

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-20.001 Definitions of Terms for State Student Aid Programs

PURPOSE AND EFFECT: Amending rule language to be consistent across all rules with regard to clock hour equivalence to credit hours; college-preparatory courses, remedial courses, and developmental courses; general education credits; full-time enrollment, three-quarter-time enrollment, half-time enrollment; undergraduate student; and the clock hour to credit hour conversion rate.

SUBJECT AREA TO BE ADDRESSED: Definitions of full-time, part-time, and three-quarter-time enrollment in credit hours of postsecondary instruction and clock hour to credit hour conversion will be updated based on input from the Florida Department of Education’s Office of the General Counsel. Definitions of enrollment, college-preparatory courses, remedial courses, general education credits, and undergraduate student will be updated based on input from the Office of the Florida College System.

RULEMAKING AUTHORITY: 295.01(4), 295.015, 1001.02(1), (2)(n), 1009.50(5), 1009.505(5), 1009.51(5), 1009.52(6), 1009.53(3), 1009.55(2), 1009.66(9), 1009.67(6), 1009.72(1), 1009.73(10), 1009.77(9), 1009.89(2), (7), 1009.893(14), 1009.894(1), 1009.95(7), F.S.

LAW IMPLEMENTED: 295.01, 295.02, 295.03, 295.04, 295.05, 1009.40, 1009.50, 1009.505, 1009.51, 1009.52, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538, 1009.55, 1009.60, 1009.66, 1009.67, 1009.701, 1009.72, 1009.73, 1009.77, 1009.89, 1009.893, 1009.894, 1009.95, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Parker Campbell, Director, State Scholarships and Grants, (850)410-5185. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-20.031 Florida Public Student Assistance Grant

PURPOSE AND EFFECT: Amending rule language to reference enrollment terminology as defined in rule 6A-20.001, F.A.C. Definitions of full-time, part-time, and three-quarter-time will no longer be defined in rule 6A-20.031, F.A.C., but instead, will rely upon the reference to the definitions rule 6A-20.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: General eligibility requirements for the Florida Public Student Assistance Grant.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.50(5), F.S.

LAW IMPLEMENTED: 1009.40, 1009.50, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Parker Campbell, Director, State Scholarships and Grants, (850)410-5185. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-20.032 Florida Private Student Assistance Grant

PURPOSE AND EFFECT: Amending rule language to reference enrollment terminology as defined in Rule 6A-20.001, F.A.C. The meaning of full-time enrollment will no longer be defined in rule 6A-20.032, F.A.C., but instead, will rely upon the reference to the definitions in rule 6A-20.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: General eligibility requirements for the Florida Private Student Assistance Grant.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.51(5), F.S.

LAW IMPLEMENTED: 1009.40, 1009.51, F.S.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Parker Campbell, Director, State Scholarships and Grants, (850)410-5185. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-20.033 Florida Postsecondary Student Assistance Grant

PURPOSE AND EFFECT: Amending rule language to reference enrollment eligibility terminology as defined in rule 6A-20.001, F.A.C. The meaning of full-time enrollment will no longer be defined in rule 6A-20.033, F.A.C., but instead, will rely upon the reference to the definitions in rule 6A-20.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: General eligibility requirements for the Florida Postsecondary Student Assistance Grant.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.52(6), F.S.

LAW IMPLEMENTED: 1009.40, 1009.52, F.S.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Parker Campbell, Director, State Scholarships and Grants, (850)410-5185. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-20.0071 Florida Public Postsecondary Career Education Student Assistance Grant

PURPOSE AND EFFECT: Amending rule language to reference enrollment terminology as defined in rule 6A-20.001, F.A.C, and amending statutory references. Definitions of full-time, part-time, and three-quarter-time will no longer be defined in rule 6A-20.0071, F.A.C., but instead, will rely upon the reference to the definitions in rule 6A-20.001, F.A.C.

SUBJECT AREA TO BE ADDRESSED: General eligibility requirements for the Florida Public Postsecondary Career Education Student Assistance Grant.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1009.505(5), F.S.

LAW IMPLEMENTED: 1009.40, 1009.505, F.S.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Parker Campbell, Director, State Scholarships and Grants, (850)410-5185. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:
 5K-4.026 Export Certification Reports

PURPOSE AND EFFECT: The purpose of this rulemaking is to repeal the regulations provided in Chapter 5K-4.026 regarding Export Certification Reports.

SUMMARY: FDACS has transferred the issuance of export certificates to Enterprise Florida. Established by Chapter 288, Florida Statutes, Enterprise Florida is the official economic development and international trade agency for the state of Florida. FDACS discontinued issuance of all export certificates, including the Certificate of Free Sale, on December 31, 2018, thus making section 5K-4.026 F.A.C. obsolete.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department’s proposed rules do not increase fees or otherwise impose any other costs, directly or indirectly, on the regulated industry. Based on this information, the department determined there will be no adverse impact to small businesses and the potential regulatory costs of the proposed rule chapter does not exceed any of the criteria established in Section 120.541(2)(a), F.S. Additionally, no interested party submitted additional information regarding the economic impact.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 500.09, 500.148(3), 570.07(23) FS.

LAW IMPLEMENTED: 500.09, 500.148(2), (3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steve Carmody by email at Stephen.Carmody@FDACS.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

5K-4.026 Export Certification Reports.

Rulemaking Authority 500.09, 500.148(3), 570.07(23) FS. Law Implemented 500.09, 500.148(2), (3) FS. History–New 12-29-03. Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Steve Carmody, Bureau Chief

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Nicole "Nikki" Fried, Commissioner
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 11/30/2022

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.: **RULE TITLES:**

68D-34.002 Livery Pre-Rental and Pre-Ride Instruction Requirements

68D-34.004 Boating Safety Information to be Displayed at Livery Facilities.

68D-34.006 Livery Permits

PURPOSE AND EFFECT: These proposed rules will outline specific procedures and processes for a livery to obtain a no-cost livery permit, including forms. Additional topics that a livery must cover in pre-rental and pre-ride instruction are being added to comply with recent changes in Florida Statute and to ensure public safety. In addition, the substantive content of current Rules 68D-36.107, F.A.C. (Minimum Training Requirements for Personal Watercraft Rentals) and 68D-36.109, F.A.C. (Boating Safety Information to be Displayed at Boat Rental Facilities) will be moved to this Chapter regulating liveries.

SUMMARY: These proposed rules will outline specific procedures and processes for a livery to obtain a no-cost livery permit, including forms. Additional topics that a livery must cover in pre-rental and pre-ride instruction are being added to comply with recent changes in Florida Statute and to ensure public safety. In addition, the substantive content of current Rules 68D-36.107, F.A.C. (Minimum Training Requirements for Personal Watercraft Rentals) and 68D-36.109, F.A.C. (Boating Safety Information to be Displayed at Boat Rental Facilities) will be moved to this Chapter regulating liveries.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 327.04; 327.54, FS

LAW IMPLEMENTED: 327.54, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Major Rob Beaton, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-34.002 Livery Pre-Rental and Pre-Ride Instruction Requirements

(1) Any livery offering vessels for lease or rent must ensure that all individuals who rent or lease a vessel, as well as each potential operator of a rented or leased vessel, have received pre-rental and pre-ride instruction in the following topics prior to operation:

(a) Operator responsibility, including ethics, courtesy and good judgment on the water.

1. Avoiding careless, reckless, and negligent operation of vessels.

2. The effects of alcohol, controlled substances, and stressors.

3. The responsibility of the vessel operator for the safe and proper operation of the vessel.

(b) Navigation Rules.

1. Maintaining proper lookout.

2. Keep a safe distance from other vessels and objects and operate at a safe speed for the conditions, location, and environment.

3. Operating defensively.

4. Requirements to give way to other vessels and vessel right of way.

(c) Boating Restricted Areas, Manatee Protection Zones, and other areas within which boating is prohibited or in which boating speed is regulated. Regulatory markers including Idle Speed, Slow Speed, and mile per hour restrictions and aids to navigation shall also be covered.

(d) Awareness of changes in weather or water conditions and proper responses to those changes.

(e) The requirements for operating a vessel while a person is waterskiing or participating in similar activities identified in s. 327.37, F.S., if applicable to the vessel being leased or rented.

(f) Boating accidents.

1. Causes and prevention of accidents.

2. Legal requirements – remaining on scene; rendering assistance; reporting accidents.

(g) Propulsion, steering, and stopping characteristics of vessels generally and of the specific vessel being leased or rented.

(h) Location and content of manufacturer’s warning labels.

(i) Boarding, falling off, capsizing, taking on water, and reboarding, and emergency procedures for dealing with these situations.

(j) Problems seeing other vessels and being seen by them.

(k) The dangers of wake or surf jumping and other reckless operations.

(l) Noise, nuisances, and other environmental concerns.

(m) Specific personal watercraft safety requirements (wearing personal flotation devices, using kill switch lanyard, location of sound producing device and fire extinguisher, age requirements for personal watercraft operation, and lawful hours of operation).

(n) Boating safety identification cards; age and engine requirements.

(o) Photographic identification.

(p) Florida divers-down warning device requirements.

(q) Awareness of fish and wildlife with potential impacts to boaters and boating safety, including, but not limited to manatees, whales, dolphins, and sturgeon (if locally applicable).

(r) Ecosystem awareness and potential impacts to boaters and boating safety based on local issues.

(s) Specific operational characteristics of the vessel being leased or rented.

(t) Local characteristics of the waterway where the leased or rented vessel will be operated, including navigational hazards, the presence of boating restricted areas, and water depths.

(u) Location and proper use of safety equipment.

(v) The requirement to operate at a speed no faster than slow speed minimum wake within 300 feet of an emergency vessel when the vessel’s emergency lights are activated and within 300 feet of a construction vessel or barge displaying an orange flag.

(w) Requirements for operating paddlecraft within the marked channel of the intracoastal waterway.

(2) In addition to the topics listed in subsection (1), any livery offering vessels for lease or rent for off-site use or for daily or longer time periods must ensure that all individuals intending to operate a vessel have been provided pre-rental and pre-ride instruction in the following topics:

(a) Fueling and ventilation.

(b) Trailering and transporting.

(c) Float plans; how and when to complete a float plan.

(d) Specific local hazards; such as large bodies of water, weather, dams, cold water, commercial vessel traffic, etc.

(3) Liveries offering a vessel for lease or rent shall conduct an on-the-water demonstration and check ride to verify the prospective operator's ability to safely operate the vessel to be leased or rented.

(4) Both the individual providing pre-rental and pre-ride instruction and the person receiving pre-rental and pre-ride instruction must sign a form attesting that the pre-rental and pre-ride instruction was provided and received in accordance with this rule and section 327.54, F.S. using form FWCDLE 313(9/2022), Livery Pre-Rental and Pre-Ride Instruction Attestation, which is hereby incorporated by reference and which is available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

Rulemaking Authority 327.04, 327.39, 327.54 FS. Law Implemented 327.39, 327.54 FS. History—New _____.

68D-34.004 Boating Safety Information to be Displayed at Livery Facilities.

(1) As provided in Section 327.54(3)(f), F.S., a livery must display the boating safety information forms provided in this rule, as applicable, in a place visible to the renting public. Each such applicable boating safety information form shall be displayed in a size no smaller than 187 square inches.

(a) Any livery offering motorboats, other than personal watercraft, jet boats or houseboats, for lease or rent must display the Motorboat Rental Safety Poster, form FWCDLE 315 (9/2022), which is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Any livery offering houseboats for lease or rent must display the Houseboat Rental Safety Poster, form FWCDLE 316 (9/2022), which is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(c) Any livery offering personal watercraft and/or jet boats for lease or rent must display the Personal Watercraft/Jet Boat Rental Safety Poster, form FWCDLE 314 (9/2022), which is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) Any livery offering sailboats for lease or rent must display the Sailboat Rental Safety Poster, form FWCDLE 317 (9/2022), which is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(e) Any livery offering paddlecraft or other human-powered vessels for lease or rent must display the Paddlecraft Rental Safety Poster, form FWCDLE 318 (9/2022), which is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(2) A livery may substitute a form provided in this rule with an alternative poster that is no less than 187 square inches in area and that contains the same information found on the applicable form.

Rulemaking Authority 327.04, 327.39, 327.54 FS. Law Implemented 327.39, 327.54 FS. History—New _____.

68D-34.006 Livery Permits

(1) Requests for issuance of a livery permit, as provided in section 327.54, F.S., shall be submitted to the Commission via email to liverypermit@myfwc.com or to Fish and Wildlife Conservation Commission, Boating and Waterways Section/Livery Permit, 620 South Meridian Street, Tallahassee, Florida 32399. A livery permit shall be issued when such requests include all of the following:

(a) A copy of the Florida Livery Permit Checklist, form FWCDLE 311 (9/2022), which is hereby incorporated by reference and which is available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) A list of all vessels offered by the livery for lease or rent.

(c) A copy of a valid insurance policy for the livery meeting the requirements of section 327.54, F.S.

(d) A copy of the Livery Permit Certification, form FWCDLE 312 (9/2022), which is available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and which is hereby incorporated by reference. This form must be signed by the livery or by the official agent of the livery with authority to bind the livery.

(e) If the livery permit is to be issued to a corporation, limited liability company, or partnership, a copy of the business documents establishing the livery as such. If the livery is to be issued to an individual, a copy of the individual's government issued photo identification.

(2) All livery permits shall be issued using the same delivery method as the permit request was made. If a livery permit is issued by email it shall be received from liverypermit@myfwc.com. Such email with the attached permit may be shown to law enforcement on an electronic device as evidence of the permit. Each permit shall have a unique identifying number and shall be electronically signed by staff in the Boating and Waterways Section. Such permits shall be issued on form FWCDLE 310 (9/2022), Livery Permit, which is located at _____.

<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and which is hereby incorporated by reference.

(3) Livery permits issued in 2023 will be valid for the remainder of calendar year 2023 and will expire in 2024 on the applicant’s birthday. Livery permits will thereafter expire annually on the applicant’s birthday.

(4)(a) Livery permits shall be revoked, and applications for livery permits shall be denied, as follows:

1. For two or more violations of any combination of the following within a 24-month period or for four violations over any period of time, which result in dispositions other than dismissal or acquittal and which were issued to any person owning or operating the livery:

a. Subsection 327.54(2), F.S., except as provided in subparagraph 2. below.

b. Subsections 327.54(4), (5), (6), (7), (8), and (9), F.S.

c. Paragraphs 327.54(3)(a), (b), (c), (d), or (e), F.S.

2. For three or more violations of any combination of the following within a 12-month period or for five violations over any period of time, which result in dispositions other than dismissal or acquittal and which were issued to any person owning or operating the livery:

a. Failure to provide the Commission with updated information within 10 days of a change of such information, as provided in subsection 327.54(2), F.S.

b. Subsection 327.54(10), F.S.

c. Paragraph 327.54(3)(f) or (g), F.S.

(b) Revocations of livery permits and denials of livery permit applications pursuant to this section shall be in effect for two years for a first revocation or denial. A second revocation of a livery permit pursuant to this section shall be permanent. The Commission shall not issue a permit to an application for a livery which has been the subject of a permanent revocation.

(c) The commission shall notify livery permit holders or applicants of a revocation or denial in writing. Such notice shall constitute final agency action.

Rulemaking Authority 327.04, 327.54 FS. Law Implemented 327.54 FS. History—New .

NAME OF PERSON ORIGINATING PROPOSED RULE: Major Rob Beaton, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2022

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.:	RULE TITLES:
68D-36.104	Minimum Standards for Boating Safety Courses
68D-36.105	Proof of Successful Completion of Approved Courses and Equivalency Exams
68D-36.107	Minimum Training Requirements for Personal Watercraft Rentals
68D-36.108	Florida Boater Education Temporary Certificate Program
68D-36.109	Boating Safety Information to be Displayed at Boat Rental Facilities

PURPOSE AND EFFECT: This rulemaking effort will implement changes to livery requirements and boating safety education requirements made by amendments to ss. 327.395 and 327.54, F.S. adopted by the Legislature during the 2022 Legislative Session. Additional edits will be made to update rules that have not been modified in many years.

SUMMARY: The rule amendments add additional required components to Florida's boating safety education courses and temporary certificate program so these rules are consistent with changed statute; move portions of this chapter related to operation of liveries into a newly created chapter of rule for liveries; and make edits necessary for consistency between statute and rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 327.395; 327.54, FS

LAW IMPLEMENTED: 327.395; 327.54, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Major Rob Beaton, Division of Law

Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-36.104 Minimum Standards for Boating Safety Courses.

(1) Each boating safety course taught pursuant to Section 327.395 or 327.731, F.S., must maintain current approval from the National Association of State Boating Law Administrators and the Florida Fish and Wildlife Conservation Commission.

~~(a) The National Boating Education Standards established by the National Association of State Boating Law Administrators are hereby adopted by reference.~~

~~(b) To ensure continued conformance to the National Boating Education Standards, the Executive Director of the Florida Fish and Wildlife Conservation Commission may approve reenactment of this rule as necessary to incorporate by reference amendments to the National Boating Education Standards.~~

(2) In addition to minimum course content adopted by the National Association of State Boating Law Administrators, boating safety courses approved for use in the State of Florida shall contain state-specific information covering the following topics.

(a) Personal Watercraft Requirements.

1. Mandatory wear of personal flotation devices.
2. Age restrictions to operate or rent.
3. Hours of operation restrictions.
4. Wake-jumping concerns and reckless operation.
5. Causes and prevention of personal watercraft accidents.

(b) Boating Safety Identification Cards.

1. Age and engine horsepower requirements.
2. Photographic identification required.

(c) Vessel Safety Regulations.

1. Personal flotation devices for children requirements.
2. Florida's adoption of all federal equipment requirements.

~~(d) Diving vessels, awareness of divers in the water, divers down warning devices, and the requirements of section 327.331, F.S. State Divers Down Flag Requirements.~~

(e) Water Ski, Parasail, and Aquaplane Regulations.

1. Participants must wear a personal flotation device.
2. Towing vessels must have either an observer or wide-angle rearview mirror.
3. Hours restrictions.

(f) Boating Restricted Areas, Manatee Protection Zones, and other areas within which boating is prohibited or in which boating speed is regulated. Regulatory markers including Idle

Speed, Slow Speed, and mile per hour restrictions and aids to navigation shall also be covered.

(g) Boating Accidents.

1. Requirements for reporting accidents.
2. Remaining on scene/rendering assistance.

(h) Manatee Awareness of fish and wildlife with potential impacts to boaters and boating safety, including, but not limited to manatees, whales, dolphins, marine turtles, and sturgeon.

(i) Ecosystem Awareness and potential impacts to boaters and boating safety.

(j) The dangers associated with:

1. A passenger riding on a seat back, gunwale, transom, bow, motor cover, or any other vessel area not designed and designated by the manufacturer for seating.

2. A passenger falling overboard.

3. Operating a vessel with a person in the water near the vessel.

4. Starting a vessel with the engine in gear.

5. Leaving the vessel running when a passenger is boarding or disembarking.

(k) The proper use and lifesaving benefits of an engine cutoff switch for motorboats and personal watercraft.

(l) The requirement to operate at a speed no faster than slow speed minimum wake within 300 feet of an emergency vessel when the vessel's emergency lights are activated and within 300 feet of a construction vessel or barge displaying an orange flag.

(3) For each course approved for use in Florida, the course provider training facility must use the following:

(a) A boating safety workbook or text, or the electronic equivalent.

(b) A final exam of not fewer less than 75 50 questions, including a minimum of 12 40 Florida-specific questions, with a minimum passing score of 75 percent.

(c) A syllabus or course outline.

(d) A list of course objectives.

Rulemaking Authority 327.04, 327.395, 327.731 FS. Law Implemented 327.395, 327.731 FS. History—New 6-9-05, Amended

68D-36.105 Proof of Successful Completion of Approved Boating Safety Education Courses—and Equivalency Exams.

Individuals who have successfully completed an approved boating safety education course in accordance with this Chapter and section 327.395, Florida Statutes, ~~including a correspondence course, or an equivalency exam~~ will be issued a boating safety identification card from the Commission, which may be issued in digital, electronic, or paper format, that may be carried on the waters of this state together with photographic identification, as proof of successful completion of the boating safety education course. Alternatively,

individuals who have successfully completed an approved course in accordance with section 327.395, Florida Statutes may carry a state-issued identification card or driver license issued by the Florida Department of Highway Safety and Motor Vehicles bearing a symbol established by the Department indicating possession of a boating safety identification card in accordance with section 322.051 or section 322.14, Florida Statutes.

(1) Individuals successfully completing an approved boating safety education course in accordance with section 327.395, Florida Statutes or passing an approved equivalency exam may submit as proof a certificate from the course provider training facility providing a course approved by the National Association of State Boating Law Administrators and the State of Florida. The certificate must include the name of the course provider training facility; date of issue; and the student's first name, middle initial, last name, date of birth, and current mailing address.

(2) Course providers Training facilities offering approved boating safety education courses, as required by section 327.395, Florida Statutes, may submit student rosters to initiate issuance of boating safety identification cards to students who have successfully completed the course. A roster must include the name of the course provider training facility, the date of course completion, and the name of the primary instructor. In addition, the following information must be provided for each student successfully completing the course:

- (a) First name, middle initial, and last name.
- (b) Date of Birth.
- (c) Current mailing address.

Rulemaking Authority 327.04, 327.395, 327.731 FS. Law Implemented 327.395, 327.731 FS. History—New 6-9-05, Amended _____.

68D-36.107 Minimum Training Requirements for Personal Watercraft Rentals.

Rulemaking Authority 327.04, 327.39, 327.54 FS. Law Implemented 327.04, 327.39, 327.54 FS. History—New 6-9-05, Amended 4-20-09, Repealed _____.

68D-36.108 Florida Boater Education Temporary Certificate Program.

(1) Any person administering the Florida Boater Education Temporary Certificate examination under contract with the Florida Fish and Wildlife Conservation Commission must strictly comply with all contract provisions.

(2) Any person administering the Florida Boater Education Temporary Certificate examination is prohibited from providing assistance of any kind to the examinee during the examination and must not allow, suffer, or permit any other person to assist the examinee during the examination. The term "assistance" does not include the provision of reasonable

accommodations if required under the Americans with Disabilities Act or s. 501 of the Rehabilitation Act.

(3) Administration of the Florida Boater Education Temporary Certificate examination by paper test provided by the Commission:

Florida Boater Education Temporary Certificate examination paper tests provided by the Commission are assigned to individual liveries, marinas, or other persons and must not be transferred, sold, borrowed, loaned, or shared.

(4) Administration of the Florida Boater Education Temporary Certificate examination online:

(a) Any person administering the Florida Boater Education Temporary Certificate examination online must:

1. Administer a Commission-approved boater safety education course that meets the minimum instruction requirement established by the National Association of State Boating Law Administrators.

2. Administer the Florida Boater Education Temporary Certificate examination in an electronic format accessible by computer, tablet, smart phone, and other similar electronic devices.

3. Utilize a test bank of 100 questions available through the National Association of State Boating Law Administrators and 50 state specific questions approved by the Commission. Each administered examination must include a total of 25 questions. Each temporary certificate examination must include questions covering the following topics:

a. Diving vessels, awareness of divers in the water, divers down warning devices, and the requirements of section 327.331, Florida Statutes.

b. The dangers associated with:

I. A passenger riding on a seat back, gunwale, transom, bow, motor cover, or any other vessel area not designed and designated by the manufacturer for seating.

II. A passenger falling overboard.

III. Operating a vessel with a person in the water near the vessel.

IV. Starting a vessel with the engine in gear.

V. Leaving the vessel running when a passenger is boarding or disembarking.

c. The proper use and lifesaving benefits of an engine cutoff switch for motorboats and personal watercraft.

4. Require that any 19 of the 25 examination questions be answered correctly before submitting an examinee's information to the Commission for issuance of the Temporary Certificate. Any score equal to or greater than 19 out of 25 questions answered correctly shall be a passing score.

5. Within 24 hours of an examinee's completion of the Florida Boater Education Temporary Certificate examination with a passing score, provide to the Commission electronically the examinee's first name, middle initial, last name, date of

birth, current mailing address, email address, current telephone number, and the date of the examination with the passing score so the Commission can issue the Temporary Certificate.

6. Provide to an examinee who has received a passing score on the examination with either an emailed or printable proof of a passing score on the examination, including the date of the successful completion.

(b) The commission shall issue an electronic Temporary Certificate to an examinee who has received a passing score within 7 days following receipt of the examinee’s information from the examiner.

(c) A person who has successfully completed the Florida Boater Education Temporary Certificate examination, and who has in his or her possession photo identification and the emailed or printed proof of a passing score on the examination provided in subparagraph (4)(a)6., is exempt from subsection 327.395(1), F.S., for 7 days following successful completion of the online examination.

Rulemaking Authority 327.04, 327.395, 327.731 FS. Law Implemented 327.395, 327.54, 327.731 FS. History–New 6-9-05, Amended 8-24-17, _____.

68D-36.109 Boating Safety Information to be Displayed at Boat Rental Facilities.

Rulemaking Authority 327.04, 327.39, 327.54 FS. Law Implemented 327.04, 327.39, 327.54 FS. History–New 4-20-09, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Major Rob Beaton, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/1/2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 6, 2022

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NOS.:	RULE TITLES:
73B-20.003	Form of Appeal
73B-20.004	Place for Filing an Appeal or Request to Reopen
73B-20.005	Time for Filing Appeal
73B-20.022	Withdrawal
73B-20.0221	Dismissal
73B-20.025	Decision

PURPOSE AND EFFECT: The purpose of the rule revisions is to clarify existing appeal procedures and incorporate new appeal procedures with the effect of optimizing practicality and efficiency in the appeal process.

SUMMARY: The revisions to 73B-20.003 clarify the form of an appeal and what additional information should be included; the revisions to 73B-20.004 replace the email method of filing an appeal or request to reopen with a new online method, clarify the procedures when an appeal of an initial determination or request to reopen is submitted to the Reemployment Assistance Appeals Commission, update the information that a claimant must provide to access the CONNECT system, and change the title of the rule to “Method of Filing an Appeal or Request to Reopen”; the revisions to 73B-20.005 delete or modify outdated rule language, clarify the filing date for an appeal submitted by facsimile, provide the filing date for an appeal submitted through the new online method, and change the title of the rule to “Computation of Time”; the revision to 73B-20.022 replaces the email method of withdrawing an appeal with a new online method; the addition of 73B-20.0221 provides alternative grounds and procedures for dismissing an appeal; and the revisions to 73B-20.025 allow a written summary affirmance where the appellant has not expressed disagreement with the appealed determination, prescribe the referee’s duty in the event both parties are found equally credible or not credible, and clarify how a decision will be distributed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rules to be amended establish procedures for hearings before the Office of Appeals and have no economic impact. A SERC has not been prepared by the agency. In so determining, the agency prepared a checklist for each rule to assess the necessity for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rules will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 443.012(11) FS.

LAW IMPLEMENTED: 443.151(3)(b); 443.151(4)(a) - (b)3., (d) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katie Sabo, Executive Senior Attorney, Reemployment Assistance Appeals Commission, 1211 Governors Square Blvd., Ste. 300, Tallahassee, FL 32301, (850)692-0157, katie.sabo@raac.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-20.003 Form of Appeal.

(1) ~~A written statement that is responsive to and expresses notice of disagreement with an adverse determination or redetermination shall constitute an appeal. A written statement that does not comply with this requirement is subject to dismissal as provided in Rule 73B-20.0221, F.A.C. Preferably, an appeal should be filed by completing the Notice of Appeal form (DEO-A100(E) (English), Office of Appeals Notice of Appeal, Rev. 11/18, [\(http://www.flrules.org/Gateway/reference.asp?No=Ref-10840;DEO-A100\(S\)](http://www.flrules.org/Gateway/reference.asp?No=Ref-10840;DEO-A100(S))) (Spanish), Oficina de Apelaciones Aviso de Apelación, Rev. 11/18, [\(http://www.flrules.org/Gateway/reference.asp?No=Ref-10841;DEO-A100\(C\)](http://www.flrules.org/Gateway/reference.asp?No=Ref-10841;DEO-A100(C))) (Creole), Biwo Dapèl Avi Sou Apèl, Rev. 11/18,~~

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10842>), incorporated herein by reference, available at the Department's website, <http://www.floridajobs.org/RAforms>.~~

(2) The notice of appeal should include the following information:

(a) The name, claimant identification number, and the last four digits of the social security account number of each claimant, if any, involved;

(b) The name and tax account number of each employer, if any, involved;

(c) The date, issue identification number, and subject matter of the determination;

(d) A concise statement of the reasons for disagreement with the determination;

(e) A concise statement of the reason the appeal is filed untimely, if applicable; and,

(f) Information related to the hearing, including: whether an interpreter is needed; whether a party will be represented and, if so, the telephone number of the representative; whether a party expects to call any witnesses and, if so, the telephone number(s) of the witness(es); and whether a party intends to use any documents or exhibits. A statement of hearing specifications as outlined in the Notice of Appeal form, including information regarding interpretation, witnesses, representation, and exhibits.

(3) To assist a party in ensuring all of the information listed in subsection (2) is included, an appeal may be filed online as provided by subparagraph 73B-20.004(1)(a), F.A.C., or by completing the Notice of Appeal form (DEO-A100(E) (English), Office of Appeals Notice of Appeal, Rev. 11/18, [\(http://www.flrules.org/Gateway/reference.asp?No=Ref-10840;DEO-A100\(S\)](http://www.flrules.org/Gateway/reference.asp?No=Ref-10840;DEO-A100(S))) (Spanish), Oficina de Apelaciones Aviso de Apelación, Rev. 11/18, [\(http://www.flrules.org/Gateway/reference.asp?No=Ref-10841;DEO-A100\(C\)](http://www.flrules.org/Gateway/reference.asp?No=Ref-10841;DEO-A100(C))) (Creole), Biwo Dapèl Avi Sou Apèl, Rev. 11/18, <https://www.flrules.org/Gateway/reference.asp?No=Ref-10842>), incorporated herein by reference, available at the Department's website, <http://www.floridajobs.org/RAforms>.

~~(4)(3)~~ Failure to include all of the information listed in subsection (2), will not constitute cause for rejection of the appeal, but may result in delay in processing the appeal and scheduling it for hearing.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History—New 5-22-80, Formerly 38E-5.03, Amended 8-20-86, 8-7-01, Formerly 38E-5.003, 60BB-5.003, Amended 10-4-12, 8-5-19, _____.

73B-20.004 Method of Place for Filing an Appeal or Request to Reopen.

(1) Appeals or requests to reopen ~~made filed~~ pursuant to subsection 73B-20.017(4) or 73B-20.022(1), F.A.C., may be filed with the Office of Appeals: ~~submitted to the central Office of Appeals email, RA.AppealsClerks@deo.myflorida.com; facsimile (FAX), (850)617-6504; courier service or in person, Caldwell Building, MSC #347, 107 East Madison Street, Tallahassee FL 32399-4143; or by mail, P.O. Box 5250, Tallahassee, FL 32399-5250; or~~

(a) Online via the Department of Economic Opportunity CONNECT system at <http://www.floridajobs.org/Reemployment-Assistance-Service-Center> or the Reemployment Assistance Help Center at <https://FloridaJobs.org/RAHelpCenter>;

(b) By facsimile (FAX), (850)617-6504;

(c) By mail, P.O. Box 5250, Tallahassee, FL 32399-5250;
or

(d) By courier service or in person, Caldwell Building, MSC #347, 107 East Madison Street, Tallahassee, FL 32399-4143.

(2) If an appeal or request to reopen is submitted to the Reemployment Assistance Appeals Commission, the Commission will forward the appeal or request to reopen to the Office of Appeals. The filing date for purposes of computing timeliness of the appeal or request to reopen will be calculated as set forth in Rule 73B-20.005, F.A.C. However, submitting an appeal or request to reopen to the Commission may result in delay in processing the appeal or request to reopen. Submitted

~~to the Reemployment Assistance Appeals Commission by facsimile (FAX), (850)488-2123; or courier service, in person, or by mail, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301; or~~

~~(3) Additional information for appeals or requests to reopen filed online: Filed online at the Department of Economic Opportunity website via the CONNECT system at <http://www.floridajobs.org/Reemployment-Assistance-Service-Center>. The CONNECT system provides claimants, employers and their representatives the opportunity to file appeals of department determinations related to reemployment assistance, to request reopening of an appeal when the party failed to appear, to change addresses and telephone numbers for the appeal process, and to provide additional telephone numbers for the hearing. Parties may also provide information on representatives for the appeal process and witnesses to be contacted for the appeal hearing.~~

~~(a) To access the CONNECT system, the claimant will be asked to provide the following information:~~

- ~~1. Claimant email address social security number; and,~~
- ~~2. Claimant password reemployment assistance pin number.~~

~~(b) To access the CONNECT system, the employer will be asked to provide the following information:~~

- ~~1. Employer User ID; and,~~
- ~~2. Employer password.~~

~~(c) To file an appeal through ~~One~~ the CONNECT system has been accessed, the claimant will be asked to provide specific information to file an appeal, as follows:~~

- ~~1. Select the determination to be appealed;~~
- ~~2. State why the appeal is untimely filed, if applicable;~~
- ~~3. Describe the reason for the appeal;~~
- ~~4. Update address and telephone numbers if incorrect in the CONNECT system;~~
- ~~5. State whether the claimant will be represented by an attorney;~~
- ~~6. State whether the claimant will present witnesses at the hearing;~~
- ~~7. State whether the claimant will need the services of an interpreter and, if so, the language needed;~~
- ~~8. Provide a temporary mailing address for the appeal, if necessary;~~
- ~~9. Provide a telephone number for the hearing; and,~~
- ~~10. Upload files related to the appeal.~~

~~(d) To file an appeal through ~~One~~ the CONNECT system has been accessed, the employer will be asked to provide specific information to file an appeal, as follows:~~

- ~~1. Select the determination to be appealed;~~
- ~~2. State why the appeal is untimely filed, if applicable;~~
- ~~3. Provide the name of the individual filing the appeal;~~
- ~~4. Provide the job title of the individual filing the appeal;~~

- ~~5. Provide the name of the contact person for the hearing;~~
- ~~6. Provide the job title of the contact person for the hearing;~~
- ~~7. Provide the contact person's telephone number;~~
- ~~8. Describe the reason for the appeal;~~
- ~~9. State whether the employer will be represented by an agent or attorney who was not sent a copy of the initial determination;~~
- ~~10. State whether the employer will be presenting witnesses other than the contact person for the hearing;~~
- ~~11. Provide a telephone number for the hearing; and,~~
- ~~12. Upload files related to the appeal.~~

~~(e) To request a rehearing through the CONNECT system when a party failed to attend a hearing, the party will be asked to provide:~~

- ~~1. Name of the party requesting reopening;~~
- ~~2. Docket number; and,~~
- ~~3. Reason for reopening request.~~

~~(f) To file an appeal through the Reemployment Assistance Help Center, the claimant will be asked to provide the following information:~~

- ~~1. Issue identification number and distribution date of the determination to be appealed;~~
- ~~2. Claimant's address and telephone number;~~
- ~~3. Claimant's name, claimant ID, and the last four digits of his or her social security number;~~
- ~~4. Why the appeal is untimely filed, if applicable;~~
- ~~5. Reason for disagreement with the determination;~~
- ~~6. Contact information of an attorney or authorized representative, if applicable;~~
- ~~7. Contact information for any witness(es), if applicable;~~
- ~~8. A request for an interpreter and for what language, if applicable; and~~
- ~~9. A temporary mailing address, if applicable.~~

~~(g) To file an appeal through the Reemployment Assistance Help Center, the employer will be asked to provide the following information:~~

- ~~1. Issue identification number and distribution date of the determination to be appealed;~~
- ~~2. Employer account number and business name;~~
- ~~3. Employer's address and telephone number;~~
- ~~4. Claimant's name and last four digits of his or her social security number, if known;~~
- ~~5. Why the appeal is untimely filed, if applicable;~~
- ~~6. Reason for disagreement with the determination;~~
- ~~7. Contact information of an attorney or authorized representative, if applicable;~~
- ~~8. Contact information for any witness(es), if applicable;~~
- ~~9. A request for an interpreter and for what language, if applicable; and~~
- ~~10. A temporary mailing address, if applicable.~~

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(b)1., (d) FS. History—New 5-22-80, Formerly 38E-5.04, Amended 8-20-86, 8-7-01, Formerly 38E-5.004, 60BB-5.004, Amended 10-4-12, 9-8-15, 8-5-19, _____.

73B-20.005 Computation of Time for Filing Appeal.

The following rules apply in computing any period of time stated in days as prescribed by Section 443.151(3), Florida Statutes, or allowed by this chapter.

~~(1) The appeal shall be filed within 20 calendar days of the date the determination or redetermination was mailed to the appellant's last known address via the United States Postal Service, delivered electronically via the CONNECT system, or, in the absence of postal mailing or electronic distribution, the date of delivery to the appellant.~~

~~(1)(2) Days shall be counted beginning with the day following in computing any period of time prescribed or allowed by these rules, the date of the distribution or mailing of a determination, redetermination, order, decision, or notice shall not be counted. The last day of the period shall be counted unless it is a Saturday, Sunday, or holiday; in which event, the period shall run until the end of the next day that is not a Saturday, Sunday, or holiday. For the purpose of this section, "holiday" means:~~

~~(a) Those dates so designated by Section 110.117, F.S.;~~

~~(b) Any other day on which the offices of the Department of Economic Opportunity are closed;~~

~~(c) Any other day on which the United States Postal Service is closed; and,~~

~~(d) Any other day covered by an order issued pursuant to Florida Rule of General Practice and Judicial Administration 2.205(a)(2)(B)(iv) that suspends, tolls, or otherwise grants relief from time deadlines for the area in which the appellant resides.~~

~~(2)(3) Appeals mailed filed by mail are deemed filed when postmarked by the United States Postal Service. Appeals delivered in person are deemed filed on the date hand delivered. Appeals transmitted filed by facsimile transmission are deemed filed on the date received recorded on the document by the Department or on the date recorded by the Commission fax system. Appeals filed by email are deemed filed when sent, as recorded in the email. Appeals submitted filed electronically through the CONNECT system are deemed filed on the date the confirmation is issued by the system. The CONNECT system shall post on the appeal the date the confirmation is issued and the appeal was successfully received by the system. Appeals submitted electronically through the Reemployment Assistance Help Center are deemed filed on the submission date as recorded by the online Help Center system.~~

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(3)(a), (4)(b)1., (d) FS. History—New 5-22-80, Formerly 38E-

5.05, Amended 8-20-86, 3-1-98, 8-7-01, Formerly 38E-5.005, 60BB-5.005, Amended 11-19-12, 12-6-16, 8-5-19, _____.

73B-20.022 Withdrawal.

(1) No change.

(2) A withdrawal request may be submitted online via the CONNECT system or at <http://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance/reemployment-assistance-appeal-withdrawal> by email to the Office of Appeals, RA.AppealsClerks@deo.myflorida.com; by facsimile (FAX), (850)617-6504; by courier service or in person, Caldwell Building, MSC #347, 107 East Madison Street, Tallahassee, FL 32399-4143; or by mail, P.O. Box 5250, Tallahassee, FL 32399-5250; or online via the CONNECT system.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(b)2., (d) FS. History—New 5-22-80, Formerly 38E-5.22, 38E-5.022, 60BB-5.022, Amended 8-5-19, _____.

73B-20.0221 Dismissal.

(1) In addition to the grounds for dismissal otherwise established in this chapter, an appeals referee may dismiss an appeal prior to an evidentiary hearing if the appeal is not responsive to or does not express disagreement with a determination or redetermination as required by subsection 73B-20.003(1), F.A.C.

(a) Within 20 days of the dismissal, an appellant may file a request to reopen the matter and an amended notice of appeal that complies with the requirements of subsection 73B-20.003(1), F.A.C. The appellant must exhaust this remedy before appealing to the Reemployment Assistance Appeals Commission as provided under subsection (3) of this rule.

(b) If an appellant timely files a request to reopen and an amended notice of appeal that complies with subsection 73B-20.003(1), F.A.C., the appeals referee must reopen the appeal and proceed as otherwise established by this chapter. If such request to reopen and amended notice are untimely filed, the referee must reopen the appeal and first address the threshold issue of the timeliness of the reopening request in accordance with the procedures in Rule 73B-20.007, F.A.C.

(c) If the amended notice of appeal does not comply with subsection 73B-20.003(1), F.A.C., an appeals referee shall deny the request to reopen.

(2) Unless subsection (1) is applicable, an appeals referee may dismiss an appeal at any time during the appeal proceedings, if it is apparent that:

(a) The appealed determination is not adverse to the appellant;

(b) The appeal was docketed in error;

(c) There is no disputed issue to be decided;

(d) The matter is moot; or

(e) The appealed determination is defective and requires redetermination or was issued in error.

(3) A decision to dismiss an appeal or deny a request to reopen issued under this rule must be in writing and specify the grounds for the decision. Except as provided by subparagraph (1)(a), a dismissal or denial to reopen is appealable to the Reemployment Assistance Appeals Commission as prescribed by Section 443.151(4)(c), Florida Statutes, and Chapter 73B-21, F.A.C.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(b)1., (b)3., (d) FS.

73B-20.025 Decision.

(1) through (2) No change.

(3) The decision shall include, but not be limited to, the following:

- (a) A statement of the referee’s jurisdiction;
- (b) A statement of the issues;
- (c) Findings of fact necessary for resolution of the issues.

Findings based upon stipulation of the parties or matters officially recognized by the referee shall be so designated;

(d) An analysis of the findings including a concise and explicit statement of the underlying evidence in the record which supports the findings.

1. Where a finding is based solely on hearsay, the appeals referee shall set forth the rationale by which the evidence was determined to be admissible in accordance with Sections 443.151(4)(b)5.c.(I) and (II), F.S.

2. If confronted with conflicting evidence with respect to a disputed issue of fact, the finding of which is determinative of the outcome of the appeal, the appeals referee shall acknowledge such conflict and set forth the rationale by which the conflict was resolved. If the referee finds the parties equally credible, or that no party is credible, the referee shall so state and resolve the issues based on which party bears the burden of proof.

(e) Conclusions of law accompanied by reference to the operative findings of fact and the specific provisions of the statutory and decisional law from which the conclusions were drawn.

(f) The ultimate decision which sets forth the action to be taken.

(4) Notwithstanding subsection (3), and in lieu of the dismissal procedures under Rule 73B-20.0221, F.A.C., the referee may render a decision that summarily affirms the determination under review if the referee finds that the appellant has not expressed disagreement at the hearing with the determination’s resolution of the issue(s) under review.

(5)(4) A copy of the decision shall be distributed by electronic correspondence in each party’s CONNECT inbox. Notice of the decision shall also be distributed in accordance

with the party’s preferred method of receiving Department correspondence as elected by the party in the CONNECT system. If a party elects to receive correspondence by U.S. mail, a copy of the decision shall be mailed to the party’s address of record. If a party elects to receive correspondence by email, notice that a decision has been distributed to the party’s CONNECT inbox shall be emailed to the party’s email address of record. A copy of the decision shall be distributed/mailed to the address of record of each of the parties or their attorneys or representatives of record, if any, by regular U.S. Mail, or by electronic correspondence via the party’s CONNECT inbox if that method was elected. Copies of the decision shall also be mailed, by U.S. mail, to any attorney or representative who has established an address of record and furnished to the offices of the Department of Economic Opportunity which have an interest in the proceedings. The decision shall advise the parties of their right to and the means by which an appeal of the decision may be filed with the Reemployment Assistance Appeals Commission.

~~(6)(5)~~The appeals referee or the referee’s designated clerk shall complete, sign and affix to the decision a certificate stating that the decision was filed and copies were distributed/mailed to each of the parties at the address listed on the decision on the date certified.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.25, Amended 8-20-86, Formerly 38E-5.025, Amended 3-11-12, Formerly 60BB-5.025, Amended 9-8-15, 8-5-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Katie Sabo, Executive Senior Attorney

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Reemployment Assistance Appeals Commission (Frank E. Brown, Former Chair, and Joseph D. Finnegan, Member)

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2022

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 15, 2022

**Section III
Notice of Changes, Corrections and
Withdrawals**

NONE

Section IV
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER22-68
 RULE TITLE: Game Number 1514, XTREME CROSSWORD

SUMMARY OF THE RULE: This emergency rule describes Game Number 1514, "XTREME CROSSWORD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva A. Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER22-68 Game Number 1514, "XTREME CROSSWORD."

(1) Name of Game. Game Number 1514 "XTREME CROSSWORD."

(2) Game Number 1514 XTREME CROSSWORD, is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. XTREME CROSSWORD lottery tickets sell for \$5.00 per ticket.

(4) "XTREME CROSSWORD" lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning XTREME CROSSWORD lottery ticket, the ticket must meet the applicable requirements of rule 53ER22-54, F.A.C.

(5) The letters that may appear in the "YOUR LETTERS" play area are:

A B C D E F G H I J
 K L M N O P Q R S T
 U V W X Y Z

(6) The letters that may appear in "PUZZLE 1" and PUZZLE 2" play areas are:

A B C D E F G H I J
 K L M N O P Q R S T
 U V W X Y Z

(7) The play symbols and play symbol captions that may appear in the "X MULTIPLIER" play area are:

1X 2X 5X 10X 20X
 1TIMES 2TIMES 5TIMES 10TIMES 20TIMES

(8) The FAST BONUS prize symbols and prize symbol captions are:

\$5.00 \$10.00 \$20.00 \$50.00 \$100 \$200 \$500 \$1,000
FIVE TEN TWENTY FIFTY ONE HUN TWO HUN FIVE HUN ONE THOU

(9) The legends are:

YOUR LETTERS X MULTIPLIER FAST BONUS

(10) Determination of Prizewinners.

(a) There are two (2) crossword games on each ticket: PUZZLE 1 and PUZZLE 2. Each PUZZLE is played separately. Words formed in one PUZZLE cannot be used in the other PUZZLE. Each PUZZLE has its own corresponding prizes for the number of words formed in a PUZZLE.

(b) PUZZLE 1 and 2. A player whose letters in the "YOUR LETTERS" play area matching the letters in a PUZZLE to form three (3) or more words in a PUZZLE play area shall entitle the player to the corresponding prize in the respective PUZZLE PRIZE KEY for the total number of words matched. A "word" must contain at least three (3) letters. A "word" cannot be formed by linking letters diagonally or by reading the letters from the bottom to top or right to left. Letters combined to form a "word" must appear in an unbroken horizontal or vertical string of letters in a PUZZLE that are not interrupted by a blank space and must contain every single letter square between two (2) blank spaces or an edge and a blank space. Every letter in the unbroken string must be revealed in "YOUR LETTERS" and must be included to form a "word." The possible completed words are shown in each PUZZLE. Each possible complete word consists of three (3) or more letters and occupies an entire word space. All the letters in a possible complete word must be matched to complete the word.

(c) The prize amounts in the PUZZLE 1 PRIZE KEY are: \$5, \$10, \$20, \$40, \$100, \$500, \$1,000, and \$500,000.

(d) The prize amounts in the PUZZLE 2 PRIZE KEY are: \$5, \$10, \$500, and \$10,000.

(e) For PUZZLE 1 and PUZZLE 2 game play, only the highest prize won is paid in each crossword puzzle. A player may win in both PUZZLE 1 and PUZZLE 2.

(f) X MULTIPLIER Box. Players are to scratch the X MULTIPLIER box to reveal a X MULTIPLIER symbol and X

MULTIPLIER symbol caption and multiply any prize won in PUZZLE 1 or PUZZLE 2 by the multiplier number.

(g) FAST BONUS Box. Players having two (2) like FAST BONUS prize symbols and symbol captions in the FAST BONUS play area shall entitle the player to the prize shown. The FAST BONUS play area is played separately from the PUZZLES.

(11) The estimated odds of winning, value and number of prizes in Game Number 1514 are as follows:

CROSSWORD GAME PLAY (PUZZLES 1 and 2)	X MULTIPLIER	FAST BONUS	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 316.70 POOLS OF 120,000 TICKETS PER POOL
PUZZLE #1: 3 WORDS			\$5	30.01	1,266,296
PUZZLE #2: 3 WORDS			\$5	30.01	1,266,510
		\$5	\$5	29.99	1,267,140
PUZZLE #1: 3 WORDS + PUZZLE #2: 3 WORDS			\$10	60.00	633,436
PUZZLE #1: 3 WORDS	2X		\$10	59.99	633,552
PUZZLE #2: 3 WORDS	2X		\$10	59.99	633,526
PUZZLE #1: 4 WORDS			\$10	60.01	633,282
PUZZLE #2: 4 WORDS			\$10	59.99	633,554
		\$10	\$10	60.02	633,222
PUZZLE #1: 3 WORDS + PUZZLE #2: 4 WORDS			\$15	100.01	380,022
PUZZLE #1: 4 WORDS + PUZZLE #2: 3 WORDS			\$15	149.93	253,472
PUZZLE #1: 4 WORDS + PUZZLE #2: 4 WORDS			\$20	300.22	126,586
PUZZLE #1: 4 WORDS	2X		\$20	299.73	126,794
(PUZZLE #1: 3 WORDS + PUZZLE #2: 3 WORDS)	2X		\$20	300.22	126,586
		\$20	\$20	299.87	126,734
PUZZLE #1: 5 WORDS			\$20	300.30	126,554
PUZZLE #1: 5 WORDS + PUZZLE #2: 4 WORDS			\$30	480.00	79,175
(PUZZLE #1: 3 WORDS + PUZZLE #2: 4 WORDS)	2X		\$30	444.48	85,503
(PUZZLE #1: 4 WORDS + PUZZLE #2: 3 WORDS)	2X		\$30	445.04	85,395
PUZZLE #2: 4 WORDS		\$20	\$30	435.90	87,185
PUZZLE #1: 6 WORDS			\$40	2,399.56	15,838
PUZZLE #1: 5 WORDS	2X		\$40	2,396.53	15,858
(PUZZLE #1: 4 WORDS + PUZZLE #2: 4 WORDS)	2X		\$40	2,396.84	15,856
PUZZLE #1: 6 WORDS + PUZZLE #2: 4 WORDS			\$50	5,986.81	6,348

(PUZZLE #1: 5 WORDS + PUZZLE #2: 3 WORDS)	2X		\$50	4,009.31	9,479
(PUZZLE #1: 3 WORDS + PUZZLE #2: 3 WORDS)	5X		\$50	3,434.95	11,064
PUZZLE #1: 4 WORDS	5X		\$50	3,427.20	11,089
PUZZLE #2: 3 WORDS	10X		\$50	3,420.42	11,111
		\$50	\$50	3,424.73	11,097
(PUZZLE #1: 5 WORDS + PUZZLE #2: 4 WORDS)	2X		\$60	1,200.96	31,645
PUZZLE #1: 7 WORDS			\$100	3,009.52	12,628
(PUZZLE #1: 4 WORDS + PUZZLE #2: 4 WORDS)	5X		\$100	2,402.14	15,821
PUZZLE #1: 5 WORDS	5X		\$100	2,389.15	15,907
(PUZZLE #1: 6 WORDS + PUZZLE #2: 4 WORDS)	2X		\$100	2,394.12	15,874
PUZZLE #1: 4 WORDS	10X		\$100	2,399.71	15,837
PUZZLE #1: 3 WORDS	20X		\$100	2,402.75	15,817
PUZZLE #2: 3 WORDS	20X		\$100	2,403.20	15,814
		\$100	\$100	2,000.01	19,002
PUZZLE #1: 7 WORDS	2X		\$200	6,007.63	6,326
PUZZLE #1: 6 WORDS	5X		\$200	5,973.63	6,362
PUZZLE #1: 5 WORDS	10X		\$200	6,006.68	6,327
PUZZLE #2: 4 WORDS	20X		\$200	5,983.98	6,351
		\$200	\$200	5,980.21	6,355
PUZZLE #1: 8 WORDS			\$500	29,830.64	1,274
PUZZLE #1: 7 WORDS	5X		\$500	24,053.32	1,580
(PUZZLE #1: 6 WORDS + PUZZLE #2: 4 WORDS)	10X		\$500	24,053.32	1,580
PUZZLE #2: 5 WORDS			\$500	23,782.38	1,598
		\$500	\$500	24,038.10	1,581
PUZZLE #1: 9 WORDS			\$1,000	40,088.86	948
PUZZLE #1: 8 WORDS	2X		\$1,000	40,004.46	950
PUZZLE #2: 5 WORDS	2X		\$1,000	40,088.86	948
PUZZLE #1: 8 WORDS + PUZZLE #2: 5 WORDS			\$1,000	39,423.49	964
		\$1,000	\$1,000	24,099.07	1,577
PUZZLE #2: 6 WORDS			\$10,000	678,647.14	56
PUZZLE #1: 9 WORDS	10X		\$10,000	633,404.00	60
PUZZLE #2: 5 WORDS	20X		\$10,000	633,404.00	60
PUZZLE #1: 10 WORDS			\$500,000	2,375,265.00	16

(12) The estimated overall odds of winning some prize in Game Number 1514 are 1 in 3.99. Prizes, including the top prizes, are subject to availability at the time of ticket 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.

(13) For reorders of Game Number 1514, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for XTREME CROSSWORD lottery tickets shall be made in accordance with the rule 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.

Rulemaking 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 12-1-22.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 12/1/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER22-69
RULE TITLE: Game Number 1523, 2023 CASH BLAST
SUMMARY OF THE RULE: This emergency rule describes Game Number 1523, "2023 CASH BLAST," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva A. Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER22-69 Game Number 1523, 2023 CASH BLAST.

(1) Name of Game. Game Number 1523, 2023 CASH BLAST.

(2) Game Number 1523, 2023 CASH BLAST is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. 2023 CASH BLAST lottery tickets sell for \$2.00 per ticket.

(4) 2023 CASH BLAST lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning 2023 CASH BLAST lottery ticket, the ticket must meet the applicable requirements of Rule 53ER22-54, *Payment of Prizes*, F.A.C.

(5) The prize symbols and prize symbol captions that may appear in the Play Area are:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 TWENTY FIVE	\$50.00 FIFTY
\$100 ONE HUN	\$200 TWO HUN	\$1,000 ONE THOU	\$2,000 TWO THOU	\$5,000 FTY THOU	2X 2TIMES	5X 5TIMES	

(6) Determination of Prizewinners.

(a) A ticket having three (3) like prize symbols and symbol captions in the Play Area shall entitle the player to the prize amount shown. A ticket having two (2) like prize symbols and symbol captions plus a 2X symbol and symbol caption in the Play Area shall entitle the player to two (2) times the prize amount shown. A ticket having two (2) like prize symbols and symbol captions plus a 5X symbol and symbol caption in the Play Area shall entitle the player to five (5) times the prize amount shown.

(b) A player may win one (1) time on a ticket.

(7) The odds of winning, value, and number of prizes in Game Number 1523 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 78.03 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	9.38	1,498,161
\$2 (2X)	\$4	26.78	524,445
\$4	\$4	27.77	505,708
\$1 (5X)	\$5	150.00	93,638
\$5	\$5	150.05	93,606
\$2 (5X)	\$10	150.00	93,638
\$5 (2X)	\$10	150.00	93,638
\$10	\$10	150.11	93,568
\$4 (5X)	\$20	374.61	37,494
\$10 (2X)	\$20	375.68	37,387
\$20	\$20	748.82	18,757
\$5 (5X)	\$25	599.01	23,448
\$25	\$25	599.09	23,445
\$10 (5X)	\$50	1,202.13	11,684
\$25 (2X)	\$50	1,198.13	11,723
\$50	\$50	1,199.46	11,710
\$20 (5X)	\$100	2,362.21	5,946
\$50 (2X)	\$100	2,361.02	5,949
\$100	\$100	2,379.42	5,903
\$100 (2X)	\$200	8,952.01	1,569
\$200	\$200	17,824.49	788
\$200 (5X)	\$1,000	60,024.36	234

\$1,000	\$1,000	57,329.39	245
\$2,000	\$2,000	175,571.25	80
\$50,000	\$50,000	702,285.00	20

(8) The overall odds of winning some prize in Game Number 1523 are 1 in 4.40. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Game Number 1523, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) Payment of prizes for 2023 CASH BLAST lottery tickets shall be made in accordance with the rule 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. Rulemaking 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 12-1-22.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 12/1/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER22-70
RULE TITLE: Game Number 1524, LUCKY NUMBERS
SUMMARY OF THE RULE: This emergency rule describes Game Number 1524, "LUCKY NUMBERS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva A. Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER22-70 Game Number 1524, LUCKY NUMBERS.

(1) Name of Game. Game Number 1524, LUCKY NUMBERS.

(2) Game Number 1524, LUCKY NUMBERS is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. LUCKY NUMBERS lottery tickets sell for \$5.00 per ticket.

(4) LUCKY NUMBERS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY NUMBERS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER22-54, *Payment of Prizes, F.A.C.*

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are:

1 <small>ONE</small>	2 <small>TWO</small>	3 <small>THREE</small>	4 <small>FOUR</small>	5 <small>FIVE</small>	6 <small>SIX</small>	8 <small>EIGHT</small>	9 <small>NINE</small>	10 <small>TEN</small>
12 <small>TWELV</small>	13 <small>THIRTN</small>	14 <small>FORTN</small>	15 <small>FIFTN</small>	16 <small>SIXTN</small>	17 <small>SVNTN</small>	18 <small>EGHTN</small>	19 <small>NINTN</small>	20 <small>TWENTY</small>
22 <small>THYTHO</small>	23 <small>THYTHR</small>	24 <small>THYFOR</small>	25 <small>THYFIV</small>	26 <small>THYSIX</small>	27 <small>THYSVN</small>	28 <small>THYEGT</small>	29 <small>THYNIN</small>	30 <small>THIRTY</small>
						7 <small>HIN</small>	11 <small>DOUBLE</small>	21 <small>STIMES</small>

(6) The play symbols and play symbol captions that may appear in the LUCKY NUMBERS play area are:

1 <small>ONE</small>	2 <small>TWO</small>	3 <small>THREE</small>	4 <small>FOUR</small>	5 <small>FIVE</small>	6 <small>SIX</small>	8 <small>EIGHT</small>	9 <small>NINE</small>	10 <small>TEN</small>
12 <small>THELV</small>	13 <small>THRTN</small>	14 <small>FORTN</small>	15 <small>FIFTN</small>	16 <small>SIXTN</small>	17 <small>SVNTN</small>	18 <small>EGHTN</small>	19 <small>NINTN</small>	20 <small>TWENTY</small>
22 <small>THYTHO</small>	23 <small>THYTHR</small>	24 <small>THYFOR</small>	25 <small>THYFIV</small>	26 <small>THYSIX</small>	27 <small>THYSVN</small>	28 <small>THYEGT</small>	29 <small>THYNIN</small>	30 <small>THIRTY</small>

(7) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are:

\$1.00 <small>ONE</small>	\$2.00 <small>TWO</small>	\$5.00 <small>FIVE</small>	\$10.00 <small>TEN</small>	\$20.00 <small>TWENTY</small>	\$25.00 <small>THY FIVE</small>	\$40.00 <small>FORTY</small>	\$50.00 <small>FIFTY</small>
\$100 <small>ONE HUN</small>	\$150 <small>ONEHUN FTY</small>	\$400 <small>FOUR HUN</small>	\$500 <small>FIVE HUN</small>	\$1,000 <small>ONE THOU</small>	\$5,000 <small>FIVE THOU</small>	\$10,000 <small>TEN THOU</small>	\$500,000 <small>FIVHUN THOU</small>

(8) The legends are:

LUCKY	YOUR NUMBERS	PRIZE
NUMBERS		

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the LUCKY NUMBERS play area shall entitle the player to

the corresponding prize shown. A ticket having a **7** HIN symbol and corresponding symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to the prize shown. A

ticket having a **11** DOUBLE symbol and corresponding symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner

to two (2) times the prize amount shown. A ticket having a **21** STIMES symbol and corresponding symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to five (5) times the prize amount shown.

(b) A player may win up to twelve (12) times on a ticket.

(10) The odds of winning, value, and number of prizes in Game Number 1524 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 186.47 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	8.57	2,610,769
\$1 x 10	\$10	30.01	745,735
\$2 (21)	\$10	29.99	746,112
\$5 x 2	\$10	60.04	372,711
\$10	\$10	60.00	372,941
\$2 x 10	\$20	299.75	74,651
\$2 (21) + (\$5 x 2)	\$20	300.05	74,576
\$5 x 4	\$20	300.29	74,517
\$10 (11)	\$20	300.25	74,525
\$20	\$20	299.66	74,672
\$5 x 5	\$25	800.10	27,967
\$5 (21)	\$25	798.19	28,034
(\$2 x 10) + \$5	\$25	800.56	27,951
\$5 + \$20	\$25	799.22	27,998
\$25	\$25	799.07	28,003
\$5 x 8	\$40	798.76	28,014
\$5 + \$5 (21) + \$10	\$40	798.73	28,015
\$20 (11)	\$40	800.16	27,965
\$20 x 2	\$40	800.59	27,950
\$40	\$40	798.73	28,015
\$5 x 10	\$50	3,415.73	6,551
\$5 (21) + \$5 + \$10 (11)	\$50	3,435.66	6,513
\$20 (11) + \$10	\$50	3,437.24	6,510
\$25 x 2	\$50	3,436.72	6,511
\$10 (21)	\$50	3,438.83	6,507
\$50	\$50	3,411.05	6,560
(\$10 x 8) + (\$5 x 4)	\$100	2,000.76	11,184
(\$5 x 10) + (\$25 x 2)	\$100	1,998.43	11,197
\$10 (21) + (\$10 x 5)	\$100	1,992.74	11,229
\$20 (21)	\$100	2,004.70	11,162
\$50 (11)	\$100	1,997.36	11,203
(\$25 x 2) + \$50	\$100	1,998.43	11,197
\$100	\$100	2,009.20	11,137
(\$40 x 10) + (\$50 x 2)	\$500	60,151.77	372
(\$40 x 10) + \$100	\$500	59,196.98	378
\$50 x 10	\$500	59,830.11	374
\$100 (11) + (\$100 x 3)	\$500	59,670.56	375
\$100 x 5	\$500	60,476.92	370

\$100 (21)	\$500	59,990.51	373
\$500	\$500	61,643.14	363
(\$100 x 8) + (\$50 x 4)	\$1,000	119,660.21	187
(\$100 x 8) + \$100 (11)	\$1,000	120,303.55	186
\$100 (21) + \$400 + \$100	\$1,000	119,660.21	187
\$150 (21) + \$150 + \$100	\$1,000	122,275.74	183
\$400 (11) + (\$100 x 2)	\$1,000	122,275.74	183
\$100 x 10	\$1,000	122,275.74	183
\$1,000	\$1,000	123,626.85	181
\$500 (11) + (\$1,000 x 4)	\$5,000	119,023.72	188
\$500 x 10	\$5,000	122,275.74	183
\$1,000 x 5	\$5,000	119,023.72	188
\$1,000 (21)	\$5,000	121,611.20	184
\$5,000	\$5,000	120,303.55	186
\$10,000	\$10,000	123,626.85	181
\$500,000	\$500,000	1,398,528.75	16

(11) The overall odds of winning some prize in Game Number 1524 are 1 in 3.98. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales 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 Game Number 1524, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for LUCKY NUMBERS lottery tickets shall be made in accordance with the rule 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. Rulemaking 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 12-1-22.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 12/1/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER22-71
 RULE TITLE: Game Number 5049, DIAMOND MINE 20X

SUMMARY OF THE RULE: This emergency rule describes Game Number 5049, "DIAMOND MINE 20X" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:

53ER22-71 Game Number 5049, DIAMOND MINE 20X.

(1) Name of Game. Game Number 5049, DIAMOND MINE 20X.

(2) Game Number 5049, DIAMOND MINE 20X is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. DIAMOND MINE 20X lottery tickets sell for \$10.00 per ticket.

(4) DIAMOND MINE 20X lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning DIAMOND MINE 20X lottery ticket, the ticket must meet the applicable requirements of Rule 53ER22-54, Payment of Prizes, F.A.C.

(5) The Game symbols and Game symbol captions that may appear in the play area are:



(6) The prize symbols and prize symbol captions that may appear in the play area are:



(7) The Fixed Symbols are:

	PRIZE		PRIZE
GAME 1		GAME 11	
GAME 2		GAME 12	
GAME 3		GAME 13	
GAME 4		GAME 14	
GAME 5		GAME 15	
GAME 6		GAME 16	
GAME 7		GAME 17	
GAME 8		GAME 18	
GAME 9		GAME 19	
GAME 10		GAME 20	

(8) Determination of Prizewinners.

(a) There are twenty (20) GAMES (GAME 1 through GAME 20), presented in horizontal lines in two columns, on a ticket. Each GAME is played separately. Game symbols and Game symbol captions from one game cannot be used in any other GAME. Prize symbols and prize symbol captions from one GAME cannot be applied to any other GAME.

(b) A ticket having three (3) like Game symbols and Game symbol captions in the same GAME shall entitle the player to the Prize shown for that GAME. A ticket having a Game symbol and Game symbol caption in any GAME shall entitle the player to two (2) times the Prize shown for that GAME. A ticket having a Game symbol and Game symbol caption in any GAME shall entitle the player to twenty (20) times the Prize shown for that GAME.

(c) DIAMOND PRIZE LEGEND. A player shall count the total number of play symbols and play symbol captions revealed in all twenty (20) GAMES. The player shall then refer to the DIAMOND PRIZE LEGEND to determine the prize won, if any. Only the highest prize won is paid.

(d) A player may win up to twenty (20) times on a ticket.

(9) \$1,000,000 Prize: Payment Options.

(a) A prizewinner of a \$1,000,000 prize may choose one of two payment options for receiving his or her prize. Payment options are One-Time Cash Payment or Annual Payments. At the time the \$1,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The prizewinner has sixty (60) days from the date the player claim instructions ticket

is produced to file a claim choosing the One-Time Cash Payment. If a prizewinner does not choose the One-Time Cash Payment within the sixty (60) day timeframe, the Annual Payment option will be applied. Once the prizewinner files a claim and exercises the winner’s chosen option, the election of that option shall be final. The Annual Payment method of payment shall also be final when it is applied due to a \$1,000,000 prize winner not making his or her payment election within sixty (60) days after the player claim instructions ticket is produced.

(b) A winner of a \$1,000,000 prize who elects the One-Time Cash Payment shall receive a single cash payment of \$695,000, less applicable federal income tax withholding.

(c) Annual Payments will be paid in twenty-five (25) equal annual installments. A prizewinner of a \$1,000,000 prize who elects the Annual Payment option, or has it applied, shall receive annual installments of \$40,000 per year, less applicable federal tax withholding.

(10) The odds of winning, value, and number of prizes in Game Number 5049 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 183.25 POOLS OF 120,000 TICKETS PER POOL
\$2 x 5	\$10	29.98	733,380
(\$2 (2X) x 2) + (\$1 x 2)	\$10	20.00	1,099,681
\$5 x 2	\$10	30.01	732,685
\$10	\$10	59.98	366,622
\$2 x 10	\$20	100.15	219,577
\$1 (20X)	\$20	59.99	366,545
\$5 (2X) + (\$2 x 5)	\$20	59.98	366,649
\$20 (GEMS)	\$20	15.00	1,465,985
\$20	\$20	150.01	146,593
(\$2 (2X) x 5) + (\$5 x 2)	\$30	400.04	54,970
\$1 (20X) + \$1 (2X) + (\$2 (2X) x 2)	\$30	400.91	54,851
\$20 (GEMS) + (\$5 x 2)	\$30	199.99	109,959
(\$5 (2X) x 2) + (\$2 x 5)	\$30	199.76	110,081
\$30	\$30	600.14	36,642
\$20 (GEMS) + (\$10 x 2)	\$40	749.70	29,332
\$20 (GEMS) + (\$5 (2X) x 2)	\$40	399.92	54,986
\$2 x 20	\$40	600.10	36,644
\$2 (20X)	\$40	399.99	54,977
\$40	\$40	2,991.05	7,352
(\$5 (2X) x 3) + \$20 (GEMS)	\$50	749.75	29,330
\$20 (GEMS) + (\$10 x 2) + \$5 (2X)	\$50	600.30	36,632
\$2 (20X) + \$5 (2X)	\$50	600.38	36,627
\$20 (2X) + (\$2 x 5)	\$50	599.63	36,673
\$50 (GEMS)	\$50	600.68	36,609
\$50	\$50	2,995.53	7,341

\$5 (2X) x 10	\$100	500.41	43,944
\$40 + \$30 + \$20 (GEMS) + \$5 (2X)	\$100	500.88	43,903
\$50 (GEMS) + (\$2 (2X) x 5) + (\$5 (2X) x 3)	\$100	299.85	73,338
(\$5 (2X) x 5) + (\$5 x 4) + (\$2 x 5) + \$1 (20X)	\$100	300.03	73,294
\$20 (GEMS) + \$2 (20X) + \$5 (2X) + (\$5 x 6)	\$100	299.76	73,360
\$100 (GEMS)	\$100	499.86	43,993
\$100	\$100	1,498.89	14,671
(\$10 (2X) x 2) + \$100 (GEMS) + \$5 (20X) + \$5 (2X)	\$250	6,037.94	3,642
\$20 (2X) + \$5 (20X) + \$50 (GEMS) + \$30 (2X)	\$250	5,982.09	3,676
\$10 (20X) + (\$5 (2X) x 3) + \$20 (GEMS)	\$250	5,985.35	3,674
\$2 (20X) + (\$5 (2X) x 15) + (\$10 x 2) + (\$10 (2X) x 2)	\$250	7,484.74	2,938
\$250	\$250	30,000.25	733
\$50 (2X) + \$10 (20X) + (\$10 (2X) x 5) + \$50 (GEMS) + (\$10 x 5)	\$500	6,028.01	3,648
\$100 (GEMS) + (\$20 (2X) x 5) + (\$5 (20X) + (\$50 x 2))	\$500	6,026.36	3,649
(\$30 x 10) + (\$20 x 10)	\$500	7,494.95	2,934
\$500 (GEMS)	\$500	6,003.33	3,663
\$500	\$500	30,123.53	730
\$20 (20X) + \$100 (GEMS) + (\$20 (2X) x 10) + \$50 (2X)	\$1,000	30,331.28	725
\$250 (2X) + \$100 (2X) + \$100 (GEMS) + \$50 (2X) + (\$10 (2X) x 5)	\$1,000	30,626.99	718
\$10 (20X) + (\$5 (20X) x 3) + \$500 (GEMS)	\$1,000	29,918.61	735
\$1,000 (GEMS)	\$1,000	29,918.61	735
\$1,000	\$1,000	29,517.02	745
\$1,000 + \$500 + \$100 (20X) + (\$50 (2X) x 10) + \$500 (GEMS)	\$5,000	268,172.93	82
\$5,000 (GEMS)	\$5,000	268,172.93	82
\$5,000	\$5,000	1,099,509.00	20
\$1,000 (GEMS) + (\$50 (20X) x 5) + (\$250 (2X) x 2) + \$500 (2X) + \$1,000 (2X)	\$10,000	785,363.57	28
\$5,000 (GEMS) + \$100 (20X) + (\$500 (2X) x 3)	\$10,000	785,363.57	28
\$10,000	\$10,000	5,497,545.00	4
(\$1,000 (20X) x 2) + (\$5,000 (2X) x 3) + \$10,000 (2X) + \$5,000 (GEMS) + \$5,000	\$100,000	2,748,772.50	8
\$100,000	\$100,000	5,497,545.00	4
\$1,000,000 (\$40K/YR/25 YEARS)*	\$1,000,000	5,497,545.00	4

*Prize amount if the annual payment option is chosen or has it applied. If the single cash payment option is chosen, the amount paid is in accordance with subsection (9), above.

(11) The overall odds of winning some prize in Game Number 5049 are 1 in 3.32. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales 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 Game Number 5049, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for Game Number 5049, DIAMOND MINE 20X lottery tickets shall be made in accordance with the rule 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. Rulemaking 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 12-1-22.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 12/1/2022

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: 65CER22-1
 RULE TITLE: Standards for Unaccompanied Alien Children and Unaccompanied Refugee Minor Programs

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: On September 28, 2021, the Governor of the State of Florida signed Executive Order 21-223, declaring that the Biden administration’s refusal to faithfully enforce federal immigration laws has led to an unprecedented surge of illegal border crossings at the southwest border of the United States. In July 2021 alone, over 213,000 persons attempted to illegally enter the United States at the southwest border, the highest number in more than 20 years, and another 209,840 persons attempted to illegally enter in August. Note 1. For the entire federal fiscal year of 2021, over 1.7 million foreign nationals were encountered at the southwest border attempting to enter the country illegally. Note 2. In the first quarter of this federal fiscal year, the reported number of such encounters stands at more than 518,000. Note 3. By contrast, in the last full federal fiscal year of the previous administration (federal fiscal year 2020), there were fewer than 460,000 such encounters, and in the fiscal year before that (federal fiscal year 2019), there were fewer than 980,000 encounters. Note 4.

The Biden administration has taken numerous actions to cause and further exacerbate this border crisis. It terminated the previous administration’s Migrant Protection Protocol (MPP) program (also known as the “Remain in Mexico” policy), reinstated a “catch and release” policy, ended further construction of a border wall, and declined to detain and remove certain categories of illegal aliens who had been convicted of committing crimes. The administration’s unlawful termination

of MPP was successfully challenged in court, see *Texas v. Biden*, No. 21-10806 (5th Cir. Dec. 21, 2021), but the Biden administration is currently working to reimplement the program. Its other actions, however, remain in effect.

Notwithstanding that federal immigration law generally requires that aliens entering the United States without a clear right to be admitted (including applicants for asylum) must be detained pending further proceedings, see 8 U.S.C. § 1225(b)(2)(A), *id.* § 1225(b)(1)(B), the Biden administration has instead been releasing into the interior of the United States large numbers of illegal aliens apprehended at the southwest border. The U.S. Border Patrol released 60,559 illegal aliens from the southwest border in July 2021 alone and another 44,122 in August 2021, a massive increase from the 17 illegal aliens released in December 2020, the last full month of the previous administration. Note 5. During federal fiscal year 2021, the Border Patrol released in total more than 248,000 aliens apprehended at the southwest border, almost all of which occurred after January 2021. Note 6. This number does not reflect additional releases by other elements of the U.S. Department of Homeland Security (DHS). In an October 20, 2021 letter, DHS confirmed that at least 5,900 single illegal alien adults who were released at the southwest border have reported to an Immigration and Customs Enforcement (ICE) field office in Florida. This number likely vastly underreports the number of released illegal aliens from the southwest border who have resettled in Florida because approximately 80% of aliens who are released at the border and are directed to report to an ICE office within 60 days reportedly fail to do so. Note 7. Because the Federal Government does not actively coordinate or consult with the State of Florida concerning the illegal aliens that it releases from the southwest border into the interior of the United States, the State of Florida has no knowledge about the backgrounds, criminal history, immigration status, or the status of removal proceedings for the aliens who have resettled in Florida. The State of Florida has brought a legal challenge to the Biden administration’s unlawful “catch and release” policy, which is now pending in the U.S. District Court for the Northern District of Florida. See First Amended Complaint for Declaratory and Injunctive Relief, *State of Florida v. United States*, No. 3:21-cv-01066-TKW-EMT (N.D. Fla. Feb. 1, 2022) (articulating harms to the State of Florida because of the Biden administration’s “catch and release” policy).

The surge of foreign nationals attempting to enter illegally at the southwest border has included a large number of Unaccompanied Alien Children (UAC), defined by federal law as a child who has no lawful immigration status; has not attained 18 years of age; and, with respect to whom, there is no parent or legal guardian in the United States, or no parent or legal guardian in the United States available to provide physical custody and care, see 6 U.S.C. § 279(g)(2). Over 146,000

encounters at the southwest border for federal fiscal year 2021 involved UAC or single minors, compared to approximately 33,000 in fiscal year 2020 and 80,000 in fiscal year 2019. Note 8. For federal fiscal year 2022, the number of such encounters has already reached more than 85,000. Note 9. Under existing federal law, the U.S. Department of Health and Human Services (HHS) must take custody of these UAC and attempt to place them with sponsors in the United States until the UAC's immigration proceedings are completed. While the UAC await placement with a sponsor, HHS will often house the UAC in group home facilities or foster homes that are operated by private entities or individuals under contract with HHS and licensed by the states where the facilities or homes are located. It is estimated that at least 4,284 UAC were housed in group home facilities or foster homes in Florida over the last year. During federal fiscal year 2021, 11,145 UAC were placed with sponsors in Florida, more than the 10,773 UAC placed in California, a substantially larger state. Note 10. So far during federal fiscal year 2022, 6,659 UAC have already been placed in Florida. Note 11.

Neither DHS nor HHS actively coordinates or consults with the State of Florida, including the Department, on the UAC that are resettled in Florida. The State does not receive meaningful, if any, advance notice when UAC are transported to Florida and is not meaningfully consulted on the number of UAC that the State's child-caring resources and capacity could feasibly support without adversely affecting children already present in Florida and under the State's protection and care. Recently, the State of Florida discovered that, between May and October 2021, there were 78 flights that arrived in Florida likely transporting UAC. This occurred without advance notice to the Department and without the State's consent. The State is given no opportunity to object to the transportation or resettlement of UAC in Florida.

Moreover, the State receives no information on the background, criminal history, immigration status, status of removal proceedings, or the sponsors of the UAC brought to Florida. See, e.g., Letter from Governor Ron DeSantis to DHS Secretary Alejandro Mayorkas, Resettlement of Illegal Aliens in Florida, Aug. 26, 2021; Letter from Acting ICE Director Tae Johnson to Governor Ron DeSantis, Oct. 20, 2021; Letter from DHS Secretary Alejandro Mayorkas to Governor Ron DeSantis, Nov. 24, 2021. UAC are regularly placed with sponsors without adequate follow-up by HHS or the placement entities to ensure the safety and welfare of the UAC. According to a recent report, between January and May 2021, federal contractors responsible for placing UAC with sponsors across the United States were unable to reach the minor or the sponsor in roughly one of every three attempts. Note 12. Nor does the State have any assurance that the UAC are, in fact, minors. As a result of the chaos at the southwest boarder, there is a significant risk of insufficient and

inaccurate vetting of people claiming protection as UAC. Many UAC are male teenagers nearing adulthood, and some are gang members when they arrive or later become gang members. Note 13. Recently, a 24-year-old Honduran national was charged with murder in Florida after having falsely represented his age and having been released into the United States as a UAC. Note 14. In short, the Federal Government has failed to provide the State of Florida with sufficient answers to its requests for information on the resettlement of illegal aliens, including UAC, so that their safety and the safety and welfare of Florida's citizens, including children already present in Florida, can be secured. The Federal Government's failure to enforce federal immigration law and secure the border, as well as the absence of meaningful coordination and consultation concerning the resettlement of UAC in Florida, are an immediate danger to the safety and welfare of Floridians, including its most vulnerable children, as well as recently arrived UAC. (The Federal Government's conduct with respect to the resettlement of UAC in Florida stands in stark contrast to the Federal Government's conduct with respect to the resettlement of Unaccompanied Refugee Minors (URM), where the Federal Government has a cooperative agreement in place with the State of Florida.)

To date, the Department has generally granted licenses to facilities that sought to house UAC brought to Florida by HHS. In light of the crisis described above, Section 8 of Executive Order 21-223 directed the Department to "determine whether the resettlement of unaccompanied alien children in Florida from outside of the state constitutes 'evidence of need' under section 409.175(5)(b)(1), Florida Statutes, sufficient to justify the award of a license under Florida law to family foster homes, residential child-caring agencies, or child-placing agencies that seek to provide services for unaccompanied alien children." "To the extent that such resettlement of unaccompanied alien children in Florida is determined not to constitute 'evidence of need' under Florida law," the executive order directed the Department to "amend, if necessary, Florida Administrative Code Rule 65C-46.022, 'Standards for Unaccompanied Alien Children (UAC) Homes and Unaccompanied Refugee Minor Programs,' in accordance with state law, to reflect the Department's determination." In this Emergency Rule, the Department determines that an application for issuance or renewal of a license to house UAC or URM, who are being resettled in Florida from outside of the state, does not constitute "evidence of need," § 409.175(5)(b)1, Florida Statutes, "to protect the health, safety, and well-being of all children in the state" cared for by residential child-caring agencies, § 409.175(1)(a), Florida Statutes, in the absence of a cooperative agreement between the State of Florida and the Federal Government in which the State of Florida is entitled, at a minimum, to advance notice and meaningful consultation before the resettlement of such UAC or URM in Florida. The

Emergency Rule also prohibits existing licensees from adding to their existing UAC population and imposes additional requirements to ensure that such licensees protect the safety and welfare of UAC that they place with sponsors in the state.

Given the ongoing crisis at the border, including the Federal Government's failure to enforce federal immigration law and to secure the border, the resettlement of UAC in Florida, its ongoing refusal to provide meaningful coordination and consultation, its failure to provide adequate protection for and supervision of UAC once they are placed with sponsors in the state, and its failure to adequately screen purported UAC (as evidenced by the recent murder charge brought against an adult foreign national who misrepresented his age to gain entry to the United States), emergency rulemaking is justified and necessary.

Note 1: Rebecca Beitsch, US-Mexico July Border Crossings Hit 20 Year High, *The Hill* (Aug. 12, 2021), <https://thehill.com/policy/national-security/567647-us-mexico-july-border-crossings-near-20-year-high>; see U.S. Customs & Border Prot., Southwest Land Border Encounters, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters> (last updated May 3, 2022) (showing 213,593 for July and 209,840 for August).

Note 2: U.S. Customs & Border Prot., Southwest Land Border Encounters, *supra* note 1.

Note 3: *Id.*

Note 4: *Id.*

Note 5: See U.S. Customs & Border Prot., Custody and Transfer Statistics FY2021, <https://www.cbp.gov/newsroom/stats/custody-and-transfer-statistics-fy2021> (last accessed November 29, 2022).

Note 6: See *id.*

Note 7: See Mark Krikorian, Immigration Enforcement on the Honor System, <https://www.nationalreview.com/corner/immigration-enforcement-on-the-honor-system/> (July 16, 2021). In addition, between federal fiscal year 2008 and 2019, "32 percent of aliens referred to [immigration courts] absconded into the United States" and did not report to their hearings. See Memorandum Opinion and Order, *Texas v. Biden*, No. 2:21-CV-067-Z, 2021 WL 3603341, at *4 (N.D. Tex. Aug. 13, 2021).

Note 8: See U.S. Customs & Border Prot., Southwest Land Border Encounters, *supra* note 1.

Note 9: See *id.*

Note 10: See Office of Refugee Resettlement, Unaccompanied Children Released to Sponsors by State (June 24, 2021), <https://www.acf.hhs.gov/orr/grant-funding/unaccompanied-children-released-sponsors-state>.

Note 11: See *id.*

Note 12: See Stef W. Knight, Exclusive: Government Can't Reach One-in-Three Released Migrant Kids (Sept. 1, 2021),

<https://www.axios.com/migrant-children-biden-administration-a597fd98-03a7-415c-9826-9d0b5aaba081.html>.

Note 13: See Camilo Montoya-Galvez, U.S. Shelters Received a Record 122,000 Unaccompanied Migrant Children in 2021, *CBS News* (Dec. 23, 2021), <https://www.cbsnews.com/news/immigration-122000-unaccompanied-migrant-children-us-shelters-2021/> (stating that nearly three-quarters of unaccompanied minors encountered at the border during the 2021 fiscal year were believed to be ages 15 to 17 and roughly two-thirds of the total were males); Kerry J. Byrne, The Number of Adult Migrants Posing as Children at Border Surging, *N.Y. Post* (Nov. 13, 2021), <https://nypost.com/2021/11/13/the-number-of-adult-migrants-posing-as-children-at-border-surging/> (reporting that about "30% of the MS-13 members arrested in recent years by ICE originally entered the U.S. as unaccompanied minors"); see also Written testimony of CBP U.S. Border Patrol Acting Chief of Carla Provost for a Senate Committee on the Judiciary hearing titled "The MS-13 Problem: Investigating Gang Membership As Well As Its Nexus to Illegal Immigration, and Assessing Federal Efforts to End the Threat", Department of Homeland Security (June 21, 2017), <https://www.dhs.gov/news/2017/06/21/written-testimony-cbp-senate-committee-judiciary-hearing-titled-ms-13-problem>; Unaccompanied child immigration loophole releases MS-13 gang members, *AP News* (Jan. 13, 2019), <https://apnews.com/article/5d2784fb7c909b43791d6aea63339a6c>.

Note 14: See Adam Shaw, Honduran Illegal Immigrant Charged with Murder Entered US Falsely Claiming to be Unaccompanied Minor: Report (Nov. 4, 2021), <https://www.foxnews.com/politics/honduran-illegal-immigrant-charged-murder-entered-us-unaccompanied-minor>. REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The procedure is fair under the circumstances because the Emergency Rule ends the State's practice of facilitating the Federal Government's UAC resettlement program without terminating existing licenses or otherwise permanently foreclosing the issuance of licenses for UAC in the future. Instead, going forward, the State will require a meaningful cooperative agreement with the Federal Government, including a commitment to resume full enforcement of the immigration laws and to secure the border, before issuing or renewing licenses for housing UAC. (The same principle will apply for licenses to house URM, but there is a cooperative agreement with the Federal Government already in place.) In the meantime, existing licensees will not be permitted to add to their existing UAC population and will be subject to additional obligations to ensure the welfare and

safety of the UAC whom they place with sponsors in Florida, but their existing licenses will not be cancelled.

SUMMARY: The Emergency Rule addresses licensing requirements for any residential child-caring agency, child-placing agency, or family foster home seeking to provide services for UAC or URM. The Department has adopted Rule 65C-9.004, F.A.C., but it is awaiting legislative ratification. This rule provides that the resettlement of UAC or URM by the Office of Refugee Resettlement (ORR) into Florida does not constitute “evidence of need” under section 409.175(5)(b)1, Florida Statutes, “to protect the health, safety, and well-being of all children in the state” cared for by residential child-caring agencies, § 409.175(1)(a), in the absence of a cooperative agreement between the State of Florida and the Federal Government. The Emergency Rule also prohibits existing licensees from adding to their UAC population and requires such licensees to conduct welfare checks of the UAC whom they place with sponsors in Florida.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Elizabeth Floyd at Elizabeth.Floyd@myflfamilies.com

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER22-1 Standards for Unaccompanied Alien Children and Unaccompanied Refugee Minor Programs (Renewal).

(1) Any residential child-caring agency, child-placing agency, or family foster home, as those terms are defined in 409.175(2), F.S., seeking to provide services for Unaccompanied Alien Children (UAC) and Unaccompanied Refugee Minors (URM) must meet licensing requirements herein in addition to the program standards for the type of license sought.

(2) For purposes of section 409.175(5)(b)1, F.S., which requires “evidence of need” to obtain a license, and section 409.175(1)(a), F.S., which provides that the purpose of the licensure requirement is to “protect the health, safety, and well-being of all children in the state” who are cared for by residential child-caring agencies or family foster homes, or placed by child-placing agencies, the planned and organized resettlement of UAC or URM by the Office of Refugee Resettlement (ORR) of the U.S. Department of Health and Human Services does not constitute evidence of need as required for issuance or renewal of a license for a residential child-caring agency, child-placing agency, or family foster home that seeks to provide services to such UAC or URM, unless such resettlement is governed by a cooperative agreement between the State of Florida and the United States Government. In the absence of such cooperative agreement, no license will be issued or renewed with respect to any residential

child-caring agency, child-placing agency, or family foster home that applies to provide services for UAC or URM resettling to Florida, and any residential child-caring agency, child-placing agency, or family foster home providing such services under a current license to UAC or URM who have already resettled in Florida may not further place or take placement of any additional UAC or URM until a cooperative agreement is entered. For purposes of this rule, the term “resettlement” means the transportation of persons to Florida for the purpose of temporarily or permanently residing in Florida. The Department has no obligation to enter or renew a cooperative agreement with the United States Government for the resettlement of UAC or URM to Florida, and the Department may revoke or decline to enter or renew such agreement.

(3) The child-placing agency or residential child-caring agency, whichever is applicable, must ensure a contractual or grant agreement was executed between ORR and the child-placing agency or residential child-caring agency in order to provide care and services to UAC.

(4) The child-placing agency or residential child-caring agency, whichever is applicable, must ensure a contractual or grant agreement was executed between the U.S. Government and the State of Florida in order to provide care and services to URM.

(5) Care and supervision of UAC, URM, and dependent youth may not be provided in the same home or under the same license. The child-placing agency must ensure foster parents comply with this requirement.

(6) For a residential child-caring agency, the director and direct care staff must sign and comply with the plan applicable to the licensed setting. For a foster home, the child-placing agency must ensure the foster parents sign and comply with the plan applicable to the licensed setting. Residential child-caring agencies, child-placing agencies, or foster homes that provide services for UAC must use the “Plan for Unaccompanied Alien Children” Form, CF-FSP 5488, February 2022, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14108>. Residential child-caring agencies, child-placing agencies, or foster homes that provide services for URM must use the “Partnership Plan for Unaccompanied Refugee Minors,” Form CF-FSP 5487, February 2022, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-14107>.

(7) The residential child-caring agency or child-placing agency, whichever is applicable, must conduct in-person welfare checks of any UAC that it places, or assists in placing, with a sponsor after the effective date of this rule to ensure each child’s safety and well-being.

(a) The welfare checks must be completed a minimum of once every six months until one of the following occurs:

1. The child reaches the age of 18;
2. The child permanently leaves Florida;
3. The child is removed from the United States;
4. The child is granted lawful immigration status; or
5. The residential child-caring agency or child-placing agency closes or is no longer licensed.

(b) The welfare checks must include:

1. Verifying the identity of the child through previously submitted photographs obtained by the child-placing or residential child-caring agency;
2. Taking a photograph of the child;
3. Looking for any unusual marks on visible parts of the body;
4. Speaking with the child about any issues he or she may be experiencing; and
5. Speaking with the caregiver about the child’s well-being and basic needs.

(c) The child-caring or child-placing agency must report the results of the welfare checks to the Department or, if applicable, the Florida Abuse Hotline as follows:

1. Suspected incidents of child abuse and neglect must be immediately reported to the Florida Abuse Hotline in accordance with Chapter 39, F.S.
2. If the welfare check does not reveal any of the incidents described in (7)(c)1. of this rule, then the report must be made no later than the fifth (5th) day of the month following the date the welfare check was conducted, e.g., if a welfare check is completed on January 15, then the report must be made no later than February 5. The report must include the following:
 - a. Name of the child and date of birth.
 - b. Date the welfare check was conducted.
 - c. Name of the child’s caregiver.
 - d. Location of the in-person welfare check.
 - e. Statement affirming that there were no presenting issues or concerns.

f. Any indication that the child is no longer residing in or is temporarily relocated from the sponsor’s home, to include that the child has been determined to be missing or the child’s whereabouts are unknown.

(8) Any child-placing agency or residential child-caring agency that provides care to URM must adhere to all contractual and federal case management requirements when conducting in-person child welfare checks.

(9) The residential child-caring agency must ensure all direct care staff complete training hours on immigration in child welfare, cultural awareness, and human trafficking related topics, as outlined in section 4.3.6. of the Office of Refugee and Resettlement UAC Program Policy, March 11, 2019, incorporated by reference and available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-13072>. The child-placing agency must ensure foster parents complete training hours outlined in 65C-45.002, F.A.C.

(10) The child-placing agency or residential child-caring agency must provide a copy of its education plan outlining how education will be provided.

(11) The child-placing agency or residential child-caring agency must develop policies and procedures on the administration and management of medication. A licensed health care provider must write or verbally order all nonprescription medications. Verbal orders must be documented in the child’s file. The residential child-caring agency or child-placing agency must align all health and safety policies with ORR guidelines.

(12) The child-placing agency or residential child-caring agency must notify the Department of any changes in the contract/grant agreement with ORR, and submit an updated copy, to include ORR’s decision to no longer utilize the facility.

(13) For purposes of this rule, the term “Unaccompanied Alien Child” has the same meaning as in 6 U.S.C. § 279(g)(2), and the term “Unaccompanied Refugee Minor” means an unaccompanied minor, as defined in 45 C.F.R. §400.111, who has met the federal eligibility standards for placement into the Unaccompanied Refugee Minor Program.

(14) This Emergency Rule will expire on March 4, 2023. PROPOSED EFFECTIVE DATE: December 4, 2022. Rulemaking Authority 409.175(5) FS. Law Implemented 409.175 FS.

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: December 4, 2022

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION
RULE NO.: RULE TITLE:
14-10.004 Outdoor Advertising Permit Applications, Criteria, and Permit Issuance
NOTICE IS HEREBY GIVEN that on November 16, 2022, the Florida Department of Transportation, received a petition for a variance, submitted by 3N Outdoor Media, Inc., from paragraph 14-10.004(7)(d), Florida Administrative Code (F.A.C.), which directs that no sign permit shall be issued for a sign to be located outside the boundaries of an incorporated municipality and within 500 feet of an interchange, intersection at grade, or rest area on the interstate.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Agency Clerk at FDOT.AgencyClerk@dot.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers

NOTICE IS HEREBY GIVEN that on December 1, 2022, the Florida Real Estate Appraisal Board, received a petition for variance or waiver filed by Daniel Villazon, Esquire, on behalf of Makayla Ashley Bryan, seeking a variance or waiver of paragraph 61J1-4.010(2)(c), Florida Administrative Code, that requires that the supervisory appraiser shall be responsible for the training and direct supervision of the registered trainee appraiser by personally inspecting each appraised property with the registered trainee appraiser until the registered trainee appraiser is competent in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice, as required by Rule 61J1-9.001, F.A.C., but for at least a minimum of the first six (6) months and 150 hours in sections I, II, and III of the Appraisal Experience Log for DBPR-RE-2300 of the registered trainee’s initial registration. This provision shall not be construed to require that the registered trainee appraiser attend all inspections.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison McDonald, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801. Comments on this petition should be filed with the Florida Real Estate Appraisal Board within 14 days of publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-4.010 Supervision and Training of Registered Trainee Appraisers

The Florida Real Estate Appraisal Board hereby gives notice: that the Petition for Waiver or Variance, which was filed on October 6, 2022, by Daniel Villazon, Esquire, on behalf of Bryan Makala Ashley has been withdrawn. The Notice of Petition for Waiver or Variance published in Volume 48, No. 200, of the October 13, 2022, Florida Administrative Register. On December 1, 2022, Petitioner requested in writing to withdraw the Petition for Waiver or Variance.

A copy of the Order or additional information may be obtained by contacting: Allison McDonald, Executive Director, Florida

Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

The Division of Animal Industry announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2022, 11:00 a.m.

PLACE: The Florida Thoroughbred Breeders and Owners Association Headquarters, 801 SW 60th Avenue, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: Animal Industry Technical Council

A copy of the agenda may be obtained by contacting: Dr. Diane Kitchen, (850)410-0900.

DEPARTMENT OF EDUCATION

State Board of Education

The Division of Public Schools announces a public meeting to which all persons are invited.

DATES AND TIMES: December 9, 2022, 2:30 p.m. – 3:30 p.m. ET; December 16, 2022, 2:30 p.m. – 3:30 p.m. ET; December 21, 2022, 11:00 a.m. – 12:00 Noon ET until business is concluded. If business is finished in fewer meetings, subsequent meetings will not occur.

PLACE: December 9, 2022, 2:30 p.m. – 3:30 p.m. ET: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjVknGU2MDctMjYxNi00NjgxLTgwNzEtNmZM2NzKxZjlmNGMx%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22b1ac7050-6297-418b-9e4e-86eca3d4e800%22%7d, Meeting ID: 273 676 075 392 Passcode: 2W2pQn

December 16, 2022, 2:30 p.m. – 3:30 p.m. ET: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTZlODBlODQtMTc0My00NmRiLWE5MzUtYWwRkN2FhYTdjNWl3%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22b1ac7050-6297-418b-9e4e-86eca3d4e800%22%7d, Meeting ID: 295 996 606 72 Passcode: xnHL4n

December 21, 2022, 11:00 a.m. – 12:00 Noon ET: https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTUwOTQ0ZDctMzdkYi00MmM3LWE5MzUtYjk3MDI0NWNiYjYy%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-

1406bb5cb794%22%2c%22Oid%22%3a%22b1ac7050-6297-418b-9e4e-86eca3d4e800%22%7d, Meeting ID: 245 431 254 812 Passcode: B9FH4c

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Meeting of the Financial Literacy Workgroup.

A copy of the agenda may be obtained by contacting: Patricia Duncan at Patricia.Duncan@fldoe.org.

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 five days before the workshop/meeting by contacting: Patricia Duncan at Patricia.Duncan@fldoe.org. 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).

For more information, you may contact: Patricia Duncan at Patricia.Duncan@fldoe.org.

REGIONAL PLANNING COUNCILS

Emerald Coast Regional Council

The Emerald Coast Local Emergency Planning Committee (LEPC) Planning Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 6, 2022, 9:00 a.m.

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Emerald Coast Local Emergency Planning Committee (LEPC) Planning Subcommittee will hold a public meeting on Tuesday, December 6, 2022, 9:00 a.m.

The meeting will be held virtually, please find the virtual meeting details below:

Please join my meeting from your computer, tablet or smartphone. <https://meet.goto.com/616549677>

You can also dial in using your phone. United States: (408)650-3123, Access Code: 616-549-677

Get the app now and be ready when your first meeting starts: <https://meet.goto.com/install>

View the agenda and learn more about the Emerald Coast LEPC by visiting: www.ecrc.org/LEPCMeetings.

PUBLIC FORUM

Public input is valuable to ECRC, we encourage our communities to submit input through a variety of avenues. All comments submitted at least 24 hours before are guaranteed to be read during the public meeting. Comments submitted after the 24-hour deadline will be recorded and disseminated to the Board. Please email publicinvolvement@ecrc.org with additional questions or concerns. Comments can be submitted via eComment Card, email, or phone. Visit www.ecrc.org/LEPC to learn more.

Participation is asked for without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons

who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976.

The Emerald Coast Local Emergency Planning Committee is staffed by the Emerald Coast Regional Council, a regional entity providing professional technical assistance, planning, coordinating, and advisory services to local governments, state and federal agencies, and the public to preserve and enhance the quality of life in northwest Florida.

A copy of the agenda may be obtained by contacting: Debbie Thayer at (850)332-7976, ext. 225, or debbie.thayer@ecrc.org. 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: Public Involvement at toll-free at 1(800)226-8914 or TTY 711, or by emailing publicinvolvement@ecrc.org. Para informacion en espanol, puede llamar a Ada Clark al (850)332-7976, ext. 278 o TTY 711. Si necesita acomodaciones especiales, por favor llame 48 horas de antemano. 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2022, 9:00 a.m.

East Coast Surficial Model (ECSM) Peer Review Meeting

PLACE: Members of the public may participate and provide public comment via Zoom, a media technology free for the public to use.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District announces the second meeting of the Independent Scientific Peer Review Panel (Peer Review) associated with the development and calibration of the ECSM. The Peer Review process will be conducted through a dedicated electronic web board and all subsequent documents and correspondence will also be available at the SFWMD's web board at <https://sfwmd.websitetoolbox.com/east-coast-surficial-model-ecsm-peer-review-914820>

The public and stakeholders will have an opportunity to view and comment on the meeting by utilizing the following link: <https://sfwmd.link/3UNQosQ>.

This link will go live at approximately 9:00 a.m. on Tuesday, December 13, 2022.

One or more members of the Governing Board of the South Florida Water Management District may attend this meeting. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Alicia Magloire, (561)682-6110 or amagloir@sfwmd.gov, seven days prior to the meeting.

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 seven days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at rbyrd@sfwmd.gov. 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 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).

For more information, you may contact: Alicia Magloire at (561)682-6110 or amagloir@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2022, 10:00 a.m., Quarterly Meeting of the Everglades Technical Oversight Committee

PLACE: SFWMD Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

TOC Members and the public may participate and provide public comment in-person or via Zoom, a media technology free for the public to use.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Everglades Technical Oversight Committee meeting is a public meeting held quarterly to provide an update on water quality conditions in the Loxahatchee National Wildlife Refuge and at inflows to Everglades National Park relative to the 1991 Settlement Agreement, entered as a Consent Decree in 1992, and modified in 1995.

The public and stakeholders will have an opportunity to view and comment on the meeting by attending in person or utilizing the following link: <https://sfwmd.link/3TgCmPk>.

This link can also be found on the District’s website at www.SFWMD.gov/meetings and will go live shortly before 10:00 a.m. on December 13, 2022.

A copy of the agenda may be obtained by contacting: Julianne LaRock at (561)682-6747, jlarock@sfwmd.gov, or www.SFWMD.gov/toc, seven days prior to the meeting.

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 seven days before the workshop/meeting by contacting: Rosie Byrd at rbyrd@sfwmd.gov. 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 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).

For more information, you may contact: Julianne LaRock at (561)682-6747 or jlarock@sfwmd.gov.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2022, 1:30 p.m.

PLACE: 2727 Mahan Dr. Tallahassee, FL 32308 – Building 3

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Drug Utilization Review Board (DUR Board) will review and approve drug use criteria and standards for both prospective and retrospective drug use reviews, apply these criteria and standards in the application of DUR activities, review and report the results of the drug use reviews, and recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting: NA

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2022, 8:30 a.m.

PLACE: 2727 Mahan Dr. Tallahassee, FL 32308 – Building 3

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Florida Medicaid Pharmaceutical & Therapeutics (P&T) Committee is to develop and implement a Medicaid preferred drug list (PDL), as mandated, originally, in the 2000 session of the Florida legislature. Upon recommendations by the P&T committee, established pursuant to s. 409.91195, the Agency for Health Care Administration (Agency) shall establish the Florida Medicaid Preferred Drug List (PDL). The Florida Medicaid PDL, shall be a listing of cost-effective, safe, and clinically efficient medications for each of the therapeutic classes on the list.

A copy of the agenda may be obtained by contacting: NA

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Department of Health, Board of Physical Therapy announces a public meeting to which all persons are invited.

DATE AND TIME: CHANGE OF TIME: December 14, 2022, 3:30 p.m. ET

PLACE: Conference Calls: 1(888)585-9008, then enter Conference Room Number 564-341-766 followed by the # sign

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting for public disciplinary cases

A copy of the agenda may be obtained by contacting: The Board of Physical Therapy, 4052 Bald Cypress Way, BIN C-05,

Tallahassee, FL 32399, by visiting our website at: <http://floridasphysicaltherapy.gov/> or by calling the board office at (850)245-4373.

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 7 days before the workshop/meeting by contacting: The Department Health at (850)245-4444. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD). 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.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Department of Health, Board of Psychology announces a public meeting to which all persons are invited.

DATE AND TIME: Change of Date: March 31, 2023, 8:00 a.m. ET

PLACE: Aloft Jacksonville Tapestry Park, 4812 Deer Lake Drive West, Jacksonville, FL 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridaspsychology.gov/>.

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 7 days before the workshop/meeting by contacting: The Department of Health at (850)245- 4444. 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 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.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

The Board of Speech Language Pathology & Audiology announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2023, 9:00 a.m.

PLACE: Holiday Inn, Disney Springs 1805 Hotel Plaza Boulevard Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the board

A copy of the agenda may be obtained by contacting: <https://floridasspeechaudiology.gov/meeting-information/>.

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 7 days before the workshop/meeting by contacting: MQA.SpeechLanguage@flhealth.gov at (850)245-4161 or 4052 Bald Cypress Way, Bin C-06, Tallahassee, FL 32399. 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: Derek Nieves, Regulatory Specialist III at (850)245-4161 or mqa.speechlanguage@flhealth.gov or mqa.speechlanguage@flhealth.gov or 4052 Bald Cypress Way, Bin C-06, Tallahassee, FL 32399.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NOS.:RULE TITLES:

- 69L-6.012 Notice of Election to be Exempt
- 69L-6.025 Conditional Release of Stop-Work Order and Periodic Payment Agreement
- 69L-6.027 Penalty Calculation Worksheet
- 69L-6.028 Procedures for Imputing Payroll and Penalty Calculations
- 69L-6.029 Employer Worksites
- 69L-6.030 Penalties for Employers Currently in Compliance Previously Failing to Secure the Payment of Compensation
- 69L-6.032 Contractor Requirements for Obtaining Evidence That Subcontractors Possess Workers' Compensation Insurance or Otherwise Comply with Chapter 440, F.S.
- 69L-6.036 Online Workers' Compensation Coverage and Compliance Tutorial for 15% Penalty Reduction

The Department of Financial Services announces a workshop to which all persons are invited.

DATE AND TIME: December 20, 2022, 10:00 a.m.

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://meet.goto.com/480839805>

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 480-839-805

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 480 839 805

Or dial directly: 480839805@67.217.95.2 or 67.217.95.2##480839805

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop will consider public input on the Department's powers to enforce employer compliance with workers' compensation insurance coverage requirements, penalty calculation for noncompliance, and calculation of credits and penalty reductions.

A copy of the agenda may be obtained by contacting: Pamela Macon - telephone (850)413-1708, email Pamela.Macon@myfloridacfo.com.

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 5 days before the workshop/meeting by contacting: Pamela Macon - telephone (850)413-1708, email Pamela.Macon@myfloridacfo.com. 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).

STANTEC CONSULTING, INC.

The Florida Department of Transportation, District Four announces a hearing to which all persons are invited.

DATES AND TIMES: Tuesday, December 13, 2022, 5:30 p.m. – 7:30 p.m. (Virtual)

Thursday, December 15, 2022, 5:30 p.m. – 7:30 p.m. (In-Person)

Open House at 5:30 p.m.

Presentation at 6:00 p.m.

PLACE: There are two ways to participate in the Public Hearing Meeting (virtual and in-person). Please visit the project website <https://www.fdot.gov/projects/SebastianInletBridge> to register in advance for the Public Hearing meeting and select your participation options:

Virtual: Persons who do not wish to attend the Public Hearing in person can join virtually using the following link <https://attendee.gotowebinar.com/register/8343306861995606797>. If using a mobile device, the free "GoToWebinar" application is required to attend. Please allow adequate log-in time to view the presentation in its entirety.

In-Person: The Public Hearing will be held at City of Sebastian Community Center located at 1805 N. Central Avenue, Sebastian, FL 32958. The latest social distancing guidelines will be followed.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Four, is hosting a virtual and in-person Public Hearing Meeting as part of the Project Development and Environment (PD&E) Study for the State Road (SR) A1A over Sebastian Inlet – Bridge Replacement. A PD&E Study is FDOT's process to evaluate the social, economic, and environmental impacts associated with a planned transportation improvement project. The purpose of this project is to address the structural and functional deficiencies of the existing bridge and the gap in system linkage for bicyclists and pedestrians. The project is adjacent to the Sebastian Inlet State Park which is a Section 4(f) protected property under 23 Code of Federal Regulations (CFR) § 774.17. Since this PD&E Study proposes minor impacts to and/or land acquisition from the Sebastian Inlet State Park, FDOT intends to pursue a de minimis determination for this property and is asking for the public's input on the proposed impacts.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated May 26, 2022, and executed by the Federal Highway Administration (FHWA) and FDOT.

This meeting is being held to allow interested persons an opportunity to discuss with staff the location, conceptual design, social, economic and environmental effects of the proposed project alternative for the PD&E Studies. The same information will be presented at both the virtual and in-person Public Hearing, so attending both is not necessary.

Persons wishing to submit written statements or any other information, in place of or in addition to oral statements at the In-Person Public Hearing or on the project website, may do so at the In-Person hearing or by sending them to Binod Basnet, P.E., FDOT Project Manager, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309 or by email at binod.basnet@dot.state.fl.us.

Questions and comments may be submitted via the virtual chat feature during the Open House of the virtual Public Hearing and during the comment period after the formal presentation. All questions, comments or statements postmarked on or before December 27, 2022, will become part of the Public Hearing record.

If you would like to review the project documents prior to the Public Hearing, they will be available to the public beginning on November 22, 2022, at the Sebastian City Hall located at 1225 Main Street, Sebastian, FL 32958 (Monday to Friday, 8:00 a.m. – 4:30 p.m.). The documents will remain on display through December 27, 2022. The documents/exhibits are also available on the project website <https://www.fdot.gov/projects/SebastianInletBridge>.

Accommodations can be made to address any questions by

contacting the FDOT Project Manager at the contact information noted at the end of this notice.

Notices are being sent to all property owners and tenants located within at least 300 feet on either side of the proposed alignment and to other public officials, regulatory agencies, organizations, and individuals interested in the project.

A copy of the agenda may be obtained by contacting: Mr. Binod Basnet, P.E., FDOT Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by email at binod.basnet@dot.state.fl.us, or by phone at (954)777-4146 or toll free at 1(866)336-8435, ext. 4146.

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 7 days before the workshop/meeting by contacting: Binod Basnet, P.E., FDOT Project Manager by phone at (954)777-4146 or toll free at 1(866)336-8435, ext. 4146 or by email at binod.basnet@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. 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).

For more information, you may contact: Binod Basnet, P.E., FDOT Project Manager, by phone at (954)777-4146 or toll free at 1(866)336-8435, ext. 4146, by email at binod.basnet@dot.state.fl.us, or visit the project website at www.fdot.gov/projects/SebastianInletBridge.

TRAFFIC ENGINEERING DATA SOLUTIONS, INC.

The Florida Department of Transportation, District One announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2022. The meeting will be an Open House from 5:30 p.m. – 7:30 p.m.

PLACE: Online:
<https://attendee.gotowebinar.com/register/6261325520951506446> or In-Person: UF/IFAS Citrus Research and Education Center (in the Ben Hill Griffin, Jr. Citrus Hall), 700 Experiment Station Road, Lake Alfred, FL 33850

GENERAL SUBJECT MATTER TO BE CONSIDERED: use uploaded word file

A copy of the agenda may be obtained by contacting: NA

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GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) is hosting a public meeting for proposed median modification improvements at the intersection of US 17 at Experiment Station Road in Polk County. The proposed safety improvement will remove crossing movements of US 17 from Experiment Station Road and Lee Jackson Road and require motorists to make right turns onto US 17 with U-turns at the adjacent median openings. Left turns onto Experiment Station Road and Lee Jackson Road will continue to be permitted. The public meeting is being held to present information about the proposed safety improvements. You can participate in the public meeting live online or in-person. The same materials will be displayed at both the online and in-person events.

ONLINE OPTION: Attend virtually from a computer, tablet or mobile device. You can register in advance by visiting <https://attendee.gotowebinar.com/register/6261325520951506446> or the project website. Once registered, attendees will receive a confirmation email containing information about joining the meeting online. Please note, Internet Explorer cannot be used to register or attend this GoToWebinar.

PHONE OPTION - Join the meeting in listen-only mode by dialing (415)930-5321 and entering the passcode 584-454-090 when prompted. Callers may submit comments directly to the project manager by using the contact information below.

IN-PERSON OPTION: The in-person public meeting will be held at the UF/IFAS Citrus Research and Education Center (in the Ben Hill Griffin Jr. Citrus Hall), 700 Experiment Station Road, Lake Alfred, FL 33850. The in-person meeting will be an open house format from 5:30 p.m. – 7:30 p.m. and will allow in-person attendees to view a looping presentation and project displays, speak with project team members, and submit comments or questions.

The meeting provides the public an opportunity to offer feedback on the proposed improvements for the official meeting record. All meeting materials will be available on the project website from December 9, 2022 through January 3, 2023. A copy of these materials will also be displayed at the in-person meeting. You may choose any combination of the options provided to review the materials and to submit your comments. Your input on the project is valuable and we invite you to respond to our survey by visiting the project website.

FDOT is sending a notice to adjacent property owners and tenants and to other public officials, regulatory agencies, organizations, and individuals interested in the project. If you have any questions about the hearing, please contact: FDOT Project Manager, Walter Breuggeman, by phone at 1(863)519-2347. Comments about the project should be emailed to walter.breuggeman@dot.state.fl.us, or mailed to Walter

Breuggeman, Florida Department of Transportation, P.O. Box 1249, Bartow, FL 33830-1249. While comments about the project are accepted at any time, please note that comments must be received or postmarked by January 3, 2023, to be included in the formal public meeting record.

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Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

ENTERPRISE FLORIDA, INC.

FLORIDA DEFENSE SUPPORT TASK FORCE
 STRATEGIC PLAN

EFI is requesting proposals for the services of a qualified contractor to create a new Florida Defense Support Task Force Strategic Plan focused on the five-year period covering calendar years 2024-2029.

The FDSTF is charged with the mission to make recommendations to preserve and protect military installations, to support the state’s position in research and development related to or arising out of military missions and contracting, and to improve the state’s military-friendly environment for servicemembers, military dependents, military retirees, and businesses that bring military and base-related jobs to the state. Its vision is to be an aggressive and effective advocate to promote, preserve, protect and expand military missions and installations across the state of Florida. In order to accomplish its mission, the FDSTF created and regularly updates a Strategic Plan to guide this work over the short term (~5 years – or the period in which the military services budget-driven realignments occur outside of a formal Base Realignment and Closure (BRAC) process) as well as the long term (~20 years – or the period in which the state is responding to a potential congressionally created formal BRAC process and beyond).

Although a new BRAC is not envisioned in the short term, the new plan should consider relocation of, as well as consolidation of, existing bases, missions, and equipment. The plan should consider and present overarching statewide long-term strategic themes as well as short-term impactful strategic recommendations for each installation.

Anticipated term of the contract will be from February 1, 2023 to January 31, 2024 (12 months).

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. The exact amount of this contract will be based on RFPs and qualifications submitted. Copies of this RFP may be downloaded from the Enterprise Florida, Inc. (EFI) website (<https://www.enterpriseflorida.com/military-defense/funding-contracts-rfps/>), or copies may be requested from Michelle Griggs, Manager, Contracts & Grants via email mgriggs@enterpriseflorida.com, or calling (850)298-6640.

The deadline for submitting proposals for this RFP to the Florida Defense Support Task Force (FDSTF) is January 2, 2023 by 5:00 p.m. EST.

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE REGISTER AND ON THE EFI WEB SITE (<https://www.enterpriseflorida.com/>) ON December 2, 2022. PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO MICHELLE GRIGGS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY (EMAILS ACCEPTED). THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Love Motorsports of Ocoee, Inc., line-make MOGU

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Love Motorsports of Ocoee, Inc., as a dealership for the sale of motorcycles manufactured by Piaggio Group Americas, Inc., (line-make MOGU) at 11953 West Colonial Drive, Ocoee, (Orange County), Florida 34761, on or after January 1, 2023.

The name and address of the dealer operator(s) and principal investor(s) of Love Motorsports of Ocoee, Inc are dealer operator(s): Chad A. Halleen, 11953 West Colonial Drive, Ocoee, Florida 34761; principal investor(s): Chad A. Halleen, 11953 West Colonial Drive, Ocoee, Florida 34761.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the

latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Brian Skutt, Piaggio Group Americas, Inc., 257 Park Ave South, 4th Floor, New York, New York 10010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Clean Water State Revolving Fund

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

City of Bushnell, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Bushnell's project to upgrade the wastewater treatment facility and replace and rehabilitate lift stations is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$37,015,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the FLORIDA FINDING OF NO SIGNIFICANT IMPACT can be obtained by writing to: Eric V. Meyers, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2969 or emailing to Eric.V.Meyers@FloridaDEP.gov.

Section XIII Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

