

## Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF CORRECTIONS**

**RULE NO.:** 33-601.314  
**RULE TITLE:** Rules of Prohibited Conduct and Penalties for Infractions

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to comply with Section 817.535, Florida Statutes, which allows for inmates to be disciplined if they are found by the court to have filed or directed a filer to file, with the intent to defraud or harass another, any instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner’s interest in the property described in the instrument.

**SUBJECT AREA TO BE ADDRESSED:** Rules of Prohibited Conduct and Penalties for Infractions.

**RULEMAKING AUTHORITY:** 944.09 FS.

**LAW IMPLEMENTED:** 20.315, 944.09, 944.14, 944.279, 944.28 FS.

**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 IS:** LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied.

SECTION 1. through 8. No change.

**SECTION 9 – MISCELLANEOUS INFRACTIONS**

|     |   |               |
|-----|---|---------------|
| 9-1 | Obscene or profane act, gesture, or statement – oral, written, or signified | 30 DC + 90 GT |
| 9-2 | Bribery or attempted bribery  | 30 DC + 90 GT |

|      |  |                |
|------|--|----------------|
| 9-3  | Breaking and entering or attempted breaking  | 30 DC + 90 GT  |
| 9-4  | Attempt, conspiracy, or solicitation to commit any crime or violation of the Rules of Prohibited Conduct   | 30 DC + 90 GT  |
| 9-5  | Theft of property under \$50.00 in value   | 30 DC + 60 GT  |
| 9-6  | Bartering with others  | 15 DC + 30 GT  |
| 9-7  | Sex acts or unauthorized physical contact involving inmates  | 30 DC + 90 GT  |
| 9-9  | Tattooing, being tattooed, branding or body art to include body piercing.  | 30 DC + 60 GT  |
| 9-10 | Lying to staff member or others in official capacity, or falsifying records  | 60 DC + All GT |
| 9-11 | Feigning illness or malingering as determined by a physician or medical authority  | 10 DC + 15 GT  |
| 9-12 | Gambling or possession of gambling paraphernalia   | 10 DC + 15 GT  |
| 9-13 | Insufficient work: This constitutes an inmate not working up to expectation, taking into consideration the inmate’s physical condition, the degree of difficulty of assignment, and the average performance by fellow inmates assigned to the same task  | 10 DC + 15 GT  |
| 9-14 | Mail regulation violations   | 30 DC + 30 GT  |
| 9-15 | Visiting regulation violations   | 30 DC + 30 GT  |
| 9-16 | Refusing to work or participate in mandatory programs  | 60 DC + 90 GT  |
| 9-17 | Disorderly conduct   | 30 DC + 60 GT  |
| 9-18 | Unauthorized physical contact involving non-inmates  | 60 DC + 90 GT  |
| 9-19 | Presenting false testimony or information before Disciplinary Team, Hearing Officer, or Investigating Officer  | 60 DC + All GT |
| 9-20 | Extortion or attempted extortion   | 60 DC + 60 GT  |
| 9-21 | Fraud or attempted fraud   | 30 DC + 90 GT  |
| 9-22 | Robbery or attempted robbery   | 60 DC + All GT |
| 9-23 | Theft of property exceeding \$50 in value  | 60 DC + All GT |
| 9-24 | Loaning or borrowing money or other valuables  | 15 DC + 30 GT  |
| 9-25 | Telephone regulation violations  | 30 DC + 30 GT  |
| 9-26 | Refusing to submit to substance abuse testing  | 60 DC + 180 GT |
| 9-27 | Use of unauthorized drugs – as evidenced by positive results from urinalysis test, or observable behavior  | 60 DC + 180 GT |
| 9-28 | Canteen Shortage under \$50.00   | 30 DC + 60 GT  |
| 9-29 | Canteen Shortage over \$50.00  | 60 DC + All GT |
| 9-31 | Use of Alcohol – as evidenced by positive results from authorized tests, or by observable behavior   | 30 DC + 90 GT  |
| 9-32 | In accordance with Section 944.279(1), F.S., is found by the court to have brought a frivolous or malicious suit, action, claim, proceeding or appeal in any court, or to have brought a frivolous or malicious collateral criminal proceeding or is found by the court to have knowingly or with reckless disregard for the truth brought false information or evidence before the court.   | 60 DC + All GT |
| 9-33 | Tampering with, defeating or depriving staff of any security device. Security devices include: locks; locking devices; electronic detection systems; personal body alarm transmitters and receivers; handheld radios; restraint devices such as handcuffs, waist chains, leg irons and handcuff covers; keys; video and audio monitoring and recording devices; security lighting; weapons; and any other device utilized to ensure the security of the institution. | 60 DC + All GT |
| 9-34 | Tampering with or defeating any fire or other safety device. Safety devices include: fire, smoke, and carbon dioxide detection devices; alarm systems; fire suppression systems and devices such as fire sprinklers, fire extinguishers, and dry chemical systems; safety and emergency lighting; exit lights;   |                |

- evacuation route and warning placards; self-contained breathing apparatuses; personal protective equipment; first aid kits; eye wash stations; and any other device utilized to ensure the safety of the institution, staff and inmates. DC + All GT
- 9-35 Establishes or attempts to establish a personal or business relationship with any staff member or volunteer. 60 DC + 180 GT
- 9-36 Gang related activities, including recruitment; organizing; display of symbols, groups, or group photos; promotion or participation. 30 DC + 60 GT
- 9-37 Unauthorized use of or tampering with a computer, computer peripheral device, or any other office equipment. Other office equipment includes copying machines, facsimile machines, postage meters, or any other device utilized in an office or office-like environment. 60 DC + All GT
- 9-38 In accordance with Section 817.535 (4), F.S., is found by the court to have filed or directed a filer to file, with the intent to defraud or harass another, any instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner's interest in the property described in the instrument. 60 DC + All GT

SECTION 10. through 11. No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History—New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10, 10-1-11, 6-18-13,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: RULE TITLE:

61G15-19.0071 Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify fines disposed by citation.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 455.224, 455.225 FS.

LAW IMPLEMENTED: 455.224, 455.227, 471.023, 471.033 FS.

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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: RULE TITLE:

61G15-22.0001 Renewal of Active Licenses

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify continuing education requirements and to comply with statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Continuing Education requirements.

RULEMAKING AUTHORITY: 455.2177, 471.008, 471.017(3), 471.019, 471.0195 FS.

LAW IMPLEMENTED: 455.2177, 471.017(3), 471.019, 471.0195 FS.

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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: RULE TITLE:

61G15-23.003 Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify language for clarification of procedures for signing and sealing electronically transmitted plans, specifications, reports or other documents and to delete unnecessary language.

SUBJECT AREA TO BE ADDRESSED: Procedures for signing and sealing electronically transmitted plans, specifications, reports or other documents.

RULEMAKING AUTHORITY: 471.025(1), 668.006 FS.

LAW IMPLEMENTED: 471.025 FS.

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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.: RULE TITLE:

64B7-25.004 Endorsements

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate the required language for obtaining the application form and restructure the rule for clarity.

SUBJECT AREA TO BE ADDRESSED: Endorsements.

RULEMAKING AUTHORITY: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.041(4)(c) FS.

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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Licensing (Formerly 1C)**

RULE NO.: RULE TITLE:

5N-1.120 Filing of Application; License Issuance and Temporary Authority of Out of State Licensees

PURPOSE AND EFFECT: In its current version, this rule restricts out-of-state security personnel from coming into the state of Florida to provide security services during an officially declared state of emergency unless the security personnel are employed by a security agency already licensed in Florida under the provisions of Chapter 493, F.S. The rule has not been substantially revised or updated since the early 1990s. The recommended changes are intended to achieve the following objectives.

1. The proposed language will revise this rule to establish up-to-date conditions that out-of-state security personnel must meet and abide by in order to enter Florida to provide services during a declared emergency. Specifically, out-of-state personnel must meet following criteria

- a. they must be licensed as security personnel in their home state;
- b. they must have received some minimum formal training in the security field; and,
- c. they must have passed a criminal background check as part of the licensure process.

2. The rule will also allow out-of-state security personnel to carry whatever firearms and ammunition that are allowed under their home state's laws and rules, except that rifles and shotguns will be prohibited.

3. The revised rule will retain the requirement that out-of-state security personnel must be in agent or employee of a security agency already licensed in accordance with the laws of Florida; however, the rule will contain an exemption that will allow security personnel who are solely employed by a utility company (electric, gas, water, etc.) to come into Florida to assist Florida utilities with infrastructure repair and service restoration.

4. The rule specifically allows currently certified and active law enforcement officers to provide security services during a declared state of emergency

5. The rule specifies that out-of-state security personnel providing security services during a declared state of emergency will be subject to the authority of Chapter 493, Florida Statutes, and rule chapter 5N-1 while in this state, and they will be granted authority to work in Florida only for the duration of the declared state of emergency.

SUMMARY: The proposed language will retain specific restrictions concerning out-of-state personnel coming into Florida during a declared state of emergency; however, it will provide exemptions for out-of-state security personnel employed by utility companies that are coming into the state for the purpose of repair and restoration of service.

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 rule revision does not increase fees or provide for any enhanced regulatory oversight by the division. In fact, the rule allows licensed Florida security agencies to bring in their employees from out-of-state personnel from out-of-state to work during a declared state of emergency without having to go through the usual application process; thus, the rule actually benefits licensed agencies.

It should be noted that out-of-state security personnel providing security services after a declared state of emergency will be subject to the authority of Chapter 493, Florida Statutes, and rule Chapter 5N-1, F.A.C., while in this state, and they will be granted authority to work in Florida only for the duration of the declared state of emergency.

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

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: 493.6103, 493.6109 FS.

LAW IMPLEMENTED: 493.6105, 493.6106, 493.6108, 493.6109, 493.6111, 493.6112, 493.6113, 493.6118(1)(m) 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: Ken Wilkinson, Assistant Director – Division of Licensing, Kenneth.Wilkinson@FreshfromFlorida.com, (850)245-5500

THE FULL TEXT OF THE PROPOSED RULE IS:

5N-1.120 Filing of Application; ~~License Issuance and Temporary Authority for~~ Out-of-State Licensees During Declared Emergencies.

(1) Procedures. Any person who meets the qualifications prescribed by Chapter 493, F.S., and desires a license in the profession or services provided for in the law, shall file with the Division an application using the applications and support forms in Rule 5N-1.100, F.A.C.

(a) In determining whether an applicant has the experience required to perform the types of services permitted under the license for which application is being made, the applicant shall, upon request by the Division, submit sworn affidavits from former employers during the relevant time period, attesting that the applicant was employed and working at the claimed profession or service.

(b) When application is being made due to a change in corporate officers, a copy of the minutes of the meeting of the corporation's board of directors, at which such change was affected shall accompany the application of the new officer(s).

(c) Each license issued by the Division shall specify on its face the classification of such license. No licensed agency or individual shall engage in regulated activities reserved for any other classification without possessing the appropriate license. No license issued in any of the licensed classifications shall be transferable from the original licensee to any other person. In addition, all licenses will expire at midnight of every second year after date of issuance.

(2) Out-of-State Security Personnel Providing Temporary Security Services in Florida During Declared Emergencies Licensees. This section is applicable only for the protection of persons and property following a natural disaster or other emergency in response to which the Governor or the appropriate federal agency has declared a state of emergency. Out-of-state security personnel providing temporary security services in the state of Florida during a declared emergency shall:

(a) Be currently licensed by another state or territory which has licensure standards substantially similar to or greater than those required by Chapter 493, Florida Statutes, for at least one year with no disciplinary action taken against him or her by such state or an active law enforcement officer currently certified by his or her state. For purposes of this section, substantially similar shall mean requiring the completion of a criminal history background check and classroom and range training as a precondition of licensure;

(b) Carry personal photo-identification issued by his or her home state and proof of licensure issued by the home state;

(c) Carry only the firearms and ammunition permitted by the licensing laws and rules of his or her home state, except that rifles and shotguns shall be prohibited;

(d) Operate in this state only for the duration of the declared state of emergency and any subsequent extensions;

(e) Upon request, provide a statement that the appropriate government official of his or her home state agrees to accept service of process on his or her behalf;

(f) Be subject to the regulatory authority of the department and the requirements of Chapter 493, Florida Statutes and this rule chapter. Failure to abide by these requirements will subject out of state security personnel to

disciplinary action as provided by Chapter 493, Florida Statutes, and this rule chapter, except as provided herein.

(g) Be sponsored by a Class “B” Security Agency licensed in this state. Sponsored out-of-state security personnel will be considered an agent or an employee of the sponsoring “B” Security Agency during the period the out-of-state personnel are providing services in this state. A Class “B” Security Agency sponsor will ensure the sponsored personnel comply with the requirements of Chapter 493, Florida Statutes, and this rule chapter.

(3) Out-of-state security personnel who are solely employed as either in-house or contracted security personnel to an entity engaged in providing electric, gas, water, wastewater or telecommunications services to the public, and are engaged in infrastructure repair and service restoration, are exempted from subsection (2)(g) of this rule chapter.

(a) Only security agencies which are licensed in this state as Class “B” Security Agencies are eligible to apply for temporary approval of their out of state licensed or registered security officers to perform regulated activities in this state subject to the conditions and standards provided herein.

(b) Agency requirements. Class “B” Security Agencies requiring the services of their out of state employees to protect persons and property in this state shall make prior application with the Division by submitting the following:

1. A letter on agency or corporate letterhead identifying each security officer for which temporary authority is requested by name, social security number, state and number of individual license or registration, date of issuance, whether armed or unarmed, state and number of firearms licensed if to be armed; Submission of a social security number is required for identification purposes, to prevent misidentification and to facilitate the approval process.

2. A copy of the valid out of state license or registration on each security officer who is to be temporarily operating in this state. In those states where no licensure or registration document is issued to the security officer, an identification card issued by the employing agency may be provided;

3. A statement that each of the security officers intended to be temporarily operating in this state has been licensed or registered in his state of origin for at least one (1) year and has had no disciplinary action taken against him by such state at any time subsequent to licensure; and

4. A statement that the Secretary of State or other appropriate authority of the security officer’s state of licensure agrees to accept service of process while the security officer is engaged in regulated activity in the State of Florida.

(c) Temporary authority for out of state security personnel to operate in this state is valid for a maximum of sixty days from the date of temporary approval issuance by the Division. Renewal or extensions of temporary authority will not be

granted. To operate beyond the sixty day period, out of state security personnel shall have received appropriate training as required of Florida licensed security personnel, and shall have submitted a complete application to the Division for a Class “D” Security Officer license, and, if armed, a Class “G” Statewide Firearms license.

(d) This rule is applicable only to out of state security personnel licensed by a state which has training and licensure standards substantially similar to or higher than those required by Chapter 493, F.S. Upon inquiry, but prior to the submission of an application by an agency licensed in this state, the Division will review the statutory requirements of the state from which security personnel are to be sent and advise the agency of its findings.

(e) Authority for out of state security officers to be armed while operating temporarily in this state is limited to standard .38 caliber revolvers and shotguns. The use of any other firearms is specifically prohibited without issuance of a firearms waiver by the Division.

(f) Security personnel granted authority to operate in this state on a temporary basis are subject to the regulatory authority of the Division and the requirements contained in Chapter 493, F.S., and Chapter 5N 1, F.A.C. Licensed agencies are responsible for assuring compliance with these requirements.

Rulemaking Authority 493.6103, 493.6109 FS. Law Implemented 493.6105, 493.6106, 493.6108, 493.6109, 493.6111, 493.6112, 493.6113, 493.6118(1)(m) FS. History—New 2-4-91, Amended 2-1-93, 7-31-96, Formerly 1C-3.120, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Grea Bevis – Director, Division of Licensing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 11, 2013

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Licensing (Formerly 1C)**

RULE NO.: 5N-1.134  
RULE TITLE: Licensed Firearms Instructors; Schools or Training Facilities; License Application

PURPOSE AND EFFECT: This proposed rule will adopt a slightly revised version of the Firearms Instructors Training Manual. The revised version of the manual will bring relief to the armed security guards and private investigators that are licensed under Chapter 493, Florida Statutes. Because of the tremendous increase in the nation-wide demand for weapons

in recent years and the resulting shortage of ammunition, licensed security officers and private investigators and the agencies that employ these individuals have faced a hardship in finding the ammunition needed to complete the annual re-qualifying training specified in the Firearms Instructors Training Manual. What limited ammunition that is available is extremely expensive, thus only exacerbating the hardship on the regulated industries. While the 28-hour classroom and range requirements for the initial issuance of a statewide firearm license will remain in place, this proposed rule revision will decrease the number of rounds to be fired during the annual re-qualifying training, thus reducing a significant burden on individuals and agencies in the regulated industries. SUMMARY: The proposed rule revision will adopt the Statewide Firearms Manual in its revised version of May 2013.

**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: Insofar as this proposed rule will allow those licensees who are required by law to receive annual re-certifying training with a firearm to fire fewer rounds as part of their training, this rule revision will actually reduce the economic burden borne by individuals and agencies.

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: 493.6105(6), 493.6115(8), 494.6304(3), 493.6406(3) FS.

LAW IMPLEMENTED: 493.6105(6), (7), 493.6115(8), 493.6304(3), 493.6406(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: Ken Wilkinson, Assistant Director – Division of Licensing, Kenneth.Wilkinson@FreshfromFlorida.com, (850)245-5500

**THE FULL TEXT OF THE PROPOSED RULE IS:**

5N-1.134 Licensed Firearms Instructors; Schools or Training Facilities; License Application.

(1) Licensed Firearms Instructors. All licensed Firearms Instructors must utilize the instruction requirements and materials contained in the Division’s Firearms Instructors Training Manual, FDACS-P-01850, (Rev. 5/13), which is hereby incorporated by reference and available upon request from the Division of Licensing or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-03215>.

(2) through (3) No change.  
 Rulemaking Authority 493.6105(6), 493.6115(8), 493.6304(3), 493.6406(3) FS. Law Implemented 493.6105(6), (7), 493.6115(8), 493.6304(3), 493.6406(3) FS. History—New 10-1-91, Amended 2-18-93, 7-6-93, 7-31-96, Formerly 1C-3.134, Amended 7-27-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Grea Bevis – Director, Division of Licensing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 8, 2013

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

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: 64B13-6.001      RULE TITLE: Fees

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 174, September 6, 2013 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.001      RULE TITLE: Examination

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 67, April 5, 2013 issue of the Florida Administrative Register.

The change is in response to comments stated by the Joint Administrative Procedures Committee in a letter dated July 31, 2013 and concerns by the Board stated at its meeting on April 26, 2013.

The change is as follows:

64B19-11.001(4)(a) shall read as:

(4)(a) A candidate for licensure by examination who fails to pass one part of the examination shall only be required to retake and pass that part of the examination which was failed. The application for re-examination of the Florida laws and rules examination shall be made on the Re-Examination Application/Laws and Rules Exam form DH-MQA 1221 (revised 7/12), available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02056> or at the Board office or at <http://www.doh.state.fl.us/mqa/psychology> and hereby incorporated by reference. The application for re-examination of the EPPP shall be made on the Re-Examination Application/National Exam form DH-MQA 1222 (revision date 7/12 ~~10/11~~), hereby adopted and incorporated by reference. Upon notice from the Department's Testing Services Unit of an applicant's unsuccessful score(s), the Board office will send the appropriate re-examination form(s) to the affected applicant.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: RULE TITLE:  
64B19-11.012 Application Forms  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 77, April 19, 2013 issue of the Florida Administrative Register.

The change is in response to comments stated by the Joint Administrative Procedures Committee in a letter dated July 31, 2013 and concerns by the Board stated at its meeting on April 26, 2013.

The change is as follows:

64B19-11.012 Application Form DH-MQA 1187:

Page 1: Provides guidance on how to select the most efficient pathway to licensure.

Explains how the actual application review process works.

Provides statutory references.

Provides concise overview of all application methods on "one" page.

Page 2: Brings all information regarding the requirements for applying by the Examination methods as well as the application checklist together on "one" page.

Page 3: Brings all information regarding the requirements for applying by the Endorsement methods as well as the application checklist together on "one" page.

Page 4: Brings all information regarding Exam Procedures together on "one" page. Provides updated information on the EPPP process.

Page 5: Provides all additional notices and helpful information together on "one" page.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

**Section IV  
Emergency Rules**

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER13-56 Jackpot Combo Retailer Promotion  
SUMMARY: The rule sets forth the provisions for the Jackpot Combo Retailer Promotion.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: The rule sets forth the provisions for the Jackpot Combo Retailer Promotion.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-56 Jackpot Combo Retailer Promotion.  
(1) Beginning Monday, September 9, 2013, through Sunday, September 29, 2013, the Florida Lottery will conduct the Jackpot Combo Retailer Promotion.

(2) During the promotion period, for every \$5 Jackpot Combo sale in their stores, Florida Lottery retailers will receive an entry into one of eighteen drawings for a chance to win \$5,000. Drawings will be held on October 3, 2013.

(3) One corporate retailer drawing and one independent retailer drawing will be held for each of the nine Florida Lottery sales districts to randomly select winning retailers. One corporate and one independent retailer winner will be selected in the Tallahassee, Pensacola, Jacksonville, Gainesville, Ft. Myers and West Palm Beach sales districts; two corporate and two independent retailer winners will be

selected in the Orlando and Tampa sales districts; and two corporate and four independent retailer winners will be selected in the Miami sales district. Each winning retailer will be awarded \$5,000. Prizes will be awarded in accordance with the following table.

| <u>Lottery Sales District</u>      | <u>Prize Per Retailer</u> | <u>Number of Corporate Retailer Prizes</u> | <u>Number of Independent Retailer Prizes</u> |
|------------------------------------|---------------------------|--|--|
| <u>District 1-Tallahassee</u>      | <u>\$5,000</u>            | <u>1</u>                                   | <u>1</u>                                     |
| <u>District 3-Pensacola</u>        | <u>\$5,000</u>            | <u>1</u>                                   | <u>1</u>                                     |
| <u>District 4-Jacksonville</u>     | <u>\$5,000</u>            | <u>1</u>                                   | <u>1</u>                                     |
| <u>District 5-Gainesville</u>      | <u>\$5,000</u>            | <u>1</u>                                   | <u>1</u>                                     |
| <u>District 6-Orlando</u>          | <u>\$5,000</u>            | <u>2</u>                                   | <u>2</u>                                     |
| <u>District 9-Tampa</u>            | <u>\$5,000</u>            | <u>2</u>                                   | <u>2</u>                                     |
| <u>District 10-Ft. Myers</u>       | <u>\$5,000</u>            | <u>1</u>                                   | <u>1</u>                                     |
| <u>District 11-West Palm Beach</u> | <u>\$5,000</u>            | <u>1</u>                                   | <u>1</u>                                     |
| <u>District 13-Miami</u>           | <u>\$5,000</u>            | <u>2</u>                                   | <u>4</u>                                     |

(4) A total of twenty-six \$5,000 prizes will be awarded in the Jackpot Combo Retailer Promotion.

(5) Retailers will receive their Jackpot Combo Retailer Promotion prize check within three weeks of the drawing.

(6) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the promotional prize award shall be paid the promotional prize provided the termination or inactivation was not due to non-compliance with Chapter 24, Fla. Stat., Chapter 53, Fla. Admin. Code or contract terms.

(7) A promotional prize will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply the promotional prize awarded against a retailer's outstanding debt to the Florida Lottery.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 9-6-13.

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: September 6, 2013

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER13-57  
 RULE TITLE: FLORIDA LOTTO®

SUMMARY: This emergency rule sets forth the provisions for the conduct of FLORIDA LOTTO®. This emergency rule replaces Emergency Rule 53ER12-38.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-57 FLORIDA LOTTO®.

(1) How to Play FLORIDA LOTTO®.

(a) FLORIDA LOTTO is a lottery online terminal game in which players select six (6) numbers from a field of one (1) to fifty-three (53).

(b) Players may make their FLORIDA LOTTO ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers from each panel played, or may mark the "QP" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the six (6) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

(c) Players may receive one (1) ticket with either five (5), ten (10) or twenty (20) sets of six (6) numbers randomly selected by the terminal for the next FLORIDA LOTTO drawing by marking the desired purchase amount under the number 5, 10 or 20, respectively, in the "Quick Picks" box. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers are authorized to manually enter numbers selected by a player.

(d) Players may play up to fifty-two (52) consecutive FLORIDA LOTTO drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel (A-J) played. Advance play is not available with Jackpot Combo or with the Quick Picks box on the play slip. In the event that a planned change in the FLORIDA LOTTO game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play



countdown schedule will be posted on the Lottery's website, flalottery.com.

(e) Players may elect to play "Jackpot Combo" to receive three (3) Quick Pick tickets for the next available drawing consisting of one (1) \$2.00 FLORIDA LOTTO® with XTRA ticket, one (1) \$2.00 POWERBALL® ticket and one (1) \$1.00 MEGA MILLIONS® ticket by telling the retailer. Tickets in Jackpot Combo play cannot be player selected and cannot be canceled.

(2) FLORIDA LOTTO Drawings.

(a) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday.

(b) The equipment shall be configured so that six (6) balls are drawn from one (1) set of balls numbered one (1) through fifty-three (53).

(c) Six (6) balls will be selected in the drawing. The numbers shown on the six (6) balls, after certification by the Draw Manager and the Accountant, are the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FLORIDA LOTTO Prize Divisions.

(a) FLORIDA LOTTO is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FLORIDA LOTTO tickets in the corresponding FLORIDA LOTTO sales period shall be allocated as the winning pool for the payment of prizes as provided below. The value of the FLORIDA LOTTO portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from FLORIDA LOTTO gross sales in all reports, and the value of the XTRA portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from XTRA gross sales in all reports.

(b) The Jackpot prize pool shall consist of 63.5 percent (63.5%) of the Lotto pool for the drawing and any rounding differences that derive from the distribution of the winning pool to the second, third, and fourth prize pools, plus any Jackpot money carried forward from the previous draws. The Jackpot prize shall be divided equally among the players matching all six official winning numbers. If there is no Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(c) The second prize pool shall consist of 12.3 percent (12.3%) of the Lotto pool for the drawing. The second prize pool shall be divided equally among the players matching five (5) of the six (6) official winning numbers. If there is no winner in the second prize category for a drawing, the second

prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(d) The third prize pool shall consist of 10 percent (10%) of the Lotto pool for the drawing. The third prize pool shall be divided equally among the players matching four (4) of the six (6) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(e) The fourth prize pool shall consist of 14.2 percent (14.2%) of the Lotto pool for the drawing. The fourth prize pool shall be divided equally among the players matching three (3) of the six (6) official winning numbers. If there is no winner in the fourth prize category for a drawing, the fourth prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(f) The Jackpot prize will pay the guaranteed dollar amount. The second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$5.00. All rounding differences in the second, third and fourth prizes shall be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of fourth prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning FLORIDA LOTTO numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Jackpot Prize(s): Six of six official winning numbers.

(b) Second Prize: Five of six official winning numbers.

(c) Third Prize: Four of six official winning numbers.

(d) Fourth Prize: Three of six official winning numbers.

(5) FLORIDA LOTTO Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers, if any.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a Saturday or holiday, the business day prior to the drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the “prize determination day.”

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is less than the cash option value of the Jackpot determined on the prize determination day, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature sufficient to pay the cash option value of the Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is more than the cash option value of the Jackpot determined on the prize determination day, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(6) FLORIDA LOTTO with XTRA Option.

(a) The FLORIDA LOTTO with XTRA option shall be available in association with the FLORIDA LOTTO game. FLORIDA LOTTO tickets that contain the XTRA option and one or more plays eligible for FLORIDA LOTTO prizes shall be entitled to a total prize calculated by multiplying each FLORIDA LOTTO prize other than the Jackpot prize and the 2-of-6 prize described in paragraph (6)(d) below by the XTRA number for the applicable draw. The FLORIDA LOTTO Jackpot and the 2-of-6 prize will not be eligible for multiplication under the XTRA option.

(b) At the time of purchasing a FLORIDA LOTTO ticket, a player may choose the XTRA option for an additional \$1 per play for each play on the FLORIDA LOTTO ticket. The XTRA option will apply to all panels and selections marked on the play slip. The prize pool for XTRA prizes shall be funded by LOTTO with XTRA ticket sales. If the funds available from XTRA ticket sales are insufficient to pay all XTRA prizes, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(c) Prior to each FLORIDA LOTTO drawing, the Lottery shall conduct an XTRA drawing to select the XTRA number from among the following series of numbers: 2, 3, 4, and 5. The odds of a particular XTRA number being selected in an XTRA drawing are 1:4. During special promotions, the

Lottery will announce XTRA numbers that are higher than the foregoing series of numbers.

(d) FLORIDA LOTTO with XTRA tickets that match 2 of 6 winning numbers shall entitle the holder to a prize of a free FLORIDA LOTTO with XTRA quick pick ticket for the next available FLORIDA LOTTO draw. FLORIDA LOTTO with XTRA tickets generated as a prize cannot be cancelled.

(e) All XTRA prizes shall be paid in single, lump-sum payments determined by multiplying the FLORIDA LOTTO prize by the number selected in the XTRA drawing as follows:

| FLORIDA LOTTO |                                | XTRA Estimated Prizes |                     |                     |                     |
|---------------|--------------------------------|-----------------------|---------------------|---------------------|---------------------|
| Match         | Prize                          | X2<br>(Odds<br>1:4)   | X3<br>(Odds<br>1:4) | X4<br>(Odds<br>1:4) | X5<br>(Odds<br>1:4) |
| 6 of 6        | Jackpot<br>(Guaranteed)        | —                     | —                   | —                   | —                   |
| 5 of 6        | \$5,000<br>(Estimated)         | \$10,000              | \$15,000            | \$20,000            | \$25,000            |
| 4 of 6        | \$70<br>(Estimated)            | \$140                 | \$210               | \$280               | \$350               |
| 3 of 6        | \$5<br>(Guaranteed<br>minimum) | \$10                  | \$15                | \$20                | \$25                |
| 2 of 6        | N/A                            | Free<br>Ticket        | Free<br>Ticket      | Free<br>Ticket      | Free<br>Ticket      |

(f) On occasion, the Florida Lottery will conduct promotions in which specified prize levels of FLORIDA LOTTO with XTRA tickets will be designated to have a higher multiplier number than the number drawn pursuant to paragraph (6)(c), above.

(7) FLORIDA LOTTO Odds of Winning.

The odds of winning the prizes described in subsection (4) and paragraph (6)(d) are as follows:

- (a) Jackpot Prize – 1:22,957,480.
- (b) Second Prize – 1:81,409.50.
- (c) Third Prize – 1:1,415.82.
- (d) Fourth Prize – 1:70.79.
- (e) Fifth Prize for LOTTO EXTRA plays only – 1:8.58
- (f) The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO ticket without the XTRA feature are 1:67.36. The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO with XTRA ticket are 1:7.61.

(8) FLORIDA LOTTO Payment Options.

(a) Players have a choice of two payment options for receiving their portion of a FLORIDA LOTTO Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot winners have sixty (60) days after the winning draw date to choose between the two (2) payment options.

Once a Jackpot winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot winner does not elect the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (8)(f) below.

(c) A Jackpot winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the Jackpot prize paid over thirty (30) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be the amount required on the prize determination day to purchase securities to fund their pro rata share of the Jackpot prize paid over thirty (30) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the Jackpot prize will be paid in thirty (30) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a FLORIDA LOTTO drawing cannot be paid in increments of \$1,000 in thirty (30) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over thirty (30) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the announced guaranteed Jackpot, the present value of the difference between the amount the investment will yield and the winner's guaranteed prize amount over thirty (30) years will be paid to the winner in the first payment.

(f) If the number of winners of a Jackpot prize would result in each person's prize being less than \$1,000,000 if paid over thirty (30) years, the Lottery shall pay the Jackpot winner or winners in a single cash payment of the amount required on the prize determination day to purchase securities to fund the winner's pro rata share of the Jackpot paid over thirty (30) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made.

(h) Any interest or earnings accrued on a FLORIDA LOTTO Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment option, shall accrue to the State of Florida and not to the winner.

(9) FLORIDA LOTTO Rules and Prohibitions.

(a) By purchasing a FLORIDA LOTTO ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) FLORIDA LOTTO prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and online system availability, FLORIDA LOTTO tickets are available for purchase daily between the hours of 6:00 a.m. and midnight Eastern Time (ET).

(d) The scheduled time for the Wednesday and Saturday FLORIDA LOTTO drawings is approximately 11:15 p.m., ET. Ticket sales for a specific FLORIDA LOTTO drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FLORIDA LOTTO draw date.

(e) Retailer cancellations of FLORIDA LOTTO tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FLORIDA LOTTO ticket shall be canceled after game close for the related drawing. The two (2) hour cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of online system availability, or the time of the related FLORIDA LOTTO close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers, wager amounts and draw date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(10) The effective date of this emergency rule is September 9, 2013.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105 (9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 9-9-13, Replaces 53ER12-38.

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: September 9, 2013

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER13-58 FANTASY 5®

SUMMARY: This emergency rule sets forth the provisions for the conduct of FANTASY 5®. This emergency rule replaces Emergency Rule 53ER12-40.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-58 FANTASY 5®.

(1) How to Play FANTASY 5®.

(a) FANTASY 5 is a lottery online terminal game in which players select five (5) numbers from a field of one (1) to thirty-six (36).

(b) Players may make their FANTASY 5 ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers from each panel played, or may mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the five (5) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(c) Players may mark the \$5 "Quick Picks" box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing; or may mark the \$10 "Quick Picks" box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing. Players may mark Quick Picks in addition to panel plays.

(d) Players may play up to thirty (30) consecutive FANTASY 5 drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-J) played. Advance play is not available with the Quick Picks box on the play slip. In the event that a planned change in the FANTASY 5 game requires that the number of advance plays available for purchase be reduced to

zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website, [flalottery.com](http://flalottery.com).

(e) Players may mark the appropriate EZmatch box to receive a FANTASY 5 ticket with Ezmatch for a chance to instantly win cash prizes.

(2) FANTASY 5 Drawings.

(a) FANTASY 5 drawings shall be conducted daily.

(b) The equipment shall be configured so that five (5) balls are drawn from one (1) set of balls numbered one (1) through thirty-six (36).

(c) Five (5) balls will be selected in the drawing. The numbers shown on the five (5) balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FANTASY 5 Prize Divisions.

(a) FANTASY 5 is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FANTASY 5 tickets in the corresponding FANTASY 5 sales period shall be allocated as the winning pool for payment of the top prize, second prize and third prize.

(b) The top prize pool shall consist of 62 percent (62%) of the winning pool for the drawing plus any money carried forward from the previous draw. Prize money allocated to the top prize pool shall be divided equally among the players who match all five (5) official winning numbers. If there is no top prize winner in a drawing, the top prize pool shall roll down and be added to the second prize pool for that FANTASY 5 drawing.

(c) The second prize pool shall consist of 10 percent (10%) of the winning pool for the drawing plus any money rolled down from the top prize. The second prize pool shall be divided equally among the players matching four (4) of five (5) official winning numbers except that the maximum prize amount per winner shall be \$555. Any funds in the second prize pool in excess of the second prize liability shall roll down and be added to the third prize pool. If there is no winner in the second prize category for a drawing, the second prize pool shall roll down and be added to the third prize pool.

(d) The third prize pool shall consist of 28 percent (28%) of the winning pool for the drawing plus any money rolled down from the second prize pool. The third prize pool shall be divided equally among the players matching three (3) of five (5) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool is carried over and added to the top prize pool of the next FANTASY 5 drawing.

(e) A fourth prize shall consist of one (1) free FANTASY 5 quick pick ticket (\$1.00 value), except as follows. A player who submits by mail a FANTASY 5 lottery ticket which entitles the claimant to a free FANTASY 5 quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket. Fourth prizes shall not utilize any portion of the winning pool for the drawing. A free FANTASY 5 quick pick ticket shall be for the next FANTASY 5 drawing after the ticket is validated.

(f) Except for the top prize, which will pay the exact amount, cash prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall not be less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of third prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I or J) must match the official winning FANTASY 5 numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Top Prize: Five (5) of five (5) official winning numbers.

(b) Second Prize: Four (4) of five (5) official winning numbers.

(c) Third Prize: Three (3) of five (5) official winning numbers.

(d) Fourth Prize: Two (2) of five (5) official winning numbers.

(5) FANTASY 5 Odds of Winning.

The odds of winning the prizes described above are as follows:

(a) Top Prize – 1:376,992

(b) Second Prize – 1:2,432.21

(c) Third Prize – 1:81.07

(d) Fourth Prize – 1:8.39

(e) The overall odds of winning a prize in a FANTASY 5 drawing are 1:7.58.

(6) FANTASY 5 Rules and Prohibitions.

(a) By purchasing a FANTASY 5 ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) FANTASY 5 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained

from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and online system availability, FANTASY 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily FANTASY 5 drawing is approximately 11:15 p.m., ET. Ticket sales for a specific FANTASY 5 drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FANTASY 5 draw date.

(e) Retailer cancellations of FANTASY 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FANTASY 5 ticket can be canceled after game close for the related drawing and no fourth prize (free FANTASY 5 quick pick ticket) can be canceled at any time. FANTASY 5 tickets with EZmatch cannot be canceled. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of online system availability, or the time of the related FANTASY 5 close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on a ticket. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(7) How to Play EZmatch™.

(a) EZmatch is an instant-win feature associated with FANTASY 5 that costs \$1.00 per play in addition to the cost of the FANTASY 5 ticket. A player selecting EZmatch will receive five (5) EZmatch numbers printed below the FANTASY 5 numbers on the ticket. If any of the EZmatch numbers matches any of the FANTASY 5 numbers, the player shall instantly win the corresponding amount shown.

(b) Players may play EZmatch by marking the applicable EZmatch box on the FANTASY 5 playslip or by telling the retailer. Marking the EZmatch box within a panel will add EZmatch to only the panel marked. Marking the "EZmatch on all panels played" box will (1) add EZmatch to every panel containing FANTASY 5 number selections, (2) override the EZmatch box within any panel, and (3) when the "Quick Picks" box is also marked, result in each quick pick ticket having the EZmatch feature.

(c) Each panel played with EZmatch will be printed on a separate ticket.

(d) The base prize structure and estimated odds of winning EZmatch are as follows:

| <u>Prize</u>   | <u>Winners in 420,000 (Per Pool)</u> | <u>Estimated Odds</u> |
|----------------|--------------------------------------|-----------------------|
| <u>\$500</u>   | <u>2</u>                             | <u>1:210,000.00</u>   |
| <u>\$100</u>   | <u>40</u>                            | <u>1:10,500.00</u>    |
| <u>\$50</u>    | <u>300</u>                           | <u>1:1,400.00</u>     |
| <u>\$25</u>    | <u>1,200</u>                         | <u>1:350.00</u>       |
| <u>\$15</u>    | <u>2,000</u>                         | <u>1:210.00</u>       |
| <u>\$5</u>     | <u>4,200</u>                         | <u>1:100.00</u>       |
| <u>\$3</u>     | <u>28,000</u>                        | <u>1:15.00</u>        |
| <u>\$2</u>     | <u>50,400</u>                        | <u>1:8.33</u>         |
| <u>Overall</u> |                                      | <u>1:4.88</u>         |

The EZmatch prize structure will be replenished automatically when the top tier prizes are exhausted. The prize structure and odds of winning are subject to change. The current prize structure and odds are available at [www.flalottery.com](http://www.flalottery.com), Lottery district offices and retailer locations.

(e) EZmatch prizes can be claimed up to 180 days from the first draw date on the FANTASY 5 ticket.

(8) The effective date of this emergency rule is September 9, 2013.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 9-9-13, Replaces 53ER12-40.

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: September 9, 2013

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER13-59  
 RULE TITLE: MEGA MONEY™

SUMMARY: This emergency rule sets forth the provisions for the conduct of MEGA MONEY™. This emergency rule replaces Emergency Rule 53ER12-39.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER13-59 MEGA MONEY™.

(1) How to Play MEGA MONEY™.

(a) MEGA MONEY is a lottery online terminal game in which players select four (4) numbers from a field of one (1) through forty-four (44) and one (1) MEGABALL® number from a separate field of one (1) through twenty-two (22).

(b) Players may make their MEGA MONEY ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers (four (4) in the upper play area and one (1) in the lower play area) from each panel played, or may mark the “Quick Pick” box located at the bottom of each panel for the terminal to randomly select any or all of the five numbers from either or both play areas. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first four of the five numbers appearing in a single horizontal row on a MEGA MONEY ticket shall be the numbers selected from the upper play area of the play slip and the last number shall be the MEGABALL number selected from the lower play area of the play slip.

(c) Players may mark the \$5 “Quick Picks” box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next MEGA MONEY drawing, or may mark the \$10 “Quick Picks” box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next MEGA MONEY drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(d) Players may play up to thirty consecutive MEGA MONEY drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played. Advance play is not available with the Quick Picks box on the play slip. In the event that a planned change in the MEGA MONEY game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery’s website, [flalottery.com](http://flalottery.com).

(2) MEGA MONEY Drawings.

(a) MEGA MONEY drawings shall be conducted two (2) times per week, on Tuesday and Friday.

(b) A MEGA MONEY ball set contains sixty-six (66) balls comprised of one (1) subset of forty-four (44) balls ("subset 1") and one (1) subset of twenty-two (22) balls ("subset 2"). The balls in subset 1 are numbered one (1) through forty-four (44). The balls in subset 2 are numbered one (1) through twenty-two (22). A MEGA MONEY drawing machine contains two (2) separate mixing chambers and two (2) ball display devices.

(c) Four (4) balls from subset 1 and one (1) MEGABALL from subset 2 will be selected in the drawing. The numbers shown on the four (4) balls and the number shown on the MEGABALL, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) MEGA MONEY Prize Divisions.

(a) MEGA MONEY is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of MEGA MONEY tickets in the corresponding MEGA MONEY sales period shall be allocated as the winning pool for the payment of the Jackpot prize, second prize, third prize, fourth prize, fifth prize, sixth prize and seventh prize.

(b) Jackpot Prize.

The Jackpot prize pool shall consist of 54.32 percent (54.32%) of the winning pool plus any money carried forward from the prior draw until the Jackpot prize pool reaches the estimated cash equivalent of the deferred payment value of \$2 million paid over twenty (20) years, at which point the Jackpot prize pool will be capped. When this threshold is met, the Jackpot prize pool will comprise zero percent of the winning pool in excess of the cap, and any money in excess of the cap shall roll down and be distributed among the second through the seventh prize levels according to the percentage each prize level comprises of the adjusted prize pool. The total winning prize pool, less the amount required to achieve the cap [not to exceed 54.32 percent (54.32%) of the total winning prize pool], shall comprise the adjusted prize pool.

1. If there is a Jackpot prize winner(s) in a drawing, the guaranteed Jackpot prize shall be divided equally among the Jackpot prize winners for that drawing.

2. If there is not a Jackpot prize winner in a drawing and the Jackpot prize pool is not capped, the Jackpot prize pool shall be carried over and added to the Jackpot prize pool of the next MEGA MONEY drawing.

3. If there is not a Jackpot prize winner in a drawing in which the Jackpot prize pool is capped, the capped amount shall be carried over to the next MEGA MONEY drawing and the money in excess of the cap shall be returned to an adjusted prize pool and then be distributed among the second through the seventh prize levels according to the adjusted percentage each prize level comprises of that winning prize pool.

(c) Second Prize.

When the Jackpot prize pool is not capped, the second prize pool shall consist of 1.72 percent (1.72%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the second prize pool shall consist of 3.75 percent (3.75%) of the adjusted prize pool for the drawing. The second prize pool shall be divided equally among the second prize winners for that drawing.

(d) Third Prize.

When the Jackpot prize pool is not capped, the third prize pool shall consist of 3.77 percent (3.77%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the third prize shall consist of 8.20 percent (8.20%) of the adjusted prize pool for the drawing. The third prize pool shall be divided equally among the third prize winners for that drawing.

(e) Fourth Prize.

When the Jackpot prize pool is not capped, the fourth prize pool shall consist of 11.25 percent (11.25%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the fourth prize pool shall consist of 24.50 percent (24.50%) of the adjusted prize pool for the drawing. The fourth prize pool shall be divided equally among the fourth prize winners for that drawing.

(f) Fifth Prize.

When the Jackpot prize pool is not capped, the fifth prize pool shall consist of 7.84 percent (7.84 %) of the winning pool for the drawing. When the Jackpot prize pool is capped, the fifth prize pool shall consist of 17.25 percent (17.25%) of the adjusted prize pool for the drawing. The fifth prize pool shall be divided equally among the fifth prize winners for that drawing.

(g) Sixth Prize.

When the Jackpot prize pool is not capped, the sixth prize pool shall consist of 7.94 percent (7.94%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the sixth prize pool shall consist of 18 percent (18%) of the adjusted prize pool for the drawing. The sixth prize pool shall be divided equally among the sixth prize winners for that drawing.

(h) Seventh Prize.

When the Jackpot prize pool is not capped, the seventh prize pool shall consist of 13.16 percent (13.16%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the seventh prize pool shall consist of 28.30 percent (28.30%)

of the adjusted prize pool for the drawing. The seventh prize pool shall be divided equally among the seventh prize winners for that drawing.

(i) Eighth Prize.

1. An eighth prize shall consist of one free MEGA MONEY quick pick ticket (\$1.00 value), except as provided in subparagraph (5)(i) 2. below. An eighth prize shall consist of one (1) free MEGA MONEY quick pick ticket regardless of whether the MEGA MONEY Jackpot prize pool is capped. Eighth prizes shall not utilize any portion of the winning prize pool or adjusted prize pool for the drawing.

2. A player who submits by mail a MEGA MONEY lottery ticket which entitles the claimant to a free MEGA MONEY quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(j) If there is not a winner within one of the second through seventh prize categories for a drawing, the prize pool for that category shall be distributed for that drawing in accordance with the following table:

| <u>PRIZE POOL CATEGORY FOR WHICH THERE IS NO WINNER</u> | <u>PRIZE POOL CATEGORY TO WHICH THE NONWINNING PRIZE POOL CATEGORY IS ADDED</u>       |
|---|---|
| <u>Second Prize- 4 of 4</u>                             | <u>3 of 4 + MEGABALL</u>  |
| <u>Third Prize- 3 of 4 + MEGABALL</u>                   | <u>3 of 4</u>   |
| <u>Fourth Prize- 3 of 4</u>                             | <u>2 of 4 + MEGABALL</u>  |
| <u>Fifth Prize- 2 of 4 + MEGABALL</u>                   | <u>1 of 4 + MEGABALL</u>  |
| <u>Sixth Prize- 1 of 4 + MEGABALL</u>                   | <u>2 of 4</u>   |
| <u>Seventh Prize- 2 of 4</u>                            | <u>To fund future prizes in Lottery games or for special Lottery prize promotions</u> |

(k) Any rounding differences that derive from the distribution of the winning pool to the Jackpot and second through seventh prize pools will be deposited into a reserve account to be used for prizes or special prize promotions. Rounding differences will not be rolled into the Jackpot prize pool as in the FLORIDA LOTTO™ game because the percentage of the winning pool allocated to the Jackpot prize pool varies depending upon whether the Jackpot prize pool is capped. When the Jackpot pool is capped, the prize distribution percentage to the Jackpot prize pool becomes 0%.

(l) Except for the Jackpot prize, all prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the sixth and seventh prizes shall be no less than \$2.00. All

rounding differences will be deposited into a reserve account to be used for prizes or special prize promotions. If the funds available for the payment of sixth and seventh prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

(a) Wherever used, the terms “Jackpot prize” and “top prize” both refer to the highest prize level in the MEGA MONEY game.

(b) In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning MEGA MONEY numbers in any order for the draw date for which the ticket was purchased, in one of the following combinations:

1. Jackpot Prize: Four (4) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

2. Second Prize: Four numbers (4) selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

3. Third Prize: Three (3) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

4. Fourth Prize: Three (3) numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

5. Fifth Prize: Two (2) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

6. Sixth Prize: One (1) number selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

7. Seventh Prize: Two (2) numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

8. Eighth Prize: No numbers selected from the first subset of balls and the MEGABALL number selected from the second subset of balls.

(5) MEGA MONEY Odds of Winning.

(a) The odds of winning the prizes described in subsection (3) are as follows:

1. Jackpot Prize – 1:2,986,522.00
2. Second Prize – 1:142,215.33
3. Third Prize – 1:18,665.76
4. Fourth Prize – 1:888.85
5. Fifth Prize – 1:638.15
6. Sixth Prize – 1:75.57
7. Seventh Prize – 1:30.39
8. Eighth Prize – 1:32.68



(b) The overall odds of winning a prize in a MEGA MONEY drawing are 1:12.58.

(6) MEGA MONEY Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the MEGA MONEY Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers. For each MEGA MONEY drawing, the deferred payment value of the MEGA MONEY Jackpot prize that can be won by a single player shall be guaranteed at a minimum of \$500,000 paid over twenty (20) years except as set forth in paragraph (7)(e) below.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot prize pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot prize pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall deposit the excess funds into a reserve account to be used for prizes or special prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a holiday, the business day prior to the drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the “prize determination day.”

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is insufficient on the prize determination day to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is sufficient on the prize determination day to yield more than the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall deposit the excess funds into a reserve account to be used for prizes or special prize promotions.

(7) MEGA MONEY Payment Options.

(a) Players can choose one of two payment options for receiving their portion of the MEGA MONEY Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot prize winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once the Jackpot prize winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot prize winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot prize winner does not file a claim electing the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (7)(f) below.

(c) A Jackpot prize winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be their pro rata share of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the guaranteed Jackpot prize will be paid in twenty (20) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a MEGA MONEY drawing cannot be paid in increments of \$1,000 in twenty (20) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over twenty (20) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the guaranteed Jackpot amount, the present value of the difference between the amount the investment will yield and the winner's guaranteed prize amount over twenty (20) years will be paid to the winner in the first payment. The following example illustrates such payment. All payment amounts are less tax withholding.

|                                     |            |
|-------------------------------------|------------|
| Example: Guaranteed Jackpot prize   | \$ 500,000 |
| Number of winners:                  | 2          |
| Guaranteed prize per winner         |            |
| (\$500,000 ÷ 2)                     | \$ 250,000 |
| Annual Payment (\$250,000 ÷ 20)     | \$ 12,500  |
| Maximum Security Available for      |            |
| annual payments                     | \$ 12,000  |
| Total Annual Payments               | \$ 240,000 |
| Difference between guaranteed prize |            |
| and investments available           | \$ 10,000  |
| Present Value of Difference to be   |            |
| added to the 1st payment *          | \$ X,XXX   |

\* Will be calculated based on current interest rates at the time the investments are purchased.

The provisions of this paragraph (7)(e) shall not be construed to prohibit the Lottery from investing collectively, in a single U.S. Treasury security, the prize pool shares of multiple winners of the same drawing who all elect the Annual Payment option, and distributing the prize winnings on a pro rata basis in increments other than \$1,000.

(f) If the number of winners of a guaranteed Jackpot prize results in each person's prize being less than \$100,000 paid over twenty (20) years, the Lottery shall pay the Jackpot winners in a single cash payment of their pro rata share of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(h) Any interest or earnings accrued on a MEGA MONEY Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(8) MEGA MONEY Rules and Prohibitions.

(a) By purchasing a MEGA MONEY ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) MEGA MONEY prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and online system availability, MEGA MONEY lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET).

(d) The scheduled time for the Tuesday and Friday MEGA MONEY drawings is approximately 11:15 p.m., ET. Ticket sales for a specific MEGA MONEY drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next MEGA MONEY draw date.

(e) Retailer cancellations of MEGA MONEY tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no MEGA MONEY ticket can be canceled after game close for the related drawing and no eighth prize (free MEGA MONEY quick pick ticket) can be canceled at any time. The two (2) hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of online system availability, or the time of the related MEGA MONEY close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers and date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(9) The effective date of this emergency rule is September 9, 2013.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 9-9-13, Replaces 53ER12-39.

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: September 9, 2013

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## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on September 5, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Silver Beach Club. Petitioner seeks an emergency temporary variance of the requirements of ASME A17.3, Section 3.11.3, 3.9.1, 3.3.2 and 4.7.3 as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations, platform guards, anti-creep leveling devices and normal terminal stopping devices which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-296).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on September 5, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Valencia Osceola Campus, Bldg.4, Elevator #2. Petitioner seeks an emergency variance of the requirements of ASME A17.1S, Section 2.1.1.1.2, 2.1.1.2.2(d)(1)(2)&(3), 2.3.3.1, 2.7.1.1.2, 2.7.1.3.1, 2.7.8.1, 2.11.1.4, 2.11.19, 2.14.1.7.2, 2.14.1.7.3, 2.19.2, 2.19.2.1 and 2.21.4.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires partitions, hoistway enclosed and fire resistive, access doors with fire protection rating, floor levels, ropes and sheaves, access openings for cleaning of car and hoistway enclosures, gasketing of hoistway entrances, working platform or equipment not required shall not be located above the top of an elevator car, Devices that detect unauthorized access to the top of the car, protection against unintended car movement, and connections which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-298).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on September 5, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Forum at Tallahassee. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-297).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection hereby gives notice:

That on August 30, 2013, the Department of Environmental Protection has issued an order. The order is for Monroe County variance petition (OGC File No. 13-1100), received on July 22, 2013. The petition requested a variance from the requirement to record a surveyor's plot and other associated documents related to the abandonment of Class V, Group 3 injection wells in Monroe County in the county courthouse public records (subsection 62-528.645(3), F.A.C.). Notice of receipt of this petition was published in the Florida Administrative Register, on July 25, 2013. No public comment was received. The final order granted a variance to Monroe County residents to relieve them from the requirements to record a surveyor's plot and other associated records of the plugging and abandonment of Class V, Group 3 injection wells in the county courthouse public records. This variance was granted because the petitioner demonstrated a substantial hardship and that the purposes of the underlying statutes would be met with the conditions imposed by the Department.

A copy of the Order or additional information may be obtained by contacting: Cathleen McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8654.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

NOTICE IS HEREBY GIVEN that on September 5, 2013, the Board of Orthotists and Prosthetists, received a petition for Peter Ferris, seeking a variance or waiver of Rule 64B14-4.100, F.A.C., which requires that an internship must consist of a minimum of 1900 hours and Rule 64B14-4.003, F.A.C., requiring certain documentation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: William Miller, Executive Director, Department of Health, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way Bin #C07, Tallahassee, Florida 32399, (850)245-4444, William\_Miller@doh.state.fl.us. Comments on this petition should be filed with the Board of Orthotists and Prosthetists at the above address within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
 Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017: Personnel

NOTICE IS HEREBY GIVEN that on August 22, 2013, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Lutheran Services Florida and Krista Jackson. Subsection 65C-15.017(3), F.A.C., requires staff performing casework services shall have a bachelor's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### EXECUTIVE OFFICE OF THE GOVERNOR

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

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission
- Office of Insurance Regulation
- Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: September 24, 2013, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency

of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into

contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

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#### DEPARTMENT OF LEGAL AFFAIRS

The Office of the Attorney General announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 16, 2013, 1:30 p.m. EDT

**PLACE:** Collins Building, 107 West Gaines Street, Room 163, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Notice of a Public Meeting for the purpose of evaluating final offers and making a determination of the best value offer for Office of the Attorney General Invitation to Negotiate Legal Research ITN 12/13-2.

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: Ethel Grimes at [ethel.grimes@myfloridalegal.com](mailto:ethel.grimes@myfloridalegal.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).

For more information, you may contact: Ethel Grimes at [ethel.grimes@myfloridalegal.com](mailto:ethel.grimes@myfloridalegal.com).

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#### STATE BOARD OF ADMINISTRATION

The INVESTMENT ADVISORY COUNCIL (IAC) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, September 23, 2013, 10:00 a.m. until completion of agenda

**PLACE:** The Hermitage Centre at 1801 Hermitage Boulevard, Tallahassee, Florida 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, (850)413-1253, or [diane.bruce@sbafla.com](mailto:diane.bruce@sbafla.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: James Linn, (850)413-1166, or [james.linn@sbafla.com](mailto:james.linn@sbafla.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).

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**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 10, 2013, 1:00 p.m.

PLACE: Sunlake Clubhouse, 1054 Sunlake Blvd., Grand Island, FL 32735

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 130180-WS – Application for original certificates to provide water and wastewater service in Lake County by Sunlake Estates Utilities, L.L.C.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: N/A

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: . 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: Julia Gilcher at (850)413-6230.

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**REGIONAL PLANNING COUNCILS**

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2013, 4:30 p.m.

PLACE: North Central Florida Regional Planning Council, 2009 Northwest 67th Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

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**DEPARTMENT OF ELDER AFFAIRS**

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 16, 2013, 9:00 a.m. – 11:00 a.m. EDT.

PLACE: Taylor Senior Citizens Center, 800 W. Ash St., Perry, Florida 32347

GENERAL SUBJECT MATTER TO BE CONSIDERED: To increase community awareness and provide participants with information and resources on preventing fraud and scams.

A copy of the agenda may be obtained by contacting: Janine Harris, Community Relations Manager, Florida Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399 or call (850)414-2373 or via email at [harrisj@elderaffairs.org](mailto:harrisj@elderaffairs.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 72 hours before the workshop/meeting by contacting: Janine Harris, Community Relations Manager, Florida Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399 or call (850)414-2373 or via email at [harrisj@elderaffairs.org](mailto:harrisj@elderaffairs.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: Janine Harris, Community Relations Manager, Florida Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, FL 32399; or call (850)414-2373 or via email at [harrisj@elderaffairs.org](mailto:harrisj@elderaffairs.org).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers  
The Regulatory Council of Community Association Managers announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 8, 2013, 10:00 a.m.

PLACE: Crown Plaza, 1201 Riverplace Boulevard, Jacksonville, Florida 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1981

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: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1981. 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: Regulatory Council of Community Association Managers, (850)717-1981.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

The Department of Business and Professional Regulation announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, October 23, 2013, 9:00 a.m.; Thursday, October 24, 2013, 9:00 a.m.

PLACE: Hilton St. Augustine Bayfront, 32 Avenida Menendez, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and general Board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Board of Professional Geologists, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

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: Richard Morrison, Board of Professional

Geologists, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 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: Richard Morrison, Board of Professional Geologists, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a workshop to which all persons are invited.

DATE AND TIME: September 18, 2013, 2:30 p.m. or as soonest thereafter as possible

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room N901, 400 W. Robinson Street, Hurston Building, North Tower, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss real estate sales associate pre-licensure education and to review the real estate sales associate pre-licensing course syllabus.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Lori Crawford at [lori.crawford@myfloridalicense.com](mailto:lori.crawford@myfloridalicense.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 hours before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 24, 2013, 10:00 a.m.

PLACE: via-telephone only. To attend the meeting by telephone, please call 1(888)909-7654 and enter pass code 128126 when prompted.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other matters, a review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use and such other business as may come before the Board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Vicky Krentz at (888)862-7010 or by email at vicky@fmhrc.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: Vicky Krentz at (888)862-7010 or by email at vicky@fmhrc.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).

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: Vicky Krentz, Executive Director, FMHRC, P. O. Box 7848, Clearwater, FL 33765, (888)862-7010, vicky@fmhrc.org.

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**DEPARTMENT OF HEALTH**

**Board of Nursing**

The Board of Nursing announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Wednesday – Friday, October 2-4, 2013 (See times below)

**PLACE:** Naples Beach Hotel, 851 Gulf Shore Blvd. N., Naples, FL 34102, (239)261-2222

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Wednesday, 1:00 p.m. Credentials “A” Committee.

Wednesday, 1:00 p.m. Education and Credentials “B” Committee.

Thursday, 8:30 a.m. Disciplinary Hearings and General Business.

Friday, 8:30 a.m. Disciplinary Hearings and General Business.

To view the public agenda materials visit: <http://www.doh.state.fl.us/mqa/nursing/nur-meeting.html>.

A copy of the agenda may be obtained by contacting: visiting [www.FloridasNursing.gov](http://www.FloridasNursing.gov) or Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: the Board, (850)245-4125. 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.

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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
 The Circuit 2 Community Alliance announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 26, 2013, 11:00 a.m. EST – 12:03 p.m. EST

**PLACE:** Leon County Human Services Center, 1000 W. Tharpe Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Quarterly Meeting of the Circuit 2 Community Alliance.

A copy of the agenda may be obtained by contacting: Jeanna Olson at (850)921-8269 or by email at Jeanna\_Olson@dcf.state.fl.us after September 24, 2013.

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 2 days before the workshop/meeting by contacting: Jeanna Olson at (850)921-8269 or by email at Jeanna\_Olson@dcf.state.fl.us. 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: Jeanna Olson at (850)921-8269 or by email at Jeanna\_Olson@dcf.state.fl.us.

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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
 Agency for Persons with Disabilities

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 30, 2013, 10:00 a.m. – 11:30 a.m.

**PLACE:** Conference Phone Number: (888)670-3525, Participant Code-5106539718, then #; Agency for Persons with Disabilities, 4030 Esplanade Way, Conference Room 360L, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 The meeting is intended to obtain public input for improving behavioral services provided for Floridians with developmental disabilities.



A copy of the agenda may be obtained by contacting: <http://apdcares.org/publications/legal>, Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358

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 4 days before the workshop/meeting by contacting: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358. 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: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358.

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#### FISH AND WILDLIFE CONSERVATION COMMISSION Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2013, 7:00 p.m.

PLACE: Orange County Education Center, 6021 South Conway Rd., Orlando, FL 32812

#### GENERAL SUBJECT MATTER TO BE CONSIDERED: NOTICE:

The Florida Fish and Wildlife Conservation Commission (FWC) announce a PUBLIC HEARING for the FWC Lead Managed Portions of Tosohatchee Wildlife Management Area located in Orange County, Florida; 7:00 p.m., Tuesday, September 24th, 2013; Orange County Extension Education Center, 6021 South Conway Rd., Orlando, FL 32812

PURPOSE: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of Tosohatchee Wildlife Management Area (TWMA).

This hearing is being held EXCLUSIVELY for discussion of the DRAFT Tosohatchee WMA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development go online to: [myfwc.com/about/rules-regulations/rule-changes/](http://myfwc.com/about/rules-regulations/rule-changes/) or call (850)487-1764.

A Management Prospectus for Tosohatchee WMA and copy of the agenda is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Telephone: (850)487-9982 or (850)487-7063 or by e-mail at [Diana.Kilgore@myfwc.com](mailto:Diana.Kilgore@myfwc.com).

A copy of the agenda may be obtained by contacting: Diana Kilgore, (850)487-7063, [diana.kilgore@myfwc.com](mailto:diana.kilgore@myfwc.com).

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#### PASCO-PINELLAS AREA AGENCY ON AGING

The AREA AGENCY ON AGING OF PASCO-PINELLAS announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 16, 2013, 9:30 a.m.

PLACE: 9549 Koger Blvd., Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696, ext. 233.

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 4 days before the workshop/meeting by contacting: Brenda Black at (727)570-9696, ext. 233. 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: Brenda Black at (727)570-9696, ext. 233.

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#### NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 19, 2013, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Business and Professional Regulation, Professions Board Room, 1940 North Monroe Street, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of minutes, Reports from Finance Committee, Operational Committee, LBRs for Consideration, NSRC Bylaws Amendment, NSRC Cash Challenges, Agencies Final True-Up, Billing Changes - Agency Impacts, Billing-Direct Charge-Administrative Charge and Long Range Program Plan (LRPP).

A copy of the agenda may be obtained by contacting: [Jane.Geier@nsrc.myflorida.com](mailto:Jane.Geier@nsrc.myflorida.com), (850)487-9442.

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: [Jane.Geier@nsrc.myflorida.com](mailto:Jane.Geier@nsrc.myflorida.com), (850)487-9442.

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: Jane.Geier@nsrc.myflorida.com, (850)487-9442.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District One, is holding a public information meeting as part of the Project Development and Environment (PD&E) Study of US 27 from the Highlands County line to north of State Road (SR) 60 in Polk County. All members of the public are invited to attend.

DATE AND TIME: Thursday, September 19, 2013, 5:00 p.m. – 7:00 p.m.

PLACE: Warner University, Ratzlaff Administration Building, 211 Presidents Drive, Lake Wales, FL

FDOT is evaluating alternatives for widening US 27 from existing four lanes to six lanes and improvements to the US 27/SR 60 interchange. The department sent notices of the public meeting to property owners located within 300 feet either side of US 27 within the study limits. FDOT encourages all interested people to attend and express their views regarding the project and information presented.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. People who require special accommodations under the Americans with Disabilities Act of 1990, or who require translation services (free of charge), should contact FDOT project manager Tony Sherrard at (863)519-2304 or antone.sherrard@dot.state.fl.us at least seven days prior to the public meeting.

If you are hearing or speech impaired, please contact the Florida Department of Transportation using the Florida Relay Service, 1 (800)955-8771 (TDD) or 1 (800)955-8770 (Voice).

For more information about the project or the public meeting, please contact Mr. Sherrard at the above phone number or e-mail address.

Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Utility Services Associates, LLC, on August 27, 2013. The petition seeks the agency's opinion as to the applicability of Section 489.101, Florida Statutes, as it applies to the petitioner.

The Petitioner seeks a declaratory statement on Section 489.101, Florida Statutes, in regard to which licenses would be required to perform metering upgrades and migration services in Florida. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail – Amanda.Wynn@myfloridalicense.com.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filled 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**

**BREAKING GROUND CONTRACTING**

Fletcher High School No. 223 Egress Improvements

Notice of Bid

Sealed Bids will be received by Breaking Ground Contracting Company at 4218 Highway Avenue, Jacksonville, FL 32254 for the site, general finishes, mechanical, electrical and fire alarm scopes of work per plans and specifications by Bhide and Hall Architects dated 7-29-13, until the time and date(s) recorded below:

**BIDS ARE DUE ON OR BEFORE Friday, October 4, 2013**  
**AND WILL BE ACCEPTED UNTIL 4:00 p.m.**

*Bids received after 4:00 p.m. will not be accepted.*

**PROJECT:** Egress Improvements at Fletcher High School #223

A mandatory pre-bid and site visit will be held at Fletcher High School, located at 700 Seagate Avenue, Neptune Beach, Florida 32266 scheduled for Tuesday, September 10, 2013 at 10:00 a.m. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal.

Drawings may be obtained from AIM Reprographics by visiting the following website [www.bgcplanroom.com](http://www.bgcplanroom.com) or can be viewed by request from the Construction Manager: Contact Mary Tappouni at (904)388-1350, ext. 214 or e-mail [estimating@breakinggroundcontracting.com](mailto:estimating@breakinggroundcontracting.com).

**Section XII**  
**Miscellaneous**

**DEPARTMENT OF HEALTH**

Board of Medicine

Notice of Emergency Action

On September 4, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Robyn A. Siegel-Choe, A.R.N.P., AN # 3412942. This Emergency Restriction Order was predicated upon the

State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Medicine

Notice of Emergency Action

On September 4, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Debra Ann Moyer, R.N., RN # 3413612. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Medicine

Notice of Emergency Action

On September 4, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michael Addair Tarver, D.M.D., License # DN 18670. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Medicine

Notice of Emergency Action

On September 4, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michael Morgan Dietch, III, M.D., License # ME 58573. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH  
Board of Medicine

Notice of Emergency Action

On September 4, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Mark David McDonough, M.D. # ME 71478. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH  
Board of Pharmacy

Notice of Emergency Action

On September 5, 2013, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Magdi Mikail Bishara, R.Ph. # PS 47410. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Workforce Services

Notice of Order Declining Declaratory Statement  
Department of Economic Opportunity  
Office of the General Counsel

NOTICE IS HEREBY GIVEN that the Office of the General Counsel, Department of Economic Opportunity, has declined to rule on the petition for declaratory statement filed by The First Academy Incorporated., Petitioner, in DEO Case no.:

2013-0043, on July 7, 2013. The following is a summary of the agency's declination of the petition:

The Petition listed Chapter 443, Florida Statutes, as the statutory provision(s) upon which a declaratory statement was being sought. The Petition requested the Department of Economic Opportunity to state whether the Petitioner was exempt from Reemployment Assistance Taxes under Section 443.1216, Florida Statutes. Pursuant to Petitioner’s Notice of Voluntary Withdrawal of Petition for Declaratory Statement filed August 28, 2013, DEO issued an Order on September 6, 2013, ruling the original Petition to be moot and therefore withdrawn without prejudice.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, Florida 32399-2202; (850)245-7150.

HDR ENGINEERING, INC. – PENSACOLA

Public Notice of Location Design Concept Acceptance and Finding of No Significant Impact

On August 28, 2013, the Federal Highway Administration (FHWA) granted Location and Design Concept Acceptance for the following project: Financial Project Number: 421997-1-28-01.

Proposed improvements include widening P.J. Adams Parkway/Antioch Road from two to four lanes from SR 85 to Arena Road, constructing a new alignment from Arena Road north to US 90 at Old Bethel Road, and retaining existing Antioch Road north of Arena Road as a two-lane road. The project is located in Crestview and Okaloosa County.

A copy of the Environmental Assessment and Finding of No Significant Impact completed for the project is available for viewing at the following address and by contacting: Ms. Peggy Kelley, Project Coordinator, Florida Department of Transportation District 3 Environmental Management Office, 1074 Highway 90, Chipley, FL 32428; Toll Free (888)638-0250 ext. 517; e-mail: peggy.kelley@dot.state.fl.us.

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.