

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-162.203	Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the above proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 30, July 27, 2007, of the Florida Administrative Weekly. These changes are being made to address comments submitted by the Joint Administrative Procedures Committee. The following changes have been made to the rule:

In subsection (2) of the rule, the reference to Rule 69O-138.164.020(5), has been corrected to refer to Rule 69O-164.020(5). Subsection (5)(c) has been removed from the rule. The reference to subsection (7) has been corrected to refer to subsection (6).

The remainder of the reads as previously published.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-186.003	Title Insurance Rates
69O-186.005	Premium Schedule Applicable to “Truth in Lending” and Other Endorsements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 22, June 3, 2005 issue of the Florida Administrative Weekly has been withdrawn. This does not impact the rule proceeding relating to the Notice of Proposed Rulemaking that was noticed in Vol. 33, No. 25, June 22, 2007 issue of the Florida Administrative Weekly.

**Section IV
Emergency Rules**

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NO.:	RULE TITLE:
12DER07-10	How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2007-321, Laws of Florida, authorizes the Department of Revenue to adopt emergency rules that

remain in effect for 18 months and that may be renewed. This act further provides 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 provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity, to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, counties, municipalities, and independent districts and their associations. The actions that the Department has taken include: requesting the assistance of other state agencies and professional associations in ascertaining if the information in the relevant sections of Chapter 2007-321, Laws of Florida, had been understood; and, establishing a new website on which to post information, forms, and procedures associated with implementation of this act; emailing and/or mailing copies of the draft forms to interested parties; and receiving public comments on the drafts of forms DR-420C, DR-420I, DR-420M, DR-487, DR-487P, and DR-487V.

SUMMARY: This rule explains how to obtain the forms that were previously adopted in Emergency Rule 12DER07-09. This rule is being adopted in response to comments received from the Joint Administrative Procedures Committee of the Florida Legislature.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Sharon Gallops, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)414-6108; Fax (850)488-9482; email address gallops@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER07-10 How to Obtain Forms Used to Disclose and Certify Compliance, or to Exercise the Option to Prefile Documents.

(1) Emergency Rule 12DER07-09, which took effect on September 14, 2007, adopted the following forms:

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

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

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

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

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

(f) Form DR-487, Certification of Compliance (R. 09/07).

(2) A copy of the forms listed in subsection (1) above may be obtained by signing on to the Department's Internet site using the address <http://dor.myflorida.com/dor/property/07/specforms/emergforms.html>.

(3) The Department had previously sent an email to all taxing authorities telling them that the forms would be available on this site.

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 10-23-07.

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: October 23, 2007

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.: 53ER07-63
 RULE TITLE: \$100,000 Hold 'Em Poker™ "Win A Seat" Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct a Hold 'Em Poker "Win A Seat" Second Chance Drawing between October 1, 2007 and December 2, 2007, in which special prizes 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:

53ER07-63 \$100,000 Hold 'Em Poker™-"Win A Seat" Second Chance Drawing.

(1) Beginning Monday, October 1, 2007 through Sunday, December 2, 2007, players can enter their non-winning \$100,000 Hold 'Em Poker™ ticket(s) in the "Win a Seat" Second Chance Drawing on the Florida Lottery Web site to win World Poker Tour® prizes.

(2) The "Win a Seat" Second Chance Drawing will be held on December 5, 2007. A total of 10 prizes will be awarded: one Grand Prize of a World Poker Tour™ Tournament prize package with entry into a World Poker Tour Tournament and nine second prizes of World Poker Tour merchandise prize packs. The winner of the Grand Prize must select a World Poker Tour Tournament that is held within one year of accepting the prize. The World Poker Tour™ Tournament prize package, valued at approximately \$15,000, includes: entry into a World Poker Tour Tournament with a maximum buy in of \$10,000; round trip coach airfare to tournament location for two (2); hotel accommodations at tournament location (one room, double occupancy for six nights/seven days); one thousand dollars (\$1,000) spending money; two (2) tickets to tournament finals (one ticket if the winner advances to the final round); two (2) merchandise prize packs.

The second prizes of official World Poker Tour merchandise prize packs, valued at \$560, include: quad folding poker game table top; 300 chip set with dealer button; sunglasses; set of eight tumblers; baseball cap; pair of watches.

(3) To enter a non-winning ticket into the "Win a Seat" Second Chance Drawing, players must visit the Florida Lottery's Web site at www.flalottery.com, click on the "Win a Seat" Second Chance Drawing icon and follow the directions to input their non-winning ticket number(s). The ticket number is a 22-digit number printed across the bottom on the front of a \$100,000 Hold 'Em Poker ticket. The odds of winning are dependent upon the number of entries received. Players may enter as many times as they wish during the contest period. However, each valid ticket number may only be used one time, for one entry into the drawing. Winning \$100,000 Hold 'Em Poker tickets cannot be used for entry into a Second Chance drawing.

(4) A computerized drawing will be held on December 5, 2007, from all entries received before 12:00 midnight ET, Sunday, December 2, 2007. A total of twenty entries will be drawn. The first valid entry drawn will win the Grand Prize of a World Poker Tour™ Tournament prize package, and the second through tenth valid entries drawn will win a second prize of World Poker Tour merchandise prize packs. The second through tenth valid entries will be used, in the order in which they were drawn, to select an alternate grand prize winner in the event the grand prize cannot be awarded to the first entry drawn. The eleventh through twentieth entries drawn will be alternates for the second prizes and, if necessary, will be substituted for disqualified entries in the order that the entries are disqualified.

The Florida Lottery will attempt to notify prizewinners by telephone, certified mail or e-mail no later than one week after the winners are drawn. If the Florida Lottery is unable to contact the grand prize winner within three weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an

alternate winner as described above. If the Florida Lottery is unable to contact the alternate winner within three weeks of forfeiture by the initial winner, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates, in which case the grand prize will not be awarded. The process to select alternate second prize winners will commence upon completion of the process to select the grand prize winner.

(5) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a "Win a Seat" Second Chance Drawing prize, the player must submit to the Lottery the original valid non-winning ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry ticket along with a completed Winner Claim Form to the Florida Lottery no later than three (3) weeks from the winner's receipt of the forms. The grand prize winner must also submit an Acceptance and Release form and an Internal Revenue Service form W-9. Winners who cannot produce a valid entry ticket and/or do not return their Winner Claim Form as set forth above will forfeit their right to claim the prize. The Winner Claim Form DOL 173-2, revised 9/05, Spanish Winner Claim Form DOL 173-2S, revised 9/05, and the Acceptance and Release form DOL-471, effective 9/07, are incorporated herein by reference and may be obtained at any Lottery office or retailer, from the Florida Lottery's website at www.flalottery.com, or by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The Internal Revenue Service Form W-9, *Request for Taxpayer Identification Number and Certification*, revised 11/05, is incorporated herein by reference and may be obtained at any Lottery office, from the Florida Lottery's website at www.flalottery.com, by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or from the Internal Revenue Service.

The winner of the World Poker Tour Tournament prize package will be provided instructions for making airline and hotel reservations. Reservations must be made at least 30 days prior to the tournament. Winners of World Poker Tour merchandise prize packs will receive their prizes within two weeks of receipt by the Lottery of all required documentation.

(6) Federal income tax withholding for the value of the World Poker Tour Tournament prize package will be paid by the Florida Lottery. Any additional federal, state and/or local taxes or other fees are the responsibility of the winner.

(7) A cash option of \$15,000 is available to the winner in lieu of the World Poker Tour Tournament prize package. Federal income tax withholding will be deducted from the cash prize.

(8) The right to claim a prize cannot be assigned to another person or entity. The winner may designate another person who is at least 18 years of age to receive the Tournament prize package provided such designation is made at the time of executing the Acceptance and Release Form. In such case, the value of the Tournament prize package will remain taxable income to the winner.

(9) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder, including the official "Win a Seat" Second Chance Drawing rule. Prizes will be paid in accordance with the rules of the Florida Lottery governing payment of prizes. Copies of the current prize payment rules and the "Win a Seat" Second Chance Drawing rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(10) 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.

(11) A player entering into the Hold 'Em Poker™ "Win A Seat" Second Chance Drawing is deemed to have granted permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(12) The "Win a Seat" Second Chance Drawing shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of the drawing will be available after the drawing on the Florida Lottery's Website at www.flalottery.com, by phone at (850)487-7777, or at a Lottery retailer.

(13) If the winner of the World Poker Tour Tournament prize package is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in lieu of award of the prize. If the debt of the World Poker Tour Tournament prize package winner is an amount less than the cash option value of \$15,000, the winner shall receive any excess cash value once applicable Federal Withholding Tax has been deducted and the debt has been satisfied. If the debt is an amount greater than \$15,000, the entire cash value of the prize remaining after deduction of applicable Federal Withholding Tax will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes.

Specific Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 10-19-07, Replaces 53ER07-58.

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 19, 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

DEPARTMENT OF STATE

NOTICE IS HEREBY GIVEN that on October 12, 2007, the Department of State, received a petition for Variance of section IX(H) of the Public Library Construction Grant Guidelines, which is incorporated by reference into Rule 1B-2.011, F.A.C., from Volusia County. This Petition seeks a second extension or variance from the rule that gives a recipient of a public library construction grant, 540 days from the date of the grant award to place the library construction project under contract. The subject rule allows no exceptions to the 540-day deadline, unless the grant recipient is involved in litigation associated with the construction project.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa Ginn, Agency Clerk, Office of the General Counsel, Department of State, 500 Bronough Street, Tallahassee, FL 32399-0250.

The Department of State will accept comments concerning this petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice, at the Department of State, Office of the General Counsel, 500 South Bronough Street, Tallahassee, FL 32399-0250.

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 16, 2007, the South Florida Water Management District ("District"), received a petition for waiver from the City of Miami Springs, Application Number 07-1015-1, for utilization of Works or Lands of the District known as the C-6 Canal, Miami-Dade, for installation of a guardrail; Section 3, Township 53 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative

Code, which governs the placement of permanent and semi-permanent above-ground structures within 40 feet of top of the canal bank within the Works or Lands of the District and paragraph 40E-6.601(4)(g), Florida Administrative Code, which governs the Permit Application Processing Fees for Standard Permit Applications.

A copy of the Petition for Variance or Waiver may be obtained by contacting Juli Triola at (561)682-6268 or email at jtriola@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1411, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

NOTICE IS HEREBY GIVEN that on October 11, 2007, the South Florida Water Management District has issued an order.

The SFWMD Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat., (SFWMD 2007-691-DAO-ROW) to Collier County Board of County Commissioners. The petition for waiver was received by the SFWMD on July 10, 2007. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 33, No. 31, on August 3, 2007. No public comment was received. This Order provides a waiver for the installation of new poles and the removal of existing concrete poles that support the traffic signals to be replaced by master arms within the right of way of the Airport Road Canal; Section 1, 2, 35 & 36, Township 48 & 49 South, Range 25 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent facilities within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Petitioner from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Triola at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680; telephone number (561)682-6268; or by e-mail jtriola@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on October 11, 2007, the South Florida Water Management District (SFWMD), has issued an order.