

DFS-L1-1690 (Eff. _____) Anti-Fraud Plan Form is hereby adopted and incorporated by reference. The insurer's filing of the information required in subsection (1) above shall constitute an acceptable anti-fraud plan as required by Section 626.9891(2), F.S.

(3) The filing of the information required herein is not intended to constitute a waiver of an insurer's privilege, trade secret, confidentiality or any proprietary interest in its anti-fraud plan or its anti-fraud related policies and procedures.

Specific Authority 624.308, 626.9891 FS, 626.9891(8), FS. Law Implemented 624.307, 626.9891(2),(3) FS. History--New _____.

69D-2.005 Compliance and Enforcement.

(1) The Division shall review the filings of SIU descriptions and insurer anti-fraud plans and the Office shall conduct audits pursuant to Section 624.3161, F.S., to determine compliance with Section 626.9891, F.S., and this rule chapter.

(2) If an insurer fails to timely file an anti-fraud plan or SIU description, fails to implement or follow the provisions of their anti-fraud plan or SIU description, or in any other way fails to comply with the requirements of Section 626.9891, F.S., and this rule chapter, the Office shall take appropriate administrative action as provided in Section 626.9891(7), F.S., and Section 624.4211, F.S.

Specific Authority 624.308, 626.9891, 626.9891(8) FS. Law Implemented 624.307, 626.9891(7) FS. History--New _____.

**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:
53ER06-41 Race for Cash Promotion

SUMMARY OF THE RULE: The Department of the Lottery will conduct a "Race for Cash" promotion between July 3, 2006 and August 27, 2006, in which cash prizes, free FLORIDA LOTTO™ tickets and race trips will be awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-41 Race for Cash Promotion.

(1) Beginning July 3, 2006 through August 27, 2006, players who purchase a \$5-or-more FLORIDA LOTTO™, MEGA MONEY™, or FANTASY 5® ticket will have the opportunity to win Race for Cash prizes. The purchase of EZmatch does not count toward the \$5 ticket requirement. The total estimated number of prizes that will be awarded is:

- 50 – \$1,000 prizes
- 1,000 – \$100 prizes
- 15,000 – \$50 prizes
- 50,000 – \$25 prizes
- 100,000 – free FLORIDA LOTTO tickets
- 2,000,000 – Race for Cash Entry Vouchers

The actual number of prizes awarded and the odds of winning a prize in the Race for Cash promotion will depend upon the number of \$5-or-more FLORIDA LOTTO, MEGA MONEY, and FANTASY 5 tickets sold during the promotional period.

(2) A special 'Vroom' sound and an audio message that "you're a winner" will play on the terminal when a FLORIDA LOTTO, MEGA MONEY, or FANTASY 5 ticket is produced that entitles the player to a Race for Cash prize. FLORIDA LOTTO, MEGA MONEY and FANTASY 5 tickets producing Cash Prize Coupons will contain a Lottery Prize Alert symbol and a message that the ticket holder is a winner of the applicable cash amount. Tickets producing Race for Cash Entry Vouchers will contain a message notifying the player of his or her entry into the Race for Cash drawing. A free FLORIDA LOTTO quick pick ticket for the next available drawing will print automatically after issuance of the corresponding winning ticket. Should any issues arise concerning the transaction and/or prize, it is the player's responsibility to seek resolution of these issues with the retailer and the Lottery prior to leaving the retail location.

(3) Winners may redeem Cash Prize Coupons for \$25, \$50 or \$100 at any Florida Lottery retailer. To redeem a \$1,000 Cash Prize Coupon, winners must complete the back of the coupon and present it for payment at any Florida Lottery office or call (850)487-7777 [TDD (850)487-7784] for instructions on how to claim the Cash Prize Coupon by mail. The risk of mailing remains with the player. In the event of a dispute concerning the type or amount of a prize, the transaction serial number shall prevail and control.

(4) Winners must redeem Cash Prize Coupons by October 26, 2006.

(5) Cash Prize Coupons and Race for Cash Entry Vouchers shall be disqualified if any part is illegible, altered, mutilated, tampered with or duplicated. FLORIDA LOTTO, MEGA MONEY and FANTASY 5 tickets that win Race for Cash prizes cannot be cancelled.

(6) Race for Cash Drawings.

(a) Race for Cash Entry Vouchers will bear a unique ticket number. Each voucher will be entered into one bi-weekly random, computerized Pit Stop Drawing to be held as follows:

1. Entry voucher numbers issued between July 3 and July 16, 2006, will be entered into Pit Stop Drawing 1 on Wednesday, July 19, 2006;

2. Entry voucher numbers issued between July 17 and July 30, 2006, will be entered into Pit Stop Drawing 2 on Wednesday, August 2, 2006;

3. Entry voucher numbers issued between July 31 and August 13, 2006, will be entered into Pit Stop Drawing 3 on Wednesday, August 16, 2006;

4. Entry voucher numbers issued between August 14 and August 27, 2006, will be entered into Pit Stop Drawing 4 on Wednesday, August 30, 2006.

(b) Nineteen ticket numbers will be selected per Pit Stop Drawing. The first ticket number drawn will be entitled to a prize of \$100,000 cash. The remaining eighteen ticket numbers drawn will be entitled to a prize as follows:

1. The 2nd through 5th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Daytona 500® at the Daytona International Speedway®, plus \$5,000 cash;

2. The 6th and 7th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Aaron's 499™ at the Talladega Superspeedway® plus \$5,000 cash;

3. The 8th and 9th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Dodge Charger 500™ at the Darlington Raceway®, plus \$5,000 cash;

4. The 10th and 11th numbers drawn will be entitled to a Race Lover's Dream Package to the 2007 Ford 400™ at the Homestead-Miami Speedway®, plus \$5,000 cash;

5. The 12th and 13th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Daytona International Speedway, plus \$2,500 cash;

6. The 14th and 15th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Talladega Superspeedway, plus \$2,500 cash;

7. The 16th and 17th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Darlington Raceway, plus \$2,500 cash; and

8. The 18th and 19th numbers drawn will be entitled to a pair of Grandstand tickets to the Busch Series Race at Homestead-Miami Speedway, plus \$2,500 cash.

The 12th through 19th ticket numbers drawn will also serve as alternates, in the order drawn, for the 1st through 11th prizes.

(c) Each Race for Cash Entry Voucher will also be entered into the Grand Prize drawing that will be held on September 2, 2006. A total of ten ticket numbers will be drawn from all Entry Voucher numbers issued between July 3 and August 27, 2006. The first ticket number drawn will be entitled to \$500,000 cash; the second ticket number drawn will be entitled to the Ultimate Race-of-a-Lifetime package that includes all features of the Race Lover's Dream Package to all four Speedways, plus \$125,000 cash. The remaining eight voucher

numbers drawn will each be entitled to a prize of \$1,000 and will be alternates, in the order drawn, for the Grand Prize drawing prizes.

(d) A prizewinner possessing a winning Race for Cash Drawing Entry Voucher, including the alternate winners, must present the winning Voucher to a Florida Lottery office or call (850)487-7777 [TDD (850)487-7784]. Entry Vouchers are the only valid receipts to redeem Race for Cash Drawing prizes. Winners must claim their drawing prize within 180 days from the date of the drawing in which the prize was won. Failure of a prizewinner to file a claim for a voucher prize within 180 days from the date of the drawing shall result in forfeiture of the prize.

(e) If a Race for Cash Drawing Voucher bearing any of the first eleven ticket numbers drawn in each of the Pit Stop Drawings is not presented to a Lottery office for payment within 180 days from the date of the drawing, the winners of the 12th through 19th prizes in the same drawing will be used in the order in which they were drawn to select an alternate winner. The alternate winner will be awarded the cash difference between the original prize and the alternate prize and the Race Lover's prize package, if applicable. The original ticket prize won by the alternate winner will be used as a prize in another Race for Cash promotion.

(f) If a Voucher bearing a ticket number drawn in the Grand Prize Drawing is not presented to a Lottery office for payment within 180 days from the date of the drawing, the Lottery will attempt to notify, for a period of two weeks, the first alternate drawn and who filed a claim for the \$1,000 prize, who will be awarded the applicable Grand Prize. If the Lottery is unable to contact the first alternate, the Lottery will attempt to notify, for a period of two weeks, the second alternate drawn and who filed a claim for the \$1,000 prize. This process will continue until an alternate is contacted or the Lottery has exhausted the list of available alternates who filed a claim for the \$1,000 prize, in which case the Grand Prizes will not be awarded.

(g) In the event a player claims a prize for the Daytona 500® race after the 2007 race has taken place on February 18, 2007, the winner will receive a comparable prize package to the 2008 Daytona 500® race.

(7) Race for Cash Prizes.

(a) Race Lover's Dream Packages include:

1. 3-nights' hotel accommodations-room and tax only (one room double occupancy).

2. Pair of grandstand tickets for the Saturday Busch Series race.

3. Pair of grandstand tickets for the Sunday Nextel Cup Series race.

4. Pair of Pre-Race passes for Sunday (weather and schedule permitting) consisting of an exclusive VIP guided tour of infield track facilities during last minute pre-race setup activities, including Pit Row, garages and the Driver Introduction Ceremony.

5. Hospitality credentials at the Hospitality Tent.

6. Chartered motor coach shuttle between the hotel and racetrack.

(b) The Ultimate Race-of-a-Lifetime prize package includes all features of the Race Lover's Dream Packages for all four motor speedways plus:

1. One "Ultimate Riding Experience" – Sunday pre-race "Hot Lap" around the track with a race official for the winner only.

2. \$125,000 cash.

(c) Winners of the Race Lover's Dream Packages and the Ultimate Race-of-a-Lifetime prize package will be provided written instructions for making reservations. Reservations should be made at least 30 days prior to the race event. Hotel accommodations do not include incidentals, tips, telephone calls, or any other personal expenses. Prize packages do not include meals or travel expenses to or from the race location.

(8) General Details.

(a) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to win.

(b) All Race for Cash prizes are subject to the provisions of Chapter 24, Florida Statutes and rules promulgated thereunder.

(c) Race for Cash prizes will be paid in accordance with the procedures set forth in Rule 53ER06-4, F.A.C., or applicable replacement rule.

(d) All drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(e) Winners possessing a Race for Cash Drawing Entry Voucher of a prize valued at \$600 or more must present the winning Voucher to a Florida Lottery office along with a completed Winner Claim Form DOL 173-2, or DOL 173-2S (together referred to as the "claim package"). Winner Claim Form DOL 173-2, Revised 9/05, and DOL 173-2S, Revised 9/05, are hereby incorporated by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery's web site at www.flalottery.com.

(f) Payment of all federal, state and/or local taxes on cash and race prizes will be the responsibility of the winner. Prizes of \$600 or more are reportable in accordance with the Internal Revenue Code and Code of Federal Regulations. Federal withholding taxes will apply to the \$100,000 and \$500,000 cash prizes and to the combined value of the race and cash

portions of the Race Lover's Dream Packages and the Ultimate Race-of-a-Lifetime prize package. Taxes will be deducted from the cash payment.

(g) A winner's right to a prize package is not assignable. Except for the cash portion of the prize, race packages and grandstand tickets are transferable to another person; however, the value of the prize package will remain taxable income to the winner.

(h) If a winner of a prize valued at \$600 or more is identified as owing an outstanding debt to a state agency, child support collected through a court, or spousal support or alimony as provided in subsection 24.115(4), Florida Statutes, in an amount less than the cash portion of the prize net of federal income tax withholding, the non-cash portion of the prize and the cash portion of the prize less tax withholding on the value of the prize package and the amount owed, shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the prize net of federal income tax withholding, the winner's entire cash portion of the prize less tax withholding on the value of the prize package will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize.

(i) Cash will not be awarded in lieu of Race for Cash prize packages, except that the Florida Lottery reserves the right, if necessary, due to unforeseen circumstances beyond the control of the Lottery, to award a cash prize in lieu of a Race for Cash prize package or an element of a Race for Cash prize package. In the event cash prizes are awarded, the cash prize amount shall be the fair market value of the prize package or element of the prize package shown on the rate card applicable on the date the prize was won. Applicable federal withholding tax shall be deducted from the cash prize at the time it is awarded.

(j) The Florida Lottery will post at www.flalottery.com a list of the Race for Cash winners of claimed prizes of \$1,000 or more, including the winners' cities and states of residence, following the conclusion of the promotion.

Specific Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 7-20-06, Replaces 53ER06-37.

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

EFFECTIVE DATE: July 20, 2006

DEPARTMENT OF THE LOTTERY

RULE NO.:
53ER06-42

RULE TITLE:
Reductions in Workforce, Changes in Organization, and Other Changes in Business Operations

SUMMARY OF THE RULE: This emergency rule replaces Rule 53ER03-36, F.A.C., and sets forth the procedures that the Florida Lottery shall apply to reductions in workforce, changes in organization and other changes in business operations.

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:

53ER06-42 Reductions in Workforce, Changes in Organization, and Other Changes in Business Operations.

(1) Reductions in Workforce shall be conducted as follows:

(a) Positions Represented for Collective Bargaining – represented positions shall be identified for reduction in accordance with an Agreement to be negotiated by the Lottery and the collective bargaining representative (“Agreement”). A waiver of bargaining rights by the bargaining representative will cause the identification of positions for reduction to be processed under paragraph (1)(b).

(b) Positions Not Represented for Collective Bargaining – positions that are not represented for collective bargaining shall be identified for reduction solely by the Lottery.

(c) Benefits, if any, to be provided to employees in represented positions will be determined by Agreement between the Lottery and the collective bargaining representative. A waiver of bargaining rights by the bargaining representative will cause the Lottery to solely determine the benefits to be provided, if any. The Lottery shall provide the benefits as determined in the Agreement or, in the event of a waiver of bargaining rights, as determined by the Lottery, to both collective bargaining unit employees and non-collective bargaining unit employees. The Lottery reserves the right to provide additional benefits not specifically addressed in the Agreement.

(2) When an organizational change or other change in Lottery business operations results in the incumbent of an established position being separated from employment, the Lottery is authorized to provide separation benefits to the adversely affected employee in the same manner as provided in paragraph (1)(c).

Specific Authority 24.105(19)(d), 24.109(1) FS. Law Implemented 24.105(19)(d) FS. History–New 7-25-06, Replaces 53ER03-36, F.A.C.

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

EFFECTIVE DATE: July 25, 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 LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from the Monroe County Sheriff’s Office on July 24, 2006, a petition for Waiver of subsection 11B-27.00212(15), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the requirement that a firing range accommodate shooting from 15 yards. Petitioner has petitioned that the CJSTC waive the rule and allow for shooting reduced targets at shorter distances inside a shooting trailer.

Comments on this Petition should be filed with the: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Grace A. Jaye.

A copy of the Petition may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, at the above address, or by calling (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on July 21, 2006, South Florida Water Management District (District) received a petition for waiver from Collier County Board of County Commissioners, Application Number 06-0524-3M for issuance of a Modification to Right of Way Occupancy Permit Number 12402 for utilization of Works or Lands of the District known as the Airport Road Canal, Collier County, to allow the proposed installation of a free-span 36" water main crossing the Airport Road Canal west of the Golden Gate Parkway (C.R. 886) culvert bridge in Sections 25 and 26, Township 49 South, Range 25 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the