

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.

(12) For reorders of Instant Game Number 769, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(14) Payment of prizes for PINK PANTHER 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 10-1-08.

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 1, 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**

**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."

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN THAT on September 24, 2008, the Florida Public Service Commission, received a Motion for Waiver of subsection 25-22.0407(7), Florida Administrative Code, from K W Resort Utilities Corp., in Docket No. 070293-SU – Application for increase in wastewater rates in Monroe County by K W Resort Utilities Corp. The rule requires that a utility have published in a newspaper of general circulation in the area of service a notice of the service hearing no less than 14 days prior to the service

hearing, with the notice stating the time, date, location, and purpose of the hearing. The Utility did not publish a notice of the service hearing until five days prior to the service hearing. However, the Utility requests that it be relieved from the obligation of conducting additional notices and additional service hearings, noting that each individual customer received actual timely notice and that a newspaper article stating the date, location, and purpose of the hearing was published 16 days prior to the service hearing, and thus the spirit and intent of the rule has been satisfied by the article. Comments on the petition should be filed with: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice.

A copy of the Motion for Rule Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (<http://www.psc.state.fl.us/>). For additional information, please contact Ralph Jaeger, Office of the General Counsel, at the above address or telephone (850)413-6234.

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on October 7, 2008, the South Florida Water Management District (District) received a request for withdrawal of a Petition for Waiver regarding Application No. 08-0714-1 for utilization of Works or Lands of the District known as the LD-4 Canal; Section 3, Township 38S, Range 35E, Okeechobee County. The District originally, received a petition for waiver from Robert Laskey on September 17, 2008 and Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol 34, No. 40, on October 3, 2008. No public comment was received.

A copy of the Withdrawal Request may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, (561)682-6320 or email: [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

NOTICE IS HEREBY GIVEN THAT on October 1, 2008, the South Florida Water Management District (District), received a petition for waiver from William and Sandra Schmitt, Application No. 08-0818-1, Permit (MOD) Number 9624, for utilization of Works or Lands of the District known as the C-51 Canal, to allow existing palm trees to remain within the northerly right of way of C-51 at the rear of 184 Arlington Road; Section 15, Township 44S, Range 43E, Palm Beach County. The Petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or e-mail at [kruff@sfwmd.gov](mailto:kruff@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: Kathie Ruff, Office of Counsel.

---

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN THAT on July 8, 2008, the Agency for Health Care Administration, received a petition for waiver from Harbor Retirement Associates, LLC. The request was received on July 8, 2008 and seeks, on behalf of Petitioner's Harbor Memory Care of Tamarac facility, a waiver of subsection 69A-40.028(1), Florida Administrative Code, allowing for the classification of Petitioner's facility as a Healthcare Occupancy rather than a Residential Board and Care Occupancy thereby permitting the installation of keypad door locking arrangements without delayed egress, locks.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308. Please refer all comments to: Amie C. Ragano, Senior Attorney, Agency for Health Care Administration, The Sebring Building, 525 Mirror Lake Drive North, St. Petersburg, Florida 33701.

---

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on August 22, 2008, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, received a petition for waiver of Rule 61A-3.055, F.A.C., which lists the items customarily sold in a restaurant. Petitioner Jerry's Famous Deli, Inc. requests permission to sell items which are not listed in Rule 61A-3.055, F.A.C., and which are raw products that may not qualify as "ready to eat."

A copy of the Petition for Variance or Waiver may be obtained by contacting: Terry Musselwhite, Office of the General Counsel, Division of Alcoholic Beverages and Tobacco, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT on September 17, 2008, the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, received a petition for waiver of Rule 61A-3.055, F.A.C., which lists the items customarily sold in a restaurant. Petitioner National Deli Corp. requests permission to sell items which are not listed in Rule 61A-3.055, F.A.C., and which are raw products that may not qualify as "ready to eat."

---

A copy of the Petition for Variance or Waiver may be obtained by contacting: Terry Musselwhite, Office of the General Counsel, Division of Alcoholic Beverages and Tobacco, 1940 N. Monroe Street, Tallahassee, Florida 32399-2202.

---

NOTICE IS HEREBY GIVEN THAT on October 3, 2008, the Board of Professional Engineers, received a petition for Variance or Waiver filed on October 3, 2008 on behalf of Upendra Poudel. Pursuant to Chapter 28-104, F.A.C. and Section 120.542, F.S. Petitioner seeks a waiver of the provisions of Rule 61G15-20.007, Florida Administrative Code, which is entitled "Demonstration of Substantial Equivalency." Specifically, the Petitioner requests a waiver of those requirements under Rule 61G15-20.007, F.A.C., that govern the amount of credit hours required in the humanities and social sciences by counting his life-long learning experience, as described in the petition, in lieu of the semester hours in the humanities and social sciences that are required under Rule 61G15-20.007, F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

---

#### **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**

The Board of Nursing hereby gives notice that it has received a Petition for Variance or Waiver filed on August 27, 2008, on behalf of Michael David Tascione. Pursuant to Chapter 28-104, F.A.C. and Section 120.542, F.S. Petitioner seeks a Variance and waiver of the provisions of Rule 64B9-2.008, F.A.C. Specifically, the Petitioner requests that on the basis of fairness in the Petition, the Board waive the clinical component of the educational requirements for Registered Nurse licensure.

This Petition will be considered by the Board at its meeting on October 9, 2008, 6:00 p.m.

Copies of the petition may be obtained by writing: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

---

NOTICE IS HEREBY GIVEN THAT on October 1, 2008, the Board of Nursing, received a petition for Variance or Waiver filed on October 1, 2008 on behalf of Diane Thorp, a licensed nurse practitioner. Pursuant to Chapter 28-104, F.A.C. and Section 120.542, F.S., Petitioner seeks a waiver of certain requirements under Rule 64B9-15.005, F.A.C., entitled "Standards for Certified Nursing Assistant Training

---

Programs.” Specifically, and on the basis of Petitioner’s substantial training and experience as described in the Petition, the Petitioner requests that the Board waive those requirement under Rule 64B9-15.005, F.A.C., that would prevent her from being appointed as a program coordinator for a high school’s CNA program.

This Petition will be considered by the Board at its meeting on December 3, 2008.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

---

#### FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on October 7, 2008, the Florida Housing Finance Corporation, received a petition for Waiver paragraph 67-48.0075(7)(a)1., Florida Administrative Code, from Liberty Gateway, Ltd., (“Petition”). The Petition is seeking a waiver of the rule in order to modify and delete the automatic forgiveness term for supplemental loans awarded during the 2007 Universal Application Cycle.

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. The Petition has also been posted on Florida Housing’s website at [www.floridahousing.org](http://www.floridahousing.org). 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.

---

## Section VI Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Department of State, Division of Historical Resources**, Bureau of Historic Preservation and the Florida Folklife Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 6, 2008, 10:30 a.m.

PLACE: College of Arts and Humanities, University of Central Florida, Orlando, Florida 32816-1990

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Florida Folklife Council and receive public input.

A copy of the agenda may be obtained by contacting: Dr. Tina Bucuvalas, Florida Folklife Program, Bureau of Historic Preservation, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or calling (850)245-6333.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bureau of Historic Preservation by telephone at (850)245-6333, or by Fax at (850)245-6437. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Dr. Tina Bucuvalas by telephone at (850)245-6333, or by Fax at (850)245-6437.

---

The Florida **Department of State, State Library and Archives of Florida**, announces a State Library Council Meeting via Conference Call. All persons are invited.

DATE AND TIME: Monday, October 27, 2008, 2:30 p.m. – 4:30 p.m.

PLACE: Archives Conference Room, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The council will review and discuss programs and issues related to the Division of Library and Information Services.

As a side item of the Council meeting, the Friends of the State Library and Archives of Florida Inc.’s Board of Directors and State Library Council members will receive a brief update on the State Library and Archives’ citizen support organization’s budget.

For additional information, contact: Judith Ring, State Librarian at (850)245-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

---

#### DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 28, 2008, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation