

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 40, October 3, 2008 issue of the Florida Administrative Weekly.

The laws implemented are Sections 625.121(5)(a)3. and 627.476(9)(h)5.

The laws authorizing are Sections 625.121(5)(a)3., 627.476(9)(h)5. and 624.308.

The agency head which approved the rule is the Financial Services Commission.

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 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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 6, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code (F.A.C.), from Dennis's Catering located in St. Petersburg. 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 six of the FDA Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. Specifically, Petitioner requests to dispense bulk potentially hazardous foods other than frankfurters from an open air Mobile Food Dispensing Vehicle.

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

NOTICE IS HEREBY GIVEN THAT on November 6, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from MELBOURNE GREYHOUND PARK, LLC, Petitioner, in DBPR Case No. 2008060903 (VW 2008-309). The Petition lists Rules 61D-11.0175 and 61D-11.025, Florida Administrative Code (F.A.C.), from which it seeks a variance. The Petition requests that the Division grant the Petitioner a variance of no less than 365 days from the cardroom surveillance technology requirements imposed by subsection (3) of Rule 61D-11.0175 and subsections (4) and (5) of Rule 61D-11.025, F.A.C. Alternatively, Petitioner requests a variance until July 1, 2009, from the cardroom surveillance technology requirements imposed by subsection (3) of Rule 61D-11.0175, F.A.C., and subsection (5) of Rule 61D-11.025, F.A.C., which relate to enhanced clarity surveillance cameras, and until January 1, 2010, from the cardroom surveillance technology requirements imposed by subsection (4) of Rule 61D-11.025, F.A.C., which relates to digital video recorders that can record to a quality of 4 Common Intermediate Format (CIF). Petitioner requests the variance because of severe financial hardship as the costs to conform immediately to these cardroom surveillance requirements would be in excess of \$80,000. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

NOTICE IS HEREBY GIVEN THAT on November 6, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from PALM BEACH KENNEL CLUB, INC., Petitioner, in DBPR Case No. 2008061227 (VW 2008-310). The Petition lists Rule 61D-11.025, Florida Administrative Code (F.A.C.), from which it seeks a variance. The Petition requests that the Division grant the Petitioner a variance of no less than 6 months beginning January 1, 2009, from the cardroom surveillance technology requirements in Rule 61D-11.025, F.A.C., due to significant financial hardship. Petitioner is currently soliciting bids for the renovation of its existing cardroom facility, which renovations it expects will be

completed by July 1, 2009, whereafter Petitioner's renovated cardroom will fully comply with all of the surveillance requirements in Rule 61D-11.025, F.A.C. Petitioner's current cardroom surveillance equipment, until completion of renovation, is unable to comply with the rule's surveillance requirements. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

NOTICE IS HEREBY GIVEN THAT on November 6, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from ST. PETERSBURG KENNEL CLUB, INC., Petitioner, in DBPR Case No. 2008061233 (VW 2008-311). The Petition lists Rule 61D-11.025, Florida Administrative Code (F.A.C.) from which it seeks a variance. The Petition requests that the Division grant the Petitioner a variance of no less than 60 days beginning January 1, 2009, from the cardroom surveillance technology requirements in Rule 61D-11.025, F.A.C., due to significant financial hardship. Petitioner is constructing a new cardroom facility that will meet the rule's surveillance requirements, but it is not scheduled for completion until after the first of the year. Thus, requiring Petitioner to conform its existing cardroom facility to the rule's surveillance requirements, pending completion of Petitioner's new facility, would cause Petitioner undue financial hardship. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on November 20, 2008, the Board of Medicine, received a petition for for waiver or variance filed by Abdorasool Janati, M.D., from subsections 64B8-4.009(4), (5), F.A.C., with regard to the requirement for submission of documentation of medical education and

certified translation of transcripts directly from Petitioner's medical school. Comments on this petition should be filed with: 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.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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, December 15, 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. 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 EDUCATION

The **Division of Blind Services**, Direct Support Organization announces a public telephone conference call to which all persons are invited.

DATE AND TIME: December 18, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122. Telephone Conference Call: 1(877)347-0172, Passcode: 72064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: Craig Kiser, 4700 Millenia Boulevard, Suite 175, Orlando, Florida, (850)345-9122.

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 3 days before the workshop/meeting by