per ticket.

(3) BETTY BOOP lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BETTY BOOP lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

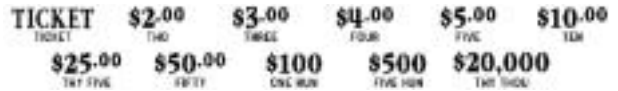
(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(5) The “BETTY’S NUMBERS” play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:




(7) The legends are as follows:

BETTY’S NUMBERS    YOUR NUMBERS    PRIZE

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “BETTY’S NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “ ” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to \$50.00.

(b) The prizes are: TICKET, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$500 and \$20,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a BETTY BOOP lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 761 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 42 POOLS OF TICKETS PER POOL
TICKET	\$2 TICKET	1 IN 12.50	180,000
\$2	\$2	21.43	352,800
\$4	\$4	21.43	352,800
\$2 + \$3	\$5	30.00	252,000
\$5	\$5	37.50	201,600
\$2 x 5	\$10	300.00	25,200
\$5 x 2	\$10	300.00	25,200
\$10	\$10	150.00	50,400
\$5 x 5	\$25	300.00	25,200
\$25	\$25	300.00	25,200
\$5 x 10	\$50	1,800.00	4,200

\$10 x 5	\$50	1,800.00	4,200
\$50 (HEART)	\$50	360.00	21,000
\$10 x 10	\$100	18,000.00	420
(\$25 x 2) + \$50 (HEART)	\$100	2,400.00	3,150
\$100	\$100	2,400.00	3,150
(\$25 x 6) + \$50 (HEART)	\$200	45,000.00	168
(\$25 x 2) + (\$100 x 4) + \$50 (HEART)	\$500	378,000.00	20
\$500	\$500	378,000.00	20
\$20,000	\$20,000	756,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 761 are 1 in 3.87. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 761, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BETTY BOOP lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for BETTY BOOP 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 5-30-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: May 30, 2008

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-36  
RULE TITLE: Instant Game Number 751, BLAZIN' RED HOT BUCKS

SUMMARY: This emergency rule describes Instant Game Number 751, "BLAZIN' RED HOT BUCKS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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:

53ER08-36 Instant Game Number 751, BLAZIN' RED HOT BUCKS.

(1) Name of Game. Instant Game Number 751, "BLAZIN' RED HOT BUCKS."

(2) Price. BLAZIN' RED HOT BUCKS lottery tickets sell for \$5.00 per ticket.

(3) BLAZIN' RED HOT BUCKS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BLAZIN' RED HOT BUCKS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:

WINNING NUMBERS      YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "SMALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the prize shown. A ticket having a "LARGE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all twenty prizes.

(b) The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$75.00, \$100, \$500, \$1,000, \$10,000 and \$100,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 751 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	30.00	208,000
\$5 (BILL)	\$5	8.57	728,000
\$5 x 2	\$10	60.00	104,000
\$10	\$10	30.00	208,000
\$10 (BILL)	\$10	15.00	416,000
\$5 x 3	\$15	120.00	52,000
\$15 (BILL)	\$15	120.00	52,000
\$5 x 5	\$25	300.00	20,800
(\$5 x 3) + \$10	\$25	400.00	15,600
\$5 (BILL) + (\$10 x 2)	\$25	300.00	20,800
\$10 + \$15 (BILL)	\$25	400.00	15,600
\$25 (BILL)	\$25	600.00	10,400
\$10 x 5	\$50	480.00	13,000
\$25 x 2	\$50	480.00	13,000
\$10 (BILL) + (\$20 x 2)	\$50	480.00	13,000
\$50 (BILL)	\$50	480.00	13,000
\$5 + (\$10 x 2) + \$50 (BILL)	\$75	12,000.00	520
(\$10 x 5) + \$25 (BILL)	\$75	12,000.00	520
\$75 (BILL)	\$75	12,000.00	520
\$10 (BILL) + (\$15 x 6)	\$100	2,400.00	2,600
(\$5 x 10) + \$50 (BILL)	\$100	2,400.00	2,600
\$5 x 20 (HOT)	\$100	2,400.00	2,600
(\$25 x 2) + \$50 (BILL)	\$100	2,400.00	2,600
\$100 (BILL)	\$100	2,400.00	2,600
\$50 x 10	\$500	30,000.00	208
\$25 x 20 (HOT)	\$500	30,000.00	208
\$500 (BILL)	\$500	30,000.00	208
\$100 x 10	\$1,000	120,000.00	52
\$50 x 20 (HOT)	\$1,000	60,000.00	104
\$500 x 2	\$1,000	120,000.00	52
\$1,000 (BILL)	\$1,000	120,000.00	52
\$1,000 x 10	\$10,000	780,000.00	8
\$500 x 20 (HOT)	\$10,000	780,000.00	8
\$10,000	\$10,000	780,000.00	8
\$100,000	\$100,000	780,000.00	8

(10) The estimated overall odds of winning some prize in Instant Game Number 751 are 1 in 3.25. Prizes, including the top prizes, are subject to availability at the time of ticket

purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 751, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BLAZIN' RED HOT BUCKS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for BLAZIN' RED HOT BUCKS 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 5-30-08.

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

EFFECTIVE DATE: May 30, 2008

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-37  
 RULE TITLE: Retailer FLORIDA LOTTO™ Bonus Commission Program

SUMMARY: The Florida Lottery will award bonus commissions to the retailer(s) that sells one or more \$2.00 or \$3.00 FLORIDA LOTTO Jackpot ticket(s) for a Wednesday or Saturday LOTTO drawing.

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:

53ER08-37 Retailer FLORIDA LOTTO™ Bonus Commission Program.

(1) The Florida Lottery will conduct, as a retailer sales incentive, a Retailer FLORIDA LOTTO Bonus Commission Program ("Program") in which the Florida Lottery will award bonus commissions to retailers that sell a winning jackpot ticket for a Wednesday or Saturday FLORIDA LOTTO drawing.

(2) The bonus commission will start at \$10,000. In the event no winning jackpot ticket is sold for a FLORIDA LOTTO drawing, the bonus commission amount will increase by \$5,000 per draw until a winning jackpot ticket is sold, at which time the bonus commission will start over at \$10,000.

(3) Beginning June 1, 2008, the Florida Lottery will award an additional bonus commission to a retailer that sells a winning \$2.00 or \$3.00 Lotto Plus™ jackpot ticket for a Wednesday or Saturday FLORIDA LOTTO drawing.

(4) A retailer that sells a winning \$2.00 Lotto Plus jackpot ticket will receive the bonus commission in subsection (2) above plus \$5,000, and a retailer that sells a winning \$3.00 Lotto Plus jackpot ticket will receive the bonus commission in subsection (2) above plus \$10,000. The additional \$5,000 and \$10,000 bonus commissions will not carry forward in the event no winning \$2.00 or \$3.00 Lotto Plus jackpot tickets are sold for a specific drawing.

(5) If multiple winning \$1.00, \$2.00 or \$3.00 jackpot tickets are sold for the same FLORIDA LOTTO drawing, the retailers selling such tickets will share the applicable bonus commission(s). Each retailer selling a winning jackpot ticket will receive a share of the bonus set forth in subsection (2) above equal to the number of winning jackpot tickets sold by that particular retailer divided by the total number of winning jackpot tickets sold for that drawing. Each retailer selling a winning \$2.00 Lotto Plus jackpot ticket will receive a share of the \$5,000 bonus equal to the number of winning \$2.00 jackpot tickets sold by that particular retailer divided by the total number of winning \$2.00 jackpot tickets sold for that drawing. Each retailer selling a winning \$3.00 Lotto Plus jackpot ticket will receive a share of the \$10,000 bonus equal to the number of winning \$3.00 jackpot tickets sold by that particular retailer divided by the total number of winning \$3.00 jackpot tickets sold for that drawing.

(6) Award of a bonus commission is not dependent upon the winning jackpot ticket being claimed by the winner.

(7) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, F.A.C., or contract terms.

(8) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

(9) FLORIDA LOTTO bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

Specific Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 5-30-08, Replaces 53ER06-6, F.A.C.

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

EFFECTIVE DATE: May 30, 2008

#### **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 TRANSPORTATION**

NOTICE IS HEREBY GIVEN THAT on May 28, 2008, the Florida Department of Transportation issued an order granting the Petition of St. Lucie County, seeking a variance from the provisions of subsection 14-73.001(3), F.A.C. The Petition was received by the Department on February 29, 2008. The Department published its notice of receipt of the petition in the March 28, 2008, edition of the Florida Administrative Weekly. Subsection 14-73.001(3), F.A.C., requires a transit provider to update its Transit Development Plan (TDP) every five years. The Department's order, issued in DOT Case No. 08-028, granted the petition because St. Lucie County satisfied the requirements for a variance and the Department determined that a one year extension of the TPD deadline promoted the effective use of transportation resources in developing a regional TPD.

A copy of the Department's order may be obtained from the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458. For additional information, contact James C. Myers at (850)414-5393.

#### **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 28, 2008, the Governing Board of the Southwest Florida Water Management District has issued an order.