

withholding, the non-cash portion of the prize and the amount owed to the claimant after his or her debt is satisfied and taxes have been withheld shall be awarded. If the claimant is identified as owing an outstanding debt in an amount greater than the cash portion of the prize net of any federal income tax withholding, the cash portion of the prize remaining after taxes have been withheld will be applied toward the outstanding debt as provided in subsection 24.115(4), Florida Statutes, and the claimant will receive the remaining non-cash portion of the prize.

(21) Canceled and Previously Paid Tickets. No payment shall be made upon a ticket submitted for payment that is reflected in the Lottery's records as having been canceled or previously paid.

(22) Disclosure of Source of Ticket. The Lottery reserves the right to require the claimant of any winning ticket to disclose the source of the ticket.

(23) Final Payment Decision. The Lottery's decision and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes shall be final and binding upon all participants in the lottery unless otherwise provided by law or these rules. In the event a question arises relative to a winning ticket, or the payment or awarding of any prize, the Lottery is authorized to:

(a) Deposit the prize winnings into an escrow fund until the dispute is resolved; or

(b) Petition a court of competent jurisdiction for instructions and a resolution of the controversy.

(24) All tickets and claim forms presented to the Florida Lottery shall become the property of the Florida Lottery.

(25) Information for claiming a prize can be obtained by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016, or by calling (850)487-7777.

(26) Payment of winning tickets is subject to all other applicable statutes and rules.

(27) This emergency rule replaces Emergency Rule 53ER06-04, Florida Administrative Code.

Specific Authority 24.105(9)(e), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(e), 24.115(1),(4) FS. History—New 10-31-07. Replaces 53ER06-04, 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: October 31, 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 HIGHWAY SAFETY AND MOTOR VEHICLES

NOTICE IS HEREBY GIVEN THAT on October 18, 2007, the Department of Highway Safety and Motor Vehicles, received a petition for variance or waiver of paragraph 15A-10.014(2)(d), Florida Administrative Code, from Peggy Cioffi, Executive Director of the C.O.R.E. Program. The above referenced Florida Administrative Code rule provides that contributions made by a DUI program to an employee retirement plan cannot exceed the percentage of gross compensation contributed by the employer of members of the Regular Class of the Florida Retirement System.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark J. Hiers, Assistant General Counsel, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, A432, MS02, Tallahassee, Florida 32399-0504.

The Department will accept comments concerning the 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.

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 November 5, 2007, the South Florida Water Management District (District), received a petition for waiver from O.K. Ventures, LLC., Application No. 07-0517-1 for utilization of Works or Lands of the District known as the L-47 Canal, Okeechobee County, for construction of a 14 (fourteen) Slip Marina within the easterly right of way of L-47, Section 9, Township 38, Range 36 East.

The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Application within the South Florida Water Management District incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code which governs the density of mooring slips of four (4) per 100 linear feet of water frontage within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Triola at (561)682-6268 or e-mail 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 the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Triola, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 17, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Nonna Maria Cucina Italiana located in Pensacola. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty (20).

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 24, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Bob's Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 25, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida

Administrative Code, from Arnold Royal Castle located in North Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-three (23).

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Gino's Pizza and Brew located in Orlando. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of twenty-three (23).

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 26, 2007, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Herradura's Restaurant located in Lake Wales. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use centrally located bathroom facilities for patrons.

A copy of the Petition for Variance or Waiver may be obtained by contacting David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on October 23, 2007, the Board of Accountancy, received a petition for Alan S. Burggaller, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), F.A.C., which requires that a licensee submit additional hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period. The Petitioner is also seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, which requires that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on October 25, 2007, the Board of Accountancy, received a petition for Stuart K. Furman, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), Florida Administrative Code, which requires that the licensee submit additional hours of continuing education if they do not timely meet the initial requirements for continuing professional education within their reestablishment period. Petitioner is also seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50.00 fine within 60 days.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on October 29, 2007, the Board of Accountancy, received a petition for Michael R. Skigen, seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, which requires that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on October 31, 2007, the Board of Accountancy, received a petition for Rosalind Skigen, seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, which requires that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 6, 2007, the Board of Accountancy, received a petition for Emma Guerra, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), F.A.C., which requires that a licensee submit an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN THAT on November 6, 2007, the Board of Medicine, received a petition for waiver or variance filed by Lisa Celeste Abchee, from subsection 64B8-30.003(1), F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on November 5, 2007, the Florida Department of Health, Bureau of Emergency Medical Services, received a petition for Variance or Waiver from Robert F. Kiely, MD.

Applicable Rule: Paragraph 64E-2.004(3)(c), Medical Direction, Florida Administrative Code.

Nature of Rule: Requires a medical director shall be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care and hold an ACLS certificate or equivalent as determined in Rule 64E-2.032, F.A.C. Prehospital care experience shall be documented by the provider.

Date and Place of Notice: Notice was published on November 16, 2007 in the F.A.W.

All comments and requests for copies of the petitions must be received in writing by November 30, 2007.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738.

NOTICE IS HEREBY GIVEN THAT on October 29, 2007, the Department of Health, received a petition for Variance from paragraph 64E-16.007(2)(f), Florida Administrative Code, from Stephan T. Cochran, on behalf of SHAW WASTE SOLUTIONS, L.L.C. Paragraph 64E-16.007(2)(f), Florida Administrative Code, prescribes a specific placement of microbiological indicators prior to each test run. The Petitioner requests a variance from the rule to allow the Petitioner to vary from the rule requirement for specific placement of biological indicators in the treatment unit as prescribed in paragraph 64E-16.007(2)(f), Florida Administrative Code. SHAW WASTE SOLUTIONS, L.L.C. proposes to use internal temperature monitoring and an alternative placement of biological indicators to verify the treatment unit provides a satisfactory level of treatment. Comments on this Petition should be filed with the Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gina Vallone-Hood, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277, extension 4273.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the Department of Children and Family Services has issued an order.

Petitioner (Paula Johnson) requested a petition for waiver of subsection 65C-15.017(2), F.A.C., assigned Case No. 07-010W. Petitioner has demonstrated knowledge, skills and abilities that the rule is intended to ensure covered staff possess. Petitioner's request for waiver of subsection 65C-15.017(2), F.A.C. is granted.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the Department of Children and Family Services has issued an order.

Petitioner seeks a waiver of subsection 65C-15.017(2), F.A.C., assigned Case No. 07-011W. The Department issued an Order Granting petition for waiver. Petitioner demonstrated knowledge, skills and abilities that the rule is intended to ensure covered staff possess.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on October 12, 2007, the Department of Children and Family Services has issued an order.

Petitioner seeks a waiver of subsection 65C-15.017(2), F.A.C., assigned Case No. 07-014W. The Department issued an order dismissing petitioner's request for waiver. Subsection 65C-15-017(2), F.A.C., does not apply to Petitioner in her present role with facility and she does not need a waiver of the rule.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204 Tallahassee, FL 32399-0700.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on November 5, 2007, the Florida Housing Finance Corporation, received a petition for Variance and Waiver of paragraph 67-38.0026(4)(a)(2005) and Section III(B) of the Predevelopment Loan Program Application, Florida Administrative Code from Housing and Education Alliance ("Petition"). The Petition is seeking a waiver and variance to amend the percentage of units it must sell at 80 percent of the Area Median Income.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the 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 Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on November 6, 2007, the Florida Housing Finance Corporation, received a petition for Variance/Waiver of subsection 67-48.004(14), Florida Administrative Code, from Harding Village, Ltd. ("Petition"). The Petition is seeking a waiver/variance to change the total number of units and the funding request.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the 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 Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on November 6, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(14)(j), Florida Administrative Code, from Maple Crest Limited Partnership ("Petition"). The Petition is seeking a waiver to change the number of units from 120 to 118.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the 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 Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on November 6, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of subsection 67-48.004(14) and paragraph 67-48.004(1)(a) and Part II.A.2.A.(1) and (2) of the Universal application Instructions, Florida Administrative Code, from McCurdy Center, Ltd. ("Petition"). The Petition is seeking a waiver/variance to change identity of the Petitioner's Developer and the Petitioner's ownership structure; and a change in development site.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the 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 Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on November 2, 2007, the Department of Financial Services, Division of State Fire Marshal NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has issued an Order Denying Petition for Permanent Waiver in RE: Combs Oil Company, Case #912855-07-FM. has issued an order.

The Department denied the Petitioner's request to permanently waive NFPA 2.3.2.3.3, 2000 edition, adopted in Rule 69A-3.012, Florida Administrative Code, for the installation of its above ground storage tanks. Petitioner argued that while the proposal did not meet the Department's rule, it did meet the rule of the Department of Environmental Protection regarding above ground storage tanks. The Department is authorized to grant a waiver or variance from its rules when the Petitioner demonstrates that the purpose of the underlying statute will be achieved by other means, and when the application of the rule would create a substantial hardship or violate principles of fairness. The Order concludes that the Petitioner is not uniquely affected by the rule, and the purpose underlying the Department's rule would not be achieved by application of the Department of Environmental Protection's rule, which has, as its basis, a different rule.

A copy of the Final Order may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340, or by e-mailing your request to Lesley.Mendelson@fldfs.com or can be viewed at the State Fire Marshal website at <http://www.fldfs.com/SFM>.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection