

1. through 2. No change.

(10) For those developments receiving Multifamily Mortgage Revenue Bond Program (“MMRB”), as defined in Rule Chapter 67-21, F.A.C., funds from the Corporation, the initial ~~MMRB~~ PR-1 shall be prepared as of the last day of the calendar month during which bond closing occurred, if the MMRB development is occupied; or rental of the initial unit in the development occurred, whichever is later. Subsequent ~~MMRB~~ PR-1’s shall be prepared as of the last day of each calendar month. ~~MMRB~~ PR-1’s are due no later than the 15th of each month throughout the regulatory period. The monitoring agent’s and Trustee’s copy of each ~~MMRB~~ PR-1 shall be accompanied by the certificate of continuing program compliance. Annually, on dates assigned by Corporation, the monitoring agent’s and Trustee’s copy of the ~~MMRB~~ PR-1 shall be accompanied by TIC-1 copies for ten (10) percent of the executed TIC’s that were effective during the reporting year.

(a) The failure of the initial or any subsequent ~~MMRB~~ PR-1 to confirm compliance as required in this subsection, shall, upon written notice of such failure from the Corporation or its agent to the borrower, require correction of the failure within 90 days of such written notice. This shall be deemed the “correction period.” ~~During the correction period:~~

(b) During the correction period a borrower may request a 60-day extension of the correction period by submitting a written request to the Corporation’s Compliance Monitoring Administrator. Such written request must be received by the Compliance Monitoring Administrator at least 7 days prior to the expiration of the correction period.

(c) The Corporation shall consider the nature of the failure of compliance and the borrower’s past compliance history in determining whether to grant a 60-day extension of the correction period. The development shall not be deemed non-compliant prior to the expiration of the correction period. If the failure to comply is not, however, corrected within the correction period, or any extension of the correction period, such development shall then be deemed to be in non-compliance and be reported to the Board.

(11) through (13) No change.

(14) Any Applicant obtaining funding from SAIL, RRLP, or supplemental loan, as established in Rule Chapter 67-48, F.A.C. (“Group 1 Applicants”), shall provide the Corporation with an audited financial statement and a fully completed and executed Financial Reporting Form (SR-1), Rev. 02/09, (“Form SR-1”), incorporated by reference, annually by its submission deadline to the Corporation’s servicer. The submission deadline for Group 1 Applicants is May 31st of each year. A late fee of \$500 will be assessed by the Corporation to any Group 1 Applicant for failure to submit these documents by the submission deadline of each year. Group 1 Applicants shall complete all Parts (Parts 1-5) of Form SR-1 prior to its submission to the Corporation’s servicer.

(15) through (16) No change.

Rulemaking Specific Authority 420.507 FS. Law Implemented 420.5087, 420.5089, 420.5099 FS. History–New 7-22-96, Amended 12-23-96, 1-6-98, Formerly 9I-48.006, Amended 11-9-98, 2-24-00, 2-22-01, 3-17-02, 4-6-03, 3-21-04, Formerly 67-48.00, Amended 1-17-05, Amended.

67-53.009 No change.

67-53.010 Forms.

~~The following forms are hereby incorporated by reference. Copies are available on the Corporation’s Website at <http://www.floridahousing.org/Home/PropertyOwnersManagers/Forms> or may be obtained by contacting the Compliance Department, Florida Housing Finance Corporation at 227 North Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329:~~

- ~~AOC 1 – Annual Owner Compliance Certification Form~~
- ~~PR-1 – Program Report~~
- ~~TIC 1 – Tenant Income Certification~~

~~HUD Forms 50058 or 50059 or RD (or FmHA) Form 1944 8~~

~~Form SR-1 – Financial Reporting Form may be obtained from the Credit Underwriter acting as the assigned servicer or on the Corporation’s Website at <http://www.floridahousing.org/Home/PropertyOwnersManagers/Forms>.~~

Rulemaking Specific Authority 420.507 FS. Law Implemented 420.5087, 420.5089, 420.509, 420.5099. 420.524, 420.9072 FS. History–New 1-17-05, Repealed.

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:
53ER09-30	Sedano’s Groceries for a Year Promotion

SUMMARY: The Department of the Lottery will conduct a Sedano’s Groceries for A Year Promotion Drawing between Thursday, June 4, 2009 and Sunday, July 5, 2009, 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:

53ER09-30 Sedano's Groceries for a Year Promotion.

(1) Beginning Thursday, June 4, 2009 through Sunday, July 5, 2009, players who purchase a single \$5 or more POWERBALL® ticket at a Sedano's store will receive a voucher ticket that can be entered into the Sedano's Groceries for a Year promotion on the Florida Lottery web site for a chance to win one (1) of eleven (11) Sedano's gift cards valued from \$500 to \$3,000.

(2) One drawing will be held on Tuesday, July 7, 2009, from entries received by midnight on Monday, July 6, 2009, to award a total of eleven (11) Sedano's Groceries for a Year prizes. The prizes are: one (1) Grand Prize of a Sedano's gift card valued at \$3,000; one (1) second prize of a Sedano's gift card valued at \$2,000; one (1) third prize of a Sedano's gift card valued at \$1,000; and eight (8) fourth prizes of a Sedano's gift card valued at \$500.

(3) To enter a POWERBALL voucher ticket into the Sedano's Groceries for a Year promotion, players must visit the Florida Lottery's web site at www.flalottery.com, click on the Sedano's Groceries for a Year icon and follow the directions to input their voucher serial number(s). The voucher serial number is located on the front of the Sedano's voucher ticket. Because the Lottery must electronically download Sedano's voucher serial numbers at the end of each day, players must wait until the day after their purchase to enter their voucher number(s) on the Lottery web site. Players entering a voucher serial number on the day of purchase will be directed to return at a later date to enter their voucher number into the drawing. 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 voucher serial number may only be used one time for one entry into the drawing. Only one prize will be awarded per person.

(4) A total of twenty-two (22) entries will be drawn. The first number drawn will win a Sedano's gift card valued at \$3,000, the second number drawn will win a Sedano's gift card valued at \$2,000, the third number drawn will win a Sedano's gift card valued at \$1,000 and the fourth through eleventh numbers drawn will win a Sedano's gift card valued at \$500. The twelfth through twenty-second numbers drawn will be alternates in the order drawn.

(5) All prizewinners will be posted on the Lottery's website, www.flalottery.com, on the day of the draw. The Florida Lottery will attempt to notify prizewinners by telephone, certified mail or e-mail no later than one (1) week after the winners are drawn. If the Florida Lottery is unable to contact a prizewinner within three (3) 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 in the order drawn. If the Lottery is unable to contact an alternate within three (3) weeks, the prize will not be awarded. Gift cards will be shipped to the winner's address

within fifteen (15) business days after the winning voucher and required documentation described in subsection (6) below has been received by the Lottery.

(6) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a Sedano's Groceries for a Year prize, the player must submit to the Lottery the original valid Sedano's voucher ticket bearing the entry serial number selected in the drawing. Without such voucher, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry voucher ticket along with a completed Winner Claim Form DOL-173-2 or DOL-173-2S, as referenced in Rule 53ER08-89, F.A.C., and a copy of acceptable identification to the Florida Lottery within two (2) weeks of notification by the Lottery that they are a winner. Winners who cannot produce a valid entry voucher and/or do not return their Winner Claim Form as set forth above will forfeit their right to claim the prize.

If a voucher bearing the serial number selected in the drawing is presented to the Lottery by a person other than the person who entered the number into the drawing, an investigation will be conducted by the Lottery to determine the person entitled to award of the prize.

(7) All federal, state and/or local taxes or other fees on the Sedano's prizes will be the responsibility of the winner. Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. Because there is no cash from which to withhold taxes, a nonresident alien claimant who is selected as a winner will be required to pay the withholding tax or forfeit the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(8) No cash option is available in lieu of the prizes.

(9) The right to claim a prize cannot be assigned to another person or entity.

(10) All prizes are subject to the provisions of Chapter 24, F.S., and rules promulgated thereunder, including the official Sedano's Groceries for a Year promotion 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 Sedano's Groceries for a Year promotion rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(11) Players must be at least 18 years of age. Persons prohibited by Section 24.116, F.S., from purchasing a Florida Lottery ticket are not eligible to play.

(12) A player entering into the Sedano's Groceries for a Year 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. The player also gives his or her permission for the Florida Lottery to provide the player's address and telephone number to its fulfillment company for prize fulfillment purposes.

(13) The Sedano's Groceries for a Year 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 flalottery.com, by phone at (850)487-7777, or at participating Lottery retailers.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History--New 6-3-09.

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: June 3, 2009

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 June 4, 2009, the South Florida Water Management District (District), received a petition for waiver that was amended. The Amended Petition was filed on June 4, 2009, by Lisa Strader (Application No. 09-0422-1) for utilization of Works or Lands of the District know as the C-10 Spur Canal for existing fence, landscaping (palms and shrubs), and lights to remain within the north right of way of the C-10 Spur, located adjacent to 3126 N. 34th Street (Emerald Hills Subdivision); Section 05, Township 51 South, Range 42 East, Broward County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which govern the placement of

permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District. The petition for waiver was amended to include existing landscaping.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or e-mail: kruff@sfwmd.gov. The District will accept comments concerning the amended 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 May 29, 2009, the the Agency for Health Care Administration, received a petition for a Variance from Rule 59A-18.006, Florida Administrative Code (F.A.C.).

The Agency for Health Care Administration (the "Agency") received a petition pursuant to Section 120.542 Florida Statutes, from Petitioner, Burke Consulting Corporation d/b/a Granny Nannies of Sarasota. Petitioner operates a nurse registry in Geographic Service Area 8 with an office located in Sarasota County. Petitioner is opening another nurse registry in Geographic Service Area 6 to be located in Manatee County. The Petition requests a variance from Rule 59A-18.006, F.A.C. This rule requires all nurse registries to retain a full time administrator for each licensed office. Rule 59A-18.006 states: "The administrator of the nurse registry shall be a full time position..."

Petitioner is seeking a permanent variance from the rule in order to hire one individual to be the administrator of two nurse registries the Agency 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).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Stop 3, Tallahassee, Florida 32308.

For additional information, please contact: Richard Saliba, Office of the General Counsel, at the above address, or telephone (850)922-5873.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on June 4, 2009, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive