

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-2.023	Trauma Center Requirements
64E-2.024	Process for the Approval of Trauma Centers
64E-2.025	Extension of Application Period
64E-2.026	Certificate of Approval
64E-2.027	Process for Renewal of Trauma Centers
64E-2.028	Site Visits and Approval
64E-2.029	Application by Hospital Denied Approval

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 39, September 28, 2007 issue of the Florida Administrative Weekly.

The date of the Notice of Proposed Rule Development should have read as follows:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 10, 2007, Vol. 33/32

**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:**
 53ER07-71 Holiday MILLIONAIRE RAFFLE

SUMMARY: This emergency rule describes the on-line game "Holiday MILLIONAIRE RAFFLE," for which the Department of the Lottery will sell tickets beginning November 19, 2007.

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:

53ER07-71 Holiday MILLIONAIRE RAFFLE™.

(1) How to Play Holiday MILLIONAIRE RAFFLE.

(a) Holiday MILLIONAIRE RAFFLE is an on-line number match game.

(b) Each Holiday MILLIONAIRE RAFFLE ticket costs \$20.

(c) Holiday MILLIONAIRE RAFFLE tickets will go on sale Monday, November 19, 2007. Sales of Holiday MILLIONAIRE RAFFLE tickets will cease immediately after the 1,500,000th ticket is sold or at midnight on December 28, 2007, whichever occurs first.

(d) Each Holiday MILLIONAIRE RAFFLE ticket will contain a unique ticket number that will be entered automatically into the Holiday MILLIONAIRE RAFFLE drawing. Holiday MILLIONAIRE RAFFLE tickets will automatically print from the terminal with ticket numbers issued in sequential order from 1 to 1500000 as they are sold around the state. Each Holiday MILLIONAIRE RAFFLE ticket will contain only one ticket number. Players cannot select their own ticket numbers.

(e) Beginning November 19, 2007, every 50th Holiday MILLIONAIRE RAFFLE ticket sold statewide will be an instant cash winner of \$50 until a total of 20,000 instant \$50 prizes are awarded. A holiday tune will play on the terminal and a Cash Prize Coupon with a prize alert symbol will print from the terminal, which can be redeemed instantly for \$50. \$50 Cash Prize Coupons must be claimed by February 27, 2008.

(f) The overall odds of winning a prize in the Holiday MILLIONAIRE RAFFLE game depend upon the number of tickets sold and are 1 in 74.12 if all 1,500,000 tickets are sold.

(g) Holiday MILLIONAIRE RAFFLE tickets cannot be cancelled.

(2) Holiday MILLIONAIRE RAFFLE Drawing and Prizes.

(a) A random computerized drawing from among all Holiday MILLIONAIRE RAFFLE ticket numbers issued during the sales period will be held on December 29, 2007 to select 237 numbers. Prizes will be awarded in the order drawn. The first through twelfth numbers drawn will each win \$1 million cash. The 13th through 37th numbers drawn will each win \$100,000 cash 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 38th through 237th numbers drawn will each win \$10,000 cash.

(b) The Holiday MILLIONAIRE RAFFLE drawing shall be public and witnessed by an accountant employed by an independent certified public accounting firm, as required by Subsection 24.105(10), Florida Statutes.

(c) The results of the drawing will be revealed on December 29, 2007, and will be available after the drawing on the Lottery's website at www.flalottery.com, by phone at 1(850)487-7777, [TDD (850)487-7784] or at a lottery retailer.

(3) How to Claim a Holiday MILLIONAIRE RAFFLE Prize.

(a) Holiday MILLIONAIRE RAFFLE prizes must be claimed by submitting the winning ticket for validation at a Lottery office or retailer within 180 days from the date of the drawing (June 26, 2008) and, if the prize is not paid at that

time, by submitting the winning ticket for payment at a Florida Lottery office, as required by the Lottery's rule governing payment of prizes. Winning *Holiday* MILLIONAIRE RAFFLE tickets will be paid only at a Florida Lottery office. Tickets winning \$1 million must be submitted for payment at Lottery Headquarters. Failure of a prizewinner to claim a *Holiday* MILLIONAIRE RAFFLE prize by submitting the winning ticket for validation and payment in accordance with the Lottery's rule governing payment of prizes shall result in forfeiture of the prize. Information about procedures for filing a claim can be obtained by calling (850)487-7777 [TDD (850)487-7784]. *Holiday* MILLIONAIRE RAFFLE tickets are the only valid receipts to redeem a prize.

(b) A claim filed for a \$100,000 prize shall also be a contingent claim for a \$1 million prize. If a winning *Holiday* MILLIONAIRE RAFFLE ticket bearing any of the first twelve winning numbers is not submitted for validation and payment in accordance with the Lottery's rule governing payment of prizes, the 13th through 37th prizewinners who have submitted their tickets for validation and payment in accordance with the Lottery's rule governing payment of prizes constitute contingent winners for the \$1 million prize and will be used in the order in which they were drawn to select a winner for the \$1 million top prize. The contingent winner will be awarded the cash difference between the \$100,000 prize and the \$1 million prize.

If applicable, the Lottery will attempt to notify, for a period of two weeks, the first contingent winner drawn in the \$100,000 prize category. If the Lottery is unable to contact the first contingent winner, the Lottery will attempt to notify, for a period of two weeks, the second contingent winner drawn. This process will continue until a contingent winner is contacted or the Lottery has exhausted the list of available contingent winners, in which case the \$1 million prize will not be awarded.

(c) Federal withholding taxes will be deducted from all cash payments. Payment of any additional federal, state and/or local taxes will be the responsibility of the winner.

(4) General Information.

(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 play.

(b) All *Holiday* MILLIONAIRE RAFFLE prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the 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), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 11-16-07.

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: November 16, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-72
 RULE TITLE: *Holiday* MILLIONAIRE RAFFLE™ Retailer Incentive Rules

SUMMARY: The Department of the Lottery will conduct a "Holiday Millionaire Raffle Retailer Incentive" program from November 19, 2007 through December 28, 2007, in which certain retailers will receive bonus commissions during the promotion period.

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:

53ER07-72 *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 19, 2007. Sales of *Holiday* MILLIONAIRE RAFFLE tickets will cease immediately after the 1,500,000th ticket is sold or at midnight on December 28, 2007, 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 December 29, 2007. A total of 237 prizes will be awarded. Prizes will be awarded in the order drawn. The first through twelfth numbers drawn will win \$1 million cash. The 13th through 37th 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 38th through 237th numbers drawn will win \$10,000.

(3) Beginning November 19, 2007, every 50th *Holiday* MILLIONAIRE RAFFLE ticket sold statewide will be an instant cash winner of \$50 until a total of 20,000 instant \$50 prizes are awarded. Instant cash winners will receive a Cash Prize Coupon that can be redeemed instantly at a Florida Lottery retailer.

(4) Retailers will receive a five-percent cashing commission on every \$50 Cash Prize Coupon they redeem in their store. The cashing commission will be reflected on the

retailer's weekly Settlement Report and will be considered compensation to the retailer for Internal Revenue Service purposes.

(5) 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.

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

(7) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission provided the termination or inactivation was not due to non-compliance with Florida Lottery laws, rules 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 the bonus commission earned against a retailer's outstanding debt to the Florida Lottery.

Specific Authority 24.105(9), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9), 24.112(1) FS. History—New 11-16-07.

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: November 16, 2007

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

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 October 12, 2007, the St. Johns River Water Management District's Governing Board has issued an order.

Granted a variance under Section 120.542, F.S. (SJRWMD FOR #2007-46), to Brevard County (Petitioner). The Petition for Variance was received by SJRWMD on May 10, 2007. Notice of receipt of the petition requesting the variance was published in the F.A.W., Vol. 33, No. 25 on June 22, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1., Florida Administrative Code, and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River. A copy of the Order may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, or by telephone at (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the St. Johns River Water Management District has issued an order.

Granted a variance under Section 120.542, F.S. (SJRWMD FOR# 2007-64), to Brevard County School Board (Petitioner). The Petition for Variance was received by SJRWMD on September 28, 2007. Notice of receipt of the petition requesting the variance was published in the F.A.W., Vol. 33, No. 40 on October 5, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1., Florida Administrative Code, and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal