

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. 32, No. 45, November 9, 2006 issue of the Florida Administrative Weekly.

(1) A retired status licensee for less than five years may change to active status provided:

(a) A licensee pay any renewal fees imposed on an active status license for all biennial licensure periods during which the licensee was on retired status.

(b) A licensee must provide evidence of licensure as either a Certified Respiratory Therapist (CRT) or a Registered Respiratory Therapist (RRT), pursuant to Section 468.358, Florida Statutes.

(c) A licensee must meet the continuing educational requirements for Rule 64B32-6.001, F.A.C., for each biennium the licensee was in retired status.

(d) A licensee must attend ~~HRV~~ and medical errors courses pursuant to Rule 64B32-6.007, F.A.C.

(2) A retired status licensee for five years or more may change to active status provided:

(a) A licensee pay any renewal fees imposed on an active status license for all biennial licensure periods during which the licensee was on retired status.

(b) A licensee must provide evidence of licensure as either a Certified Respiratory Therapist (CRT) or a Registered Respiratory Therapist (RRT), pursuant to Section 468.358, Florida Statutes.

(c) A licensee must meet the continuing educational requirements for Rule 64B32-6.001, F.A.C., for each biennium the licensee was in retired status.

(d) A licensee is required to provide evidence of attendance of a Board-approved comprehensive review course, within six months prior to reactivation of license, in order to ensure that he or she has the sufficient skills to re-enter the profession.

(e) A licensee must attend ~~HRV~~ and medical errors courses pursuant to Rule 64B32-6.007, F.A.C.

(3) Board-approved comprehensive review course means any course or courses which includes, at a minimum, fourteen (14) direct contact education hours in the topics and number of hours as follows. For the purpose of this section, home study courses are not permitted.

<u>Patient assessment</u>	<u>3 hours</u>
<u>Hemodynamics</u>	<u>2 hours</u>
<u>Pulmonary function</u>	<u>1 hour</u>
<u>Arterial blood gases</u>	<u>1 hour</u>
<u>Respiratory equipment</u>	<u>2 hour</u>
<u>Airway care</u>	<u>1 hour</u>
<u>Mechanical ventilation</u>	<u>2 hours</u>
<u>Emergency care/special procedures</u>	<u>1 hour</u>
<u>General respiratory care (including medication)</u>	<u>1 hour</u>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-136.019
 RULE TITLE: Insurance Administrator Annual Report and Licensure Application

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 10, March 10, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
 Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-7
 RULE TITLE: Instant Game Number 681, LUCKY NUMBERS

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 681, "LUCKY NUMBERS," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-7 Instant Game Number 681, LUCKY NUMBERS.

(1) Name of Game. Instant Game Number 681, "LUCKY NUMBERS."

(2) Price. LUCKY NUMBERS lottery tickets sell for \$2.00 per ticket.

(3) LUCKY NUMBERS lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex

area on the ticket. To be a valid winning LUCKY NUMBERS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE
6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN
16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TWENTY
 WIN\$50	 WINALL			

(5) The "LUCKY NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 THO	3 THREE	4 FOUR	5 FIVE
6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN
16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TWENTY

(6) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$5.00	\$10.00
TICKET	ONE	TWO	FIVE	TEN
\$25.00	\$50.00	\$100	\$1,000	\$15,000
THY FIVE	FIFTY	ONE HUN	ONE THO	FTN THO

(7) The legends are as follows:

LUCKY NUMBERS	YOUR NUMBERS
PRIZE	

(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches either number in the "LUCKY NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$1,000 and \$15,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits

by mail a LUCKY NUMBERS lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.



(c) A ticket having a "WIN\$50" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of



\$50. A ticket having a "WINALL" in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 681 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
			WINNERS IN
TICKET	\$2 TICKET	1 IN	42 POOLS OF
			180,000 TICKETS
			PER POOL
\$2	\$2	50.00	151,200
\$2 x 2	\$4	25.00	302,400
\$1 + (\$2 x 2)	\$5	37.50	201,600
\$5	\$5	37.50	201,600
(\$1 x 2) + (\$2 x 4)	\$10	150.00	50,400
\$5 x 2	\$10	75.00	100,800
\$10	\$10	150.00	50,400
\$5 x 5	\$25	150.00	50,400
\$5 x 10 (MONEYBAG)	\$50	1,285.71	5,880
\$10 x 5	\$50	2,250.00	3,360
\$50 (HORSESHOE)	\$50	391.30	19,320
\$10 x 10 (MONEYBAG)	\$100	6,000.00	1,260
(\$25 x 2) + \$50	\$100	8,181.82	924
\$100	\$100	8,181.82	924
\$100 x 10 (MONEYBAG)	\$1,000	180,000.00	42
\$1,000	\$1,000	180,000.00	42
\$15,000	\$15,000	3,780,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 681 are 1 in 3.69. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 681, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

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

(13) Payment of prizes for LUCKY NUMBERS lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History--New 2-16-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 16, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-8
 RULE TITLE: Code of Ethics for Non-Reporting Individuals and Non-Procurement Employees

SUMMARY OF THE RULE: This emergency rule replaces Emergency Rule 53ER03-66 and sets forth the ethics rules governing non-reporting individuals and non-procurement employees of the Florida Lottery.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-8 Code of Ethics for Non-Reporting Individuals and Non-Procurement Employees.

(1) All employees of the Florida Lottery are subject to the provisions of Chapter 112, Part III, and Chapter 24, F.S., and rules promulgated thereunder. Where there are differences between this rule and the statute, the stricter provisions will apply.

(2) Definitions. For purposes of this rule,

(a) "Employee" means any person employed by the Florida Lottery, including an OPS employee, who is not a reporting individual or procurement employee, as those terms are defined below.

(b) "Gift" means anything accepted by a person or on that person's behalf, whether directly or indirectly, for that person's benefit and for which no payment is made, and can include: real property or the use thereof; tangible or intangible personal property or the use thereof; preferential rate or terms on a transaction not available to others similarly situated; forgiveness of a debt; transportation, lodging or parking; food or beverage; dues, fees and tickets; plants and flowers; personal services for which a fee is normally charged; or any other thing or service having an attributable value.

(c) "Gift" does not include:

1. Salary, benefits, services, fees, commissions, gifts or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization; or

2. Contributions reported pursuant to Chapter 106, F.S., campaign-related personal services provided by individuals volunteering their time, or any other contribution or expenditure by a political party; or

3. An honorarium or expense related to an honorarium event paid to a person or the person's spouse by someone other than a lobbyist or principal of a lobbyist; or

4. An award, plaque, certificate or similar personalized item given in recognition of the donee's public, civic, charitable or professional service, provided that such item has no separate commercial value; or

5. Honorary membership in a service or fraternal organization presented as a courtesy by the organization; or

6. Use of a public facility for a public purpose made available by a governmental agency; or

7. Transportation provided by an agency in relation to officially approved governmental business; or

8. Anything of value provided directly or indirectly by a state, regional or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization, or staff of a governmental agency that is a member of the organization.

(d) "Lobby" means to seek, on behalf of another person, to influence an agency with respect to a decision of the agency in the area of policy or procurement or an attempt to obtain the goodwill of an agency official or employee.

(e) "Lobbyist" means a person who is employed and receives payment for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity, excluding an employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties.

(f) "Principal" means the person, firm, corporation or other entity which has employed or retained a lobbyist.

(g) "Procurement employee" means any employee who participates through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in Section 287.012, F.S., if the cost of such services or commodities exceeds \$1,000 in any year.

(h) "Relative" means a person who is related to an agency official or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step great grandchild, engaged to be married to the agency official or employee, or who otherwise holds himself or herself out as or is generally known as the person whom the agency official or employee intends to marry or with whom the agency official or employee intends to form a household, or any other natural person having the same legal residence as the agency official or employee.

(i) "Reporting individual" means any individual who is required by Section 112.3145, F.S., to file full or limited public disclosure of his or her financial interests; at the Florida Lottery, reporting individuals are executive and senior staff; all district managers; all managers one level below director; in financial management, managers two levels below director; attorneys and purchasing agents.

(3) Lobbyist Expenditures. No employee shall knowingly accept anything of value from a lobbyist or the principal of a lobbyist, except that an expenditure for the personal benefit of the employee may be accepted from a lobbyist or principal who is a relative of the employee. However:

(a) An employee may attend an event or accept a thing of value that is otherwise prohibited if the employee pays or provides equivalent consideration contemporaneously with or preceding the receipt of the item or attendance at the event.

(b) An employee may attend a community event that is open to all persons.

(c) An employee may accept an item or benefit generally available for free or below the customary rate if the terms or rate is a government rate available to all other similarly-situated government employees or a rate that is available to similarly-situated members of the public by virtue of occupation, affiliation, age, religion, sex or national origin.

(4) General Provisions.

(a) Employees shall not solicit or accept anything of value to the employee, including gifts, loans, rewards, promises of future employment, favors, or services based upon any understanding that the official action or judgment of the employee would be influenced thereby.

(b) Employees shall not solicit any gift, regardless of value, if the gift is for the personal benefit of the employee, the employee's family, or another employee.

(c) Employees shall not use or attempt to use their positions to gain special privileges, benefits or exemptions for themselves or others.

(d) Employees, their spouses and minor children shall not accept any compensation, payment or thing of value when they know or should know that it was given to influence the official action of the employee.

(e) Employees shall not disclose or use information not available to the public and obtained by reason of their public positions for the personal benefit of themselves or others.

(f) Employees shall not solicit or accept an honorarium that is related to their public office or duties. Employees may accept payment of expenses related to an honorarium event unless the payment is from a lobbyist or principal.

(g) Employees acting as purchasing agents shall not directly or indirectly purchase, rent, or lease any realty, goods or services for the Lottery from a business in which the employee or the employee's spouse or child owns more than a 5% interest.

(h) Employees acting in a private capacity shall not rent, sell or lease realty, goods or services to the Lottery.

(i) Employees shall not accept employment that would create a conflict of interest between their private interests and the performance of their public duties, or accept other employment with any business entity subject to regulation by, or doing business with, the Lottery.

(j) Employees having decisionmaking authority shall not participate in any decision involving a vendor or retailer with whom they have a financial interest.

(k) Employees having decisionmaking authority shall not participate in any decision involving a vendor or retailer with whom they have discussed employment opportunities, without the prior approval of the Secretary.

(l) Purchase of lottery tickets by employees or any relatives residing in their household is strictly prohibited.

(5) Post-Employment Restrictions.

(a) Employees who became employed by the Lottery after July 1, 1989, who have authority over policy or procurement, shall not, for a period of two (2) years after retirement or termination, personally represent another person or entity for compensation before the Department, unless employed by another agency of state government.

(b) Employees shall not, for a period of two (2) years after retirement or termination, hold any employment or contractual relationship with a business entity other than a state agency in connection with any contract for contractual services that was within the employee's responsibility while employed by the Lottery.

(c) Employees are prohibited, after retirement or termination, from holding any employment or contractual relationship with a business entity other than a state agency in connection with any contract in which the employee participated personally and substantially through decision, approval, disapproval, recommendation, rendering of advice, or investigation while an employee of the Lottery.

(d) Employees shall not, for a period of one (1) year following cessation of employment with the Lottery, represent any vendor or retailer before the Lottery regarding any specific matter in which the employee was involved while employed by the Lottery.

(6) All employees shall receive Code of Ethics training upon appointment and thereafter on an annual basis.

(7) This emergency rule shall replace Emergency Rule 53ER03-66, F.A.C.

Specific Authority 24.105(20), 24.109(1) FS. Law Implemented 24.105(20), 24.105(19)(b), (c), 24.116(2), Chapter 112, Part III, FS. History—New 2-16-07, Replaces 53ER03-66, F.A.C.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 16, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-9
 RULE TITLE: Code of Ethics for Reporting Individuals and Procurement Employees

SUMMARY OF THE RULE: This emergency rule and sets forth the ethics rules governing reporting individuals and procurement employees of the Florida Lottery.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-9 Code of Ethics for Reporting Individuals and Procurement Employees.

(1) All employees of the Florida Lottery are subject to the provisions of Chapter 112, Part III, F.S., Chapter 24, F.S., and rules promulgated thereunder. Where there are differences between this rule and the statute, the stricter provisions will apply.

(2) Definitions. For purposes of this rule,

(a) "Employee" means any person employed by the Florida Lottery, including an OPS employee, who is a reporting individual or procurement employee, as those terms are defined below.

(b) "Gift" means anything accepted by a person or on that person's behalf, whether directly or indirectly, for that person's benefit and for which no payment is made, and can include: real property or the use thereof; tangible or intangible personal property or the use thereof; preferential rate or terms on a transaction not available to others similarly situated; forgiveness of a debt; transportation, lodging or parking; food or beverage; dues, fees and tickets; plants and flowers; personal services for which a fee is normally charged; or any other thing or service having an attributable value.

(c) "Gift" does not include:

1. Salary, benefits, services, fees, commissions, gifts or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization; or

2. Contributions reported pursuant to Chapter 106, F.S., campaign-related personal services provided by individuals volunteering their time, or any other contribution or expenditure by a political party; or

3. An honorarium or expense related to an honorarium event paid to a person or the person's spouse by someone other than a lobbyist or principal of a lobbyist; or

4. An award, plaque, certificate or similar personalized item given in recognition of the donee's public, civic, charitable or professional service, provided that such item has no separate commercial value; or

5. Honorary membership in a service or fraternal organization presented as a courtesy by the organization; or

6. Use of a public facility for a public purpose made available by a governmental agency; or

7. Transportation provided by an agency in relation to officially approved governmental business; or

8. Anything of value provided directly or indirectly by a state, regional or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization, or staff of a governmental agency that is a member of the organization.

(d) "Lobby" means to seek, on behalf of another person, to influence an agency with respect to a decision of the agency in the area of policy or procurement or an attempt to obtain the goodwill of an agency official or employee.

(e) "Lobbyist" means a person who is employed and receives payment for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity, excluding an employee of an agency or of a legislative or judicial branch entity acting in the normal course of his or her duties.

(f) "Principal" means the person, firm, corporation or other entity which has employed or retained a lobbyist.

(g) "Procurement employee" means any employee who participates through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in Section 287.012, F.S., if the cost of such services or commodities exceeds \$1,000 in any year.

(h) “Relative” means a person who is related to an agency official or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step great grandchild, engaged to be married to the agency official or employee, or who otherwise holds himself or herself out as or is generally known as the person whom the agency official or employee intends to marry or with whom the agency official or employee intends to form a household, or any other natural person having the same legal residence as the agency official or employee.

(i) “Reporting individual” means any employee who is required by Section 112.3145, F.S., to file a full or limited public disclosure of his or her financial interests; at the Florida Lottery, reporting individuals are executive and senior staff; all district managers; all managers one level below director; in financial management, managers two levels below director; attorneys and purchasing agents.

(3) Lobbyist Expenditures. No employee shall knowingly accept anything of value from a lobbyist or the principal of a lobbyist, except that an expenditure for the personal benefit of an employee may be accepted from a lobbyist or principal who is a relative of the employee. However:

(a) An employee may attend an event or accept a thing of value that is otherwise prohibited if the employee pays or provides equivalent consideration contemporaneously with or preceding the receipt of the item or attendance at the event.

(b) An employee may attend a community event that is open to all persons.

(c) An employee may accept an item or benefit generally available for free or below the customary rate if the terms or rate is a government rate available to all other similarly-situated government employees or a rate that is available to similarly-situated members of the public by virtue of occupation, affiliation, age, religion, sex or national origin.

(4) Gifts and Gift Reporting.

(a) No employee shall knowingly accept any gift, gratuity, favor, entertainment, lodging, transportation, loan or any other thing of monetary value that the employee knows or reasonably should know is valued at over \$25.00. There are four limited exceptions:

1. Gifts from relatives, regardless of value.

2. Gifts (including but not limited to birthday and/or anniversary gifts and gifts of hospitality) received from personal friends in the ordinary course of friendship, regardless of value, provided that any such personal friend is not:

a. A lobbyist; or

b. The principal of a lobbyist; or

c. A person having a special pecuniary interest (either individually or through a corporation or organization) in a matter pending before the Lottery; or

d. A person who (either individually or through a corporation or organization) provides goods or services to the Lottery under contract or agreement; or

e. A person who (either individually or through a corporation or organization) is seeking such business with the Lottery.

3. On-site consumption of food and refreshment at receptions and/or other events, provided the employee’s attendance at such event is an appropriate exercise of the employee’s official duties and the food and refreshments at such event are not paid for by a lobbyist or the principal of a lobbyist.

4. Gifts (regardless of value) accepted on behalf of a governmental entity or charitable organization, or for which a public purpose can be shown, provided the Lottery ethics officer has approved such acceptance and the gift is not being made by a lobbyist or the principal of a lobbyist.

The above four limited exceptions do not authorize the acceptance of any gift that is otherwise prohibited by Chapter 112, F.S.

(b) Employees shall file with the Commission on Ethics on the last day of each calendar quarter, for the previous calendar quarter, a list of permissible gifts valued at more than \$25 that were accepted by the employee, unless the gift is from a relative; or

1. Is given by a personal friend for a special occasion (e.g., holidays, birthdays, weddings, showers, anniversaries, graduation, Valentine’s Day, etc.); or

2. Is a meal (whether at a restaurant or at a home) with a friend or lodging at a friend’s home.

(c) Gifts identified in subparagraphs (4)(b)1. and 2. above must be reported if they exceed \$100 in value.

(d) Employees shall file with the Commission on Ethics by July 1 of each year an Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses on forms prescribed by the Commission on Ethics.

(5) General Provisions.

(a) Employees shall not solicit or accept anything of value to the employee, including gifts, loans, rewards, promises of future employment, favors, or services based upon any understanding that the official action or judgment of the employee would be influenced thereby.

(b) Employees shall not solicit any gift, regardless of value, if the gift is for the personal benefit of the employee, the employee’s family, or another employee.

(c) Employees shall not use or attempt to use their positions to gain special privileges, benefits or exemptions for themselves or others.

(d) Employees, their spouses and minor children shall not accept any compensation, payment or thing of value when they know or should know that it was given to influence the official action of the employee.

(e) Employees shall not disclose or use information not available to the public and obtained by reason of their public positions for the personal benefit of themselves or others.

(f) Employees shall not solicit or accept an honorarium that is related to their public office or duties. Employees may accept payment of expenses related to an honorarium event unless the payment is from a lobbyist or principal.

(g) Employees acting as purchasing agents shall not directly or indirectly purchase, rent, or lease any realty, goods or services for the Lottery from a business in which the employee or the employee's spouse or child owns more than a 5% interest.

(h) Employees acting in a private capacity shall not rent, sell or lease realty, goods or services to the Lottery.

(i) Employees shall not accept employment that would create a conflict of interest between their private interests and the performance of their public duties, or accept other employment with any business entity subject to regulation by, or doing business with, the Lottery.

(j) Employees having decisionmaking authority shall not participate in any decision involving a vendor or retailer with whom they have a financial interest.

(k) Employees having decisionmaking authority shall not participate in any decision involving a vendor or retailer with whom they have discussed employment opportunities, without the prior approval of the Secretary.

(l) Purchase of lottery tickets by employees or any relatives residing in their household is strictly prohibited.

(6) Post-Employment Restrictions.

(a) Employees who became employed by the Lottery after July 1, 1989, who have authority over policy or procurement, shall not, for a period of two (2) years after retirement or termination, personally represent another person or entity for compensation before the Department, unless employed by another agency of state government.

(b) Employees shall not, for a period of two (2) years after retirement or termination, hold any employment or contractual relationship with a business entity other than a state agency in connection with any contract for contractual services that was within the employee's responsibility while employed by the Lottery.

(c) Employees are prohibited, after retirement or termination, from holding any employment or contractual relationship with a business entity other than a state agency in connection with any contract in which the employee participated personally and substantially through decision, approval, disapproval, recommendation, rendering of advice, or investigation while an employee of the Lottery.

(d) Employees shall not, for a period of one (1) year following cessation of employment with the Lottery, represent any vendor or retailer before the Lottery regarding any specific matter in which the employee was involved while employed by the Lottery.

(7) Statement of Financial Interests. A statement of financial interests shall be submitted on forms prescribed by the Commission on Ethics within thirty (30) days after employment, and by July 1 of each year thereafter, by all employees.

(8) All employees shall receive Code of Ethics training upon appointment and thereafter on an annual basis.

Specific Authority 24.105(20), 24.109(1) FS. Law Implemented 24.105(20), 24.105(19)(b), (c), 24.116(2), Chapter 112, Part III, FS. History--New 2-16-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 16, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2007-021-DAO-ROW), on February 15, 2007, to James W. Brownell and Bessie L. Landis. The petition for waiver was received by the SFWMD on November 6, 2006. Notice of receipt of the petition requesting the waiver was published in the issue Vol. 32, No. 47, F.A.W., on November 22, 2006. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing wood rail fence (located on top of the existing bulkhead) and a portion of an existing residence building to remain within the south right of way of C-6 adjacent to 8211 N. W. South River Drive; S11/T53S/R40E, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the