

- 33-501.301 Law Libraries.
- (1) through (6) No change.
- (7) Use of Inmates as Clerks in Law Libraries.
- (a) through (d) No change.

(e) Law clerk training program. Central office library services shall develop a training program to provide inmates who work in law libraries with knowledge of legal research and writing, use of specific legal research materials to include digital or non-print resources in the law library collection, the law and rules of criminal law and post-conviction remedies, prisoners' civil rights, and other subject matter identified as necessary for an inmate law clerk to provide meaningful assistance to inmates. Inmates who successfully complete the law clerk training program shall be given a certificate by central office library services documenting successful completion of the program, and a notation shall be recorded in the department's offender database. Central office library services will document an inmate's successful completion of the law clerk training program in the department's offender database. ~~However, Central office library services shall have the authority to~~ revoke or suspend certification for commission of acts prohibited by this section or for failure to satisfactorily perform the duties assigned to an inmate law clerk.

- (f) through (q) No change.
- (8) through (11) No change.

Specific Authority 944.09, 944.11 FS. Law Implemented 20.315, 944.09, 944.11 FS. History—New 4-6-93, Amended 7-3-94, 11-2-94, 4-28-96, 9-30-96, 12-7-97, Formerly 33-3.0055, Amended 2-15-01, 11-4-01, 12-23-03, 1-7-07,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:
59C-1.002 Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 23, June 8, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-2.027 Applications by Individuals

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that the above rule, as noticed in Vol. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly has been withdrawn.

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 Family Health Services

RULE NO.: RULE TITLE:
64F-12.018 Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 32, August 8, 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 CITRUS

RULE NO.: RULE TITLE:
20ER08-7 Approved Boxes (20-39.003)

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Japanese importers have communicated to the Florida citrus industry that grapefruit shipments in boxes containing fiberboard honeycomb cells will no longer be accepted in Japan.

The discontinuation of shipments to Japan during the time periods required for regular rulemaking would adversely affect the public welfare and would pose an immediate danger to the public welfare, including, but not limited to, Florida's citrus shippers.

Additionally, this emergency rule directly pertains to "perishable agricultural commodities" as expressly contemplated by Section 120.54(4)(b), F.S.

Therefore emergency rulemaking is justified, especially in light of the concurrent initialization of rulemaking with an identical rule.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER08-7 in that notice was made via mail on October 13, 2008 of the meeting to members of the Florida Citrus Commission, all industry organizations,

the Florida Press Corps and other interested persons. The Florida Citrus Commission was requested to pursue emergency rulemaking by interested persons and parties who would be affected by the regular rulemaking in order to more quickly eliminate the need for production of new cartons with an experimental container number as required in Rule 20-39.012, F.A.C.

SUMMARY: Emergency Rule 20ER08-7 deletes the provision requiring fiberboard honeycomb cells from approved cartons DOC-29P and DOC-31P.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148 or awiggins@citrus.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER08-7 (20-39.003) Approved Boxes.

(1) Unless otherwise noted, all approved boxes are 4/5 bushel capacity.

(2) The name of the manufacturer and the official container number as designated in subsection (3) below shall be printed on the bottom outside flap of each approved box body in plainly legible characters.

(3) The following containers are hereby designated as approved boxes and, unless otherwise noted, may be used for shipment of all varieties of citrus fruit:

Approved Container Number	Construction Styles	Inside Body Dimension in inches (L x W x D)	Minimum Board Weights (actual weight may be heavier)*** Body	Minimum Board Weights (actual weight may be heavier)*** Cover
DOC-01-P	Singlewall	17 x 10 5/8 x 9 5/8**	42-33-69	42-33-42
DOC-02-V	Singlewall	17 x 11 1/2 x 9 3/4	42-33-69	42-33-42
DOC-03-V	Singlewall	Oversized 17 x 12 x 9 3/4	42-33-69	42-33-42
DOC-04-PT	Tray style	17 x 10 5/8 x 9 5/8**	42-33-42	42-33-42
DOC-05-PB	Bliss style	17 x 10 5/8 x 9 5/8**	42-33-42	33-33-33
DOC-06-VT	Tray style	17 x 11 1/2 x 9 3/4	42-33-42	42-33-42
DOC-07-VT	Tray style	Oversized 17 x 12 x 9 3/4	42-33-42	42-33-42
DOC-08-VB	Bliss style	Oversized 17 x 11 1/2 x 9 3/4	42-33-42	33-33-33
DOC-09-VB	Bliss style	Oversized 17 x 12 x 9 3/4	42-33-42	33-33-33
DOC-10-P	Doublewall	17 x 10 5/8 x 9 5/8 Partial telescope self-locking lid Tangerines and citrus hybrids only.**	42-33-42-33-42	42-26-42
DOC-11-XP	Singlewall	17 x 10 5/8 x 10 1/8**	90-33-90	42-33-42
DOC-12-XPT	Tray style	17 x 10 5/8 x 10 1/8**	69-33-69	42-33-42
DOC-13-XPS	Super X style	17 x 10 5/8 x 10 1/8**	42-40-69	42-33-42
DOC-14-P††	Singlewall	15 7/8 x 10 5/8 x 6 Full Telescope**	42-33-42	42-33-42
DOC-15-PT††	Tray style	17 5/8 x 10 5/8 x 6 Full Telescope**	42-33-42	42-33-42
DOC-16-WP	Wood slat	16 1/8 x 10 5/8 x 10 5/8 End panels may be of material other than wood.**	Wood slat	Wirebound
DOC-17-WP	Wood slat	19 7/8 x 7 1/2 x 11 1/2 End panels may be of	Wood slat	Wirebound

		material other than wood. Tangerines and citrus hybrids only.**		
DOC-18-P	Singlewall	17 × 10 5/8 × 9 5/8**	42-40-42	42-33-42
DOC-19-P	Singlewall	17 × 10 5/8 × 9 5/8**	45-33-45	42-33-42
DOC-20-XP‡‡	Singlewall	17 × 10 5/8 × 10 1/8**	69-40-69	42-33-42
DOC-21-PT	Tray style	17 × 10 9/16 × 9 5/8	42-40-69	42-33-42
		4" partial telescope tray cover.		
		Tangerines and citrus hybrids only.**		
DOC-22-P‡‡	Singlewall	13 1/4 × 10 5/8 × 7	42-33-42	42-33-42
		Full telescope**		
DOC-23-VT	Tray style	17 × 12 × 9 5/8	69-33-42	42-33-42
		End slotted with short end flaps.		
		Oversized		
DOC-24-P	Singlewall	17 × 10 5/8 × 9 5/8	69-40-90	42-33-42
		4" partial telescoping tray cover.		
		Tangerines and citrus hybrids only.**		
DOC-25-PT‡‡	Tray style	16 1/8 × 10 5/8 × 6	42-33-42	42-33-42
		Full Telescope**		
DOC-26-P	Singlewall	18 1/4 × 12 1/2 × 11 3/4	90-40-90	42-33-42
		Having three plastic trays per carton**		
DOC-27-WV‡‡	Collapsible wooden bin	46 × 38 × 21	Wooden bin	None
		Holds approximately 20 4/5 bu. equiv. units.		
DOC-28-P‡‡	Singlewall	17 × 10 5/8 × 6	42-33-42	42-33-42
		Full Telescope**		
DOC-29-P	Singlewall	16 3/4 × 11 1/2 × 11 3/8	42-40-69	42-33-42
		<u>Used with or without</u> Having fiberboard honeycomb cells**		
DOC-30-P‡‡	Singlewall	17 × 10 × 6 15/16	90-40-90	42-33-42
		Corrugated, full telescope**		
DOC-31-P	Singlewall	16 11/16 × 11 8/16 × 11 14/16	69-40-42	42-33-42
		Corrugated with <u>or without</u> honeycomb dividers**		
DOC-32-OV‡‡	Triplewall-Bulk bin	46 1/2 × 38 × 36	69-33-69-33-69-33-90	69-26-69
		Octagonal watermelon bin with self-locking lid. Holds appx. 28 4/5 bu. equiv.		
DOC-33-P	Singlewall	20 5/16 × 11 13/16 × 7	42-33-69	42-33-42
		Telescoping with two trays per carton**		
DOC-34-OV‡‡	Triplewall-Bulk bin	46 × 37 1/2 × 36	42-40-90-42-40-90-40-90	42-26-69
		Octagonal with interlocking flaps.		

DOC-35-OV‡‡	Triplewall-Bulk bin	Holds approx. 28 4/5 bu. equiv. 46 × 38 × 26 1/2 Tuff octagonal tube, holding appx. 24 4/5 bu. equiv.	90-33-42-33-42- 33-90	69-26-69
DOC-36-P	Doublewall	23 5/8 × 15 5/8 × 7 Die cut platform tray, open top	42-36-33-26-42	
DOC-37-RV‡‡	Triplewall-Bulk bin	46 1/2 × 38 1/2 × 26 1/2 Corrugated rectagon with diagonal corners and interlocking bottom (holds appx. 20 to 24 4/5 bu. equiv.)	64-33-35-64-33- 96	35-26-35
DOC-38-P	Singlewall	16 3/4 × 11 1/2 × 10 3/8 Telescoping, half-slotted, optional molded fiber spring cushion trays.**	99-33-90	42-33-69
DOC-39-P	Doublewall	17 × 10 5/8 × 9 5/8 Corrugated, half-slotted	42-33-33-33-42	42-33-42
DOC-40-P	Doublewall	18 15/16 × 14 3/16 × 11 13/16	42-33-42-33-42	n/a
DOC-41-P	Plastic	One-piece, die cut 22 1/2 × 14 9/16 × 7 1/8 One-piece, reusable/recyclable high-density polyethylene	n/a	n/a
DOC-42-P‡‡	Singlewall	17 1/2 × 11 1/8 × 8 3/4 Holding 2/3 of a standard 4/5 bu. container, two-layer, full telescoping	90-40-90	42-33-42
DOC-43-OV‡‡	Triplewall 1/2 bulk bin	38 1/4 × 23 3/4 × 25 1/4 Space-saver, octagon 1/2 bin holding appx. 10 1/2 4/5 bu. equiv. loose or 7-8 4/5 bu. equiv. bagged	69-26-38-26-38-26-65	38-26-38
DOC-44-PT	Doublewall	22 1/8 × 14 11/16 × 6 3/8 B/c flute tray body, C flute cover	42-40-41-40-56	42-33-42
DOC-45-P	Singlewall	17 1/8 × 10 5/8 × 10 3/8 4/5 c-flute, two piece, partial telescoping cover	42-33-57	42-26-35
DOC-46-PT	Doublewall	23 5/8 × 15 5/8 × 7 4/5 40 x 60 Euro Wave Tray	42-40-42-40-42	n/a
DOC-47-PT	Doublewall	14 1/2 x 11 3/8 x 6 5/16 2/5 bu, die-cut, open top, platform tray	33-69-33-69	n/a
DOC-48-PT	Doublewall	22 1/4 x 14 1/2 x 6 3/4 40 x 60 Euro Tray	42-33-42-34-42	n/a

DOC-49-RP	Plastic	22 1/4 x 14 1/2 x 10 3/4 Recyclable plastic container model RPC3	n/a	n/a
DOC-50-RP	Plastic	22 1/4 x 14 1/2 x 8 Recyclable plastic container model RPC2	n/a	n/a
DOC-51-P	Doublewall	22 1/8 x 14 11/16 x 3 13/16 2/5 bu, fully telescoping, singlewall lid and doublewall body; 200# b flute corrugated divider	42-40-42-40-42	42-33-56
DOC-52-PB	Doublewall	22 11/16 x 15 1/4 x 9 1/2 bagmaster Defor XD + vertical tray	42-33-57-33-69	n/a
DOC-53-RP	Plastic	22 7/16 x 14 1/2 x 11 1/16 reusable standard footprint container IFCO model 628	n/a	n/a
DOC-54-P	Doublewall	22 1/8 x 14 11/16 x 6 7/8 40 x 60 body, fully telescoping cover, c-flute	42-40-42-40-56	42-33-69
DOC-55-RP	Plastic	22 3/8 x 14 5/8 x 7 1/4 Recyclable crate model GP6419	n/a	n/a
DOC-56-RP	Plastic	22 3/8 x 14 5/8 x 9 7/8 Recyclable bagmaster crate model GP6425	n/a	n/a

** Container may be volume filled provided the sizes designated for each variety of fruit meet the requirements of subsections 20-39.007(1), 20-39.008(1) and 20-39.009(1), F.A.C.

‡‡ Container does not conform to 4/5 bushel requirement of subsection 20-39.003(1), F.A.C.

*** Minimum board weight requirements shall be waived when a compression strength test by an independent testing laboratory or manufacturer’s test report shows that the container made with a new material is equal to, or better than, compression strength of the container with minimum approved board weight. It shall be the responsibility of the first packinghouse using such container to acquire and provide records of such compression strength testing to the Department of Citrus prior to first use of the container. Each such container shall be identified by the placement of three asterisks (***) printed after the official container number on the bottom outside flap of the box body.

(4) Each container must be ventilated.

Specific Authority 601.11 FS. Law Implemented 601.11 FS. History—Formerly 105-1.03(1)(a), Revised 1-1-75, Amended 8-16-75, 8-11-77, 8-1-78, 8-21-79, 1-15-80, 10-20-80, 5-1-81, 9-1-82, 11-6-83, 10-21-84, 1-1-85, Formerly 20-39.03, Amended 9-11-86, 12-20-87, 10-14-90, 8-23-92, 10-18-92, 1-19-93, 5-23-93, 10-10-93, 1-9-94, 10-16-94, 8-29-95, 10-13-96, 10-26-97, 12-6-98, 2-20-01, 12-26-01, 4-27-03, 10-21-03, 3-22-05,_____.

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: October 24, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-67
RULE TITLE: Instant Game Number 777, HOLIDAY BREAK

SUMMARY: This emergency rule describes Instant Game Number 777, “HOLIDAY BREAK,” 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:

53ER08-67 Instant Game Number 777, HOLIDAY BREAK.

(1) Name of Game. Instant Game Number 777, “HOLIDAY BREAK.”

(2) Price. HOLIDAY BREAK lottery tickets sell for \$2.00 per ticket.

(3) HOLIDAY BREAK 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 HOLIDAY BREAK 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:



(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 “” symbol in the play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: TICKET, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$150, \$500, \$1,000 and \$10,000. 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 HOLIDAY BREAK 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 777 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2	12.50	604,800
\$2	\$2	21.43	352,800
\$4	\$4	25.00	302,400
\$5	\$5	25.00	302,400
\$2 x 5	\$10	50.00	151,200
\$10	\$10	75.00	100,800
\$2 x 10 (CANDY CANE)	\$20	200.00	37,800
\$20	\$20	600.00	12,600
(\$4 x 5) + (\$5 x 4) + \$10 (CANDY CANE)	\$50	514.29	14,700
\$50	\$50	900.00	8,400
\$15 x 10 (CANDY CANE)	\$150	10,000.00	756
\$150	\$150	10,000.00	756
\$50 x 10 (CANDY CANE)	\$500	36,000.00	210
\$500	\$500	36,000.00	210
\$100 x 10 (CANDY CANE)	\$1,000	90,000.00	84
\$1,000	\$1,000	180,000.00	42
\$10,000	\$10,000	540,000.00	14

(10) The estimated overall odds of winning some prize in Instant Game Number 777 are 1 in 4.00. 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 777, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(13) Payment of prizes for HOLIDAY BREAK 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 10-24-08.

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: October 24, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-68
 RULE TITLE: Instant Game Number 778, JINGLE BUCKS

SUMMARY: This emergency rule describes Instant Game Number 778, "JINGLE 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:

53ER08-68 Instant Game Number 778, JINGLE BUCKS.

(1) Name of Game. Instant Game Number 778, "JINGLE BUCKS."

(2) Price. JINGLE BUCKS lottery tickets sell for \$1.00 per ticket.

(3) JINGLE 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 JINGLE BUCKS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

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



(5) Determination of Prizewinners.

(a) A ticket having three like prize symbols and corresponding prize symbol captions in the play area shall entitle the claimant to a prize of that amount. A ticket having two like prize symbols and corresponding prize symbol captions and a "DOUBLE" symbol in the play area shall entitle the claimant to double the prize shown.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$250, \$500, \$1,000 and \$2,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a JINGLE BUCKS lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(6) The estimated odds of winning, value and number of prizes in Instant Game Number 778 are as follows:

<u>GAME PLAY</u>	<u>WIN</u>	<u>ODDS OF</u>	<u>NUMBER OF</u>
<u>TICKET</u>	<u>\$1 TICKET</u>	<u>1 IN</u>	<u>WINNERS IN</u>
			<u>56 POOLS OF</u>
			<u>180,000 TICKETS</u>
		<u>PER POOL</u>	
\$1	\$1	20.00	504,000
\$1 (BELL)	\$2	60.00	168,000
\$2	\$2	60.00	168,000
\$2 (BELL)	\$4	600.00	16,800
\$4	\$4	600.00	16,800
\$5	\$5	30.00	336,000
\$5 (BELL)	\$10	300.00	33,600
\$10	\$10	300.00	33,600
\$25	\$25	200.00	50,400
\$25 (BELL)	\$50	5,000.00	2,016
\$50	\$50	5,000.00	2,016
\$50 (BELL)	\$100	45,000.00	224
\$100	\$100	45,000.00	224
\$250 (BELL)	\$500	180,000.00	56
\$500	\$500	180,000.00	56
\$1,000 (BELL)	\$2,000	1,008,000.00	10
\$2,000	\$2,000	1,008,000.00	10

(7) The estimated overall odds of winning some prize in Instant Game Number 778 are 1 in 4.31. 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.

(8) For reorders of Instant Game Number 778, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(10) Payment of prizes for JINGLE 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 10-24-08.

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: October 24, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-69
 RULE TITLE: Instant Game Number 776, MERRY MONEY

SUMMARY: This emergency rule describes Instant Game Number 776, "MERRY MONEY," 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:

53ER08-69 Instant Game Number 776, MERRY MONEY.

(1) Name of Game. Instant Game Number 776, "MERRY MONEY."

(2) Price. MERRY MONEY lottery tickets sell for \$5.00 per ticket.

(3) MERRY MONEY 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 MERRY MONEY 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 " ? " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the prize shown for that symbol. A ticket having a " ? " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all fifteen prizes shown.

(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 776 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL
\$5 (CANDY CANE)	\$5	7.50	832,000
\$5 x 2	\$10	20.00	312,000
\$10 (CANDY CANE)	\$10	15.00	416,000
\$5 x 3	\$15	120.00	52,000
\$15 (CANDY CANE)	\$15	120.00	52,000
\$5 x 5	\$25	300.00	20,800
(\$5 x 3) + \$10	\$25	300.00	20,800
\$5 (CANDY CANE) + (\$10 x 2)	\$25	300.00	20,800
\$10 + \$15 (CANDY CANE)	\$25	300.00	20,800
\$25 (CANDY CANE)	\$25	300.00	20,800
\$10 x 5	\$50	480.00	13,000
\$25 x 2	\$50	480.00	13,000
\$10 (CANDY CANE) + (\$20 x 2)	\$50	480.00	13,000
\$50 (CANDY CANE)	\$50	480.00	13,000
\$5 x 15 (TREE)	\$75	12,000.00	520
(\$10 x 5) + \$25 (CANDY CANE)	\$75	12,000.00	520
\$75 (CANDY CANE)	\$75	12,000.00	520
\$10 (CANDY CANE) + (\$15 x 6)	\$100	2,400.00	2,600
(\$5 x 10) + \$50 (CANDY CANE)	\$100	2,400.00	2,600
\$25 x 4	\$100	2,400.00	2,600
(\$25 x 2) + \$50 (CANDY CANE)	\$100	2,400.00	2,600
\$100 (CANDY CANE)	\$100	2,400.00	2,600
\$50 x 10	\$500	20,000.00	312

(\$25 x 10) + (\$50 x 5)	\$500	20,000.00	312
(TREE)			
\$500 (CANDY	\$500	20,000.00	312
CANE)			
\$100 x 10	\$1,000	120,000.00	52
(\$50 x 10) + (\$100 x	\$1,000	120,000.00	52
5) (TREE)			
\$500 x 2	\$1,000	120,000.00	52
\$1,000 (CANDY	\$1,000	120,000.00	52
CANE)			
\$1,000 x 10	\$10,000	1,560,000.00	4
(\$500 x 10) + (\$1,000	\$10,000	1,040,000.00	6
x 5) (TREE)			
\$10,000	\$10,000	1,560,000.00	4
\$100,000	\$100,000	780,000.00	8

(10) The estimated overall odds of winning some prize in Instant Game Number 776 are 1 in 3.40. 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 776, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(13) Payment of prizes for MERRY MONEY 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 10-24-08.

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: October 24, 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 LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on October 8, 2008, the Criminal Justice Standards and Training Commission, received a petition for waiver of Rule 11B-30.0062, F.A.C., by James E. Hudson. The rule requires that the student complete the type of training that he or she begins. The rule further requires that the student takes the examination that corresponds to the type of training that the student received. The Petitioner requests that the Commission recognize his passing score on the Florida CMS State Officer Certification Examination even though his training was a mixture of CMS and Florida CMS training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on October 21, 2008, the Criminal Justice Standards and Training Commission, received a petition for waiver of Rule 11B-30.0062, F.A.C., by Brittany Szoke. The rule requires that the student complete the type of training that he or she begins. The rule further requires that the student takes the examination that corresponds to the type of training that the student received. The Petitioner requests that the Commission recognize her passing score on the Florida CMS State Officer Certification Examination even though her training was a mixture of CMS and Florida CMS training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

**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 BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE IS HEREBY GIVEN THAT on October 14, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code, Section 509.221(1)(b), Florida Statutes, and Section 5-202.11(A), 2001 FDA Food Code from Las Vegas Casion Lines located in Cape Canaveral. The above