

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
64B1-4.001 Acupuncture Program Requirements
PURPOSE AND EFFECT: The Board proposes to clarify education requirements
SUBJECT AREA TO BE ADDRESSED: Update rule text.
RULEMAKING AUTHORITY: 457.104, 457.105 FS.
LAW IMPLEMENTED: 457.105, 457.1085 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: Kama Monroe, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Kama.Monroe@flhealth.gov.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:
61G5-30.001 Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes a rule amendment that provides notice to the public of the penalties that may be imposed for violations of Chapters 455 and 477, F.S., and cosmetology rules.
SUMMARY: This rule amendment clarifies violations, updates and clarifies penalties, and adds guidelines for statutory penalties that were not included in the existing rules.
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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.
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: 455.2273, 477.016 FS.
LAW IMPLEMENTED: 455.2273, 477.029(2) 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: Krista Woodard, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783, Krista.Woodard@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-30.001 Disciplinary Guidelines.

(1) The Board shall act in accordance with the following guidelines when it finds the enumerated violations in disciplinary cases. The Board shall impose a penalty within the range of each applicable disciplinary violation set forth below unless the Board finds one or more ~~an~~ aggravating or mitigating circumstances, in which case the Board may deviate from the guideline penalty. A penalty shall be imposed for each separate violation and/or offense. The penalty range indicated is for a single offense. A second or subsequent offense refers to a violation in which prior action has been taken by the Department either in the form of a citation, as set forth in Section 455.224, F.S. and Rule 61G5-30.004, or as prior discipline before the Board. Refer to the statutory and rule citations for a full description of each violation.

(2) VIOLATION	PENALTY RANGE
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	<p><u>For first and subsequent offenses unless otherwise indicated.</u></p>	<p><u>(c) A licensed salon or a person operating a salon that permits</u></p>	<p><u>1. For a violation involving a person providing services who was never licensed or registered in Florida, or whose license or registration has been suspended or revoked, a fine of \$250 to \$500. The second and subsequent offenses shall include salon suspension for up to 60 days or revocation.</u></p>
<p><u>(a) A person without an active license or registration who engages in the practice of, or holds oneself out to practice, cosmetology or a specialty. Unlicensed cosmetology or specialty practice. (Section 477.0265(1)(a) or 477.029(1)(a), F.S.)</u></p>	<p><u>1. For a person an individual who was never licensed or otherwise authorized to practice, or whose license or registration has been revoked, a fine of \$500.</u> <u>2. For a licensee or registrant who fails to properly renew and continues to provide services, a fine of \$10050 for every month or partial month during which the individual was delinquent, unlicensed, or unregistered, up to a maximum of \$500. A second delinquent offense shall include suspension for 60 days upon renewal, and a third offense shall include suspension for 90 days upon renewal, revocation, or denial of license.</u> <u>3. For a person who provides services with a suspended license or registration, a fine of \$500. A second offense shall include a consecutive suspension for up to 90 days. A third offense shall include a consecutive suspension for up to one year and/or revocation.</u></p>	<p><u>Permitting a person without a license or registration, unless exempt, to perform cosmetology services or any specialty services in the a salon. (Section 477.0265(1)(b)2., F.S., or Rule 61G5-20.001, F.A.C.)</u></p>	<p><u>2. For a violation involving a person providing services who failed to properly renew or whose exemption has terminated, a fine of \$10050 for every month or partial month during which the violation took place, up to a maximum of \$500.</u></p>
<p><u>(b) Operating an unlicensed salon or a salon otherwise not duly licensed; salon operating without a license. Unlicensed Salon and Delinquent Salon License. (Section 477.0265(1)(b)1., or 477.029(1)(b), or 477.025(1) F.S.)</u></p>	<p><u>1. For a salon that which has never been licensed, or for which the salon license has been suspended or revokedexpired, a fine of \$500.</u> <u>2. For a salon in which the license which has become delinquent, a fine of \$10050 for every month or partial month of delinquency during which the salon has operated, up to a maximum total of \$500.</u> <u>3. For a salon operating on a suspended license, a fine of \$500 and/or a consecutive suspension for up to 60 days. A second or subsequent violation shall include suspension for up to one year or revocation.</u> <u>2. For a salon operating on a revoked license: A fine of \$500 and/or refusal to certify to the department an application for licensure.</u></p>	<p><u>(d) A salon that permits Permitting an employee without a valid, active license or registration to practice cosmetology or a specialty—without being duly licensed, registered, or otherwise authorized. (Section 477.0265(1)(c)(d) or 477.029(1)(c), F.S.)</u></p>	<p><u>1. For employing a person who was never licensed or registered in Florida, whose license is suspended or revoked, or who is not exempt, a fine of \$250 to \$500. A second offense shall include suspension for up to 60 days. A third offense shall include suspension for up to one year or revocation.</u> <u>2. For employing a person who failed to properly renew or whose exemption has terminated, a fine of \$10050 for every month or partial month during which the person was employed, up to a maximum of \$500. A second offense shall include suspension for up to 60 days. A third offense shall include suspension for up to one year or revocation.</u></p>
		<p><u>(e) A person or salon who oObtains or attempts to obtain a license or registration for money, other than the required fee, or any other thing of value, or by fraud, fraudulent misrepresentations, or the use of false or forged information. (Section 477.0265(1)(d),</u></p>	<p><u>A fine of \$500 and denial or revocation of, or refusal to certify to the department an application for, a salon or cosmetology license or specialty the license or registration.</u></p>

<p>477.028(1), 477.028(2), or 477.029(1)(e), F.S.)</p>	
<p>(f) <u>A person who uses or attempts</u> Using or attempting to use a suspended or revoked cosmetology license or specialty registration to practice cosmetology or a specialty. (Section 477.0265(1)(e)(e) or 477.029(1)(g), F.S.))</p>	<p>1. <u>Suspended license: A fine of \$500 and/or a consecutive suspension for up to one additional year of a cosmetology any license or specialty registration, issued pursuant to Chapter 477, F.S., and/or revocation for a third or subsequent offense.</u> 2. <u>Revoked license: A fine of \$500 and/or refusal to certify to the department an application for licensure to practice the same profession or denial or revocation of license or registration.</u></p>
<p>(g) <u>A person who</u> advertis<u>ing</u> or implies<u>ing</u> that skin care services are related to massage therapy, except as allowed by statute. (Section 477.0265(1)(f), F.S.))</p>	<p>A fine of \$250<u>100 to \$200</u> for the first offense; a fine of \$500 for subsequent offenses.</p>
<p>(h) Use or possess a product containing a liquid nail monomer containing any trace of methyl methacrylate (MMA). (Section 477.0265(1)(g), F.S.))</p>	<p>1. <u>A fine of \$500 for the first salon offense and reinspection of the premises within two weeks of the issuance of the Final Order.</u> <u>For a second salon offenses, a fine of \$500 and suspension for up to 60 days with a reinspection of the premises prior to reinstatement of the license. For a third or subsequent salon offense, a fine of \$500 and suspension for up to 90 days with a reinspection of the premises prior to reinstatement of the license, and/or revocation for a subsequent offense.</u> 2. <u>A fine of \$500 for an individual offense.</u></p>
<p>(i) <u>Violate or refuse to comply with an Order of the Board or the Department.</u> (Section 477.029(1)(i), F.S.) License or registration obtained</p>	<p><u>A fine of \$500 and compliance within 30 days or within a time set by the Board.</u> <u>A fine of \$500 and revocation of the salon license, cosmetology license, or specialty registration.</u></p>

<p>by fraud or false or forged evidence. (Section 477.028(1)(a), 477.028(2)(a) or 477.029(1)(e), F.S.))</p>	
<p>(j) <u>A person or salon</u> g<u>Guilty</u> of fraud, deceit, gross negligence, incompetency, or misconduct in the practice or instruction of cosmetology or a specialty, or in operation of the salon. (Section 477.028(1)(b) or 477.028(2)(b), F.S.))</p>	<p>1. <u>For Fraud or Deceit – A fine of \$200 to \$500 and suspension for up to two years and/or revocation of the salon or license, cosmetology license, or specialty registration, or refusal to certify to the department an application for licensure to practice the same profession.</u> 2. <u>For Gross Negligence – A fine of \$500 and suspension followed by supervised probation as determined by the Board, or revocation of the salon or cosmetology license, or specialty registration, or refusal to certify to the department an application for licensure to practice the same profession.</u></p>
	<p>3. <u>For Incompetency or Misconduct – For the first offense, a fine of \$250 to \$500 for the holder of a cosmetology license or specialty registration, and/or the owner of the salon, and the Board shall specify up to 6 hours of continuing education in addition to any other continuing education requirement.</u> <u>For subsequent offenses, a fine of \$500 and suspension or revocation and/or refusal to certify to the department an application for licensure to practice the same profession.</u></p>
<p>(k) <u>A cosmetology or salon l</u>icense or <u>specialty</u> registration holder is guilty of aiding, assisting, procuring, or advising any unlicensed person to practice as a cosmetologist.</p>	<p>A fine of \$500<u>250</u> for the first offense. A fine of \$500 and/or revocation or suspension for up to one year or revocation of salon license, cosmetology license, or specialty registration for a subsequent offense.</p>

(Section 477.028(1)(c) or 477.028(2)(e), F.S.)	
(l) Person who presents the license of another as his or her own license. (Section 477.029(1)(d), F.S.)	A fine of \$500 and a reprimand for the first offense. A fine of \$500 for subsequent offenses and/or suspension or revocation, or refusal to certify to the department an application for licensure refusal to certify for licensure for a subsequent offense.
(m) A person who impersonates any other licenseholder of like or different name. (Section 477.029(1)(f), F.S.)	A fine of \$500 and a six 6 month suspension of any other license or registration held pursuant to Chapter 477, F.S., and/or refusal to certify to the department an application for licensure to practice the same profession.
(n) Failure to meet or maintain salon facility safety, sanitary, building code, or fire code requirements. (Rule 61G5-20.002(2)(c), (d), F.A.C.)	A fine of \$100 to \$500 and compliance within 60 days with reinspection; suspension of salon license upon failure to timely comply with facility requirements.
(o) Failure to meet minimum salon requirements for cleanliness, disinfection procedures, and log book. (Rule 61G5-20.002(3), (6) F.A.C.)	A fine of \$100 per violation for up to three violations. A fine of \$500 for four or more violations and suspension of the license pending successful reinspection prior to reinstatement of the license.
(p) Salon operated in the same licensed space allocation with any other business; lack of permanent wall separating salon. (Rule 61G5-20.002(4), F.A.C.)	Suspension of salon license until compliant as evidenced by successful reinspection prior to reinstatement of the license.
(q) Failure of a full or specialty salon to provide adequate floor space for services. (Rule 61G5-20.002(5), F.A.C.)	A fine of \$100 for each individual noncompliant service area up to a maximum of \$500 per inspection, with reinspection in two weeks; suspension until compliant after reinspection if not timely compliant.

(r) Person or salon violation of required display of licenses, inspection sheets, and/or consumer notices. (Rule 61G5-20.004, F.A.C.)	A fine of \$100 for each violation for the first offense; for subsequent offenses, a fine of \$250 for each violation up to a maximum of \$500.
(s) Practicing beyond the scope of a cosmetology license or specialty registration as set forth in Chapter 477 F.S. or the rules adopted thereto. (Section 455.227(1)(o), F.S.)	A fine of \$500 and/or suspension for up to six months for the first offense. For the second offense, a fine of \$500 and/or suspension for up to one year. For a third or subsequent offense, a fine of \$500 and suspension for one year and/or revocation of the license or registration under which the violation occurred.
(t) Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession. (Section 455.227(1)(c), F.S.)	A fine of \$500 and/or revocation for the first or second offense. For a subsequent offense, a fine of \$500 and/or suspension for up to six months of a salon or cosmetology license or specialist registration and/or revocation.
(u) Failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. (Section 455.227(1)(c), F.S.)	A fine of \$100 for the first offense. For a second failure to report, a fine of \$300. A fine of \$500 for each subsequent failure to report.
(v) Failing to report to the department any person who the licensee knows is in violation of the laws	A fine of \$500 for the first failure to report. For a second or subsequent failure to report, a fine of \$500 and/or suspension of a salon.

and rules of the department or the board. (Section 455.227(1)(t), F.S.)	cosmetology, or specialist license or registration for up to six months.
(w) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. (Section 455.227(1)(r), F.S.)	A fine of \$500 and/or suspension for up to six months for the first or second offense. For subsequent offenses including up to revocation.
(n) Violate or refuse to comply with:	
(x) Violate or refuse to comply with 1. Any provision of Chapter 455, F.S., or final order of the Board or the Department except as otherwise provided herein. (Section 477.029(1)(i), F.S.)	A fine of \$500 and/or suspension, revocation, or refusal to certify to the department for licensure.
(y) Violate or refuse to comply with 2. Any provision of Chapter 477, F.S., or a rule of the Board or the Department except as otherwise provided herein. (Section 477.029(1)(i), F.S.)	A fine of \$100 to \$300 200 for the first violation. A fine of \$300 to \$500 and/or suspension for up to 30 days for any subsequent violation. A fine of \$500 and/or suspension or revocation of license or registration for a <u>third or subsequent violation</u> refusal to comply.
3. Salon requirements subsections 61G5-20.002(3) (7), F.A.C., relating to sanitation and safety; or	A fine of \$50 per violation for less than three violations. A fine of \$250 for three to four violations. A fine of \$500 for five or more violations, and suspension of the license with a reinspection prior to reinstatement of the license. A fine of \$250 for a salon operating without proper disinfection practices.
4. Display of documents Rule 61G5-20.004, F.A.C., relating to display of	A fine of \$100 for each violation for the first offense. A fine of \$200 to \$300 for each subsequent offense.

licenses and inspection sheets. (Section 477.029(1)(h) (i), F.S.)	
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(3) Based upon consideration of the following factors, the Board may impose disciplinary action other than the penalties recommended above:

- (a) Through (b) No Change.
- (c) The number of prior complaints filed against the licensee;
- (d) Through (l) No Change.
- (m) Penalties imposed for related offenses under subsection ~~(2)(4)~~, above;
- ~~(n) Any other mitigating or aggravating circumstances.~~
- (4) Through (5) No Change.

(6) In every case the Board imposes a monetary fine and/or assesses costs, it shall also suspend the Respondent's license(s). However, to enable the Respondent to pay the fine, the suspension shall be stayed for the time period specified in the Board's final order in accordance with Rule 61G5-17.016, F.A.C. If the fine and costs are ~~is~~ paid within that time period, the suspension shall not take effect; if the fine is not paid within that time period, then the stay shall expire and the suspension shall take effect. Thereafter, upon payment of the fine, the suspension shall be lifted.

Rulemaking Authority 455.2273, 477.016 FS. Law Implemented 455.2273, 477.013, 477.025, 477.0265, 477.028, 477.029~~(2)~~ FS. History—New 10-20-86, Amended 10-18-87, 1-10-90, 1-30-92, 4-15-93, Formerly 21F-30.001, Amended 4-23-02, 5-29-06, 7-18-13, 11-22-20, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2021
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 17, 2021

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 RULE NOS.: RULE TITLES:
 62-304.415 Lower St. Johns River Basin TMDLs
 62-304.515 Kissimmee River Basin TMDLs
 PURPOSE AND EFFECT: The purpose of these rules is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for certain waters impaired for nutrients in the Lower St. Johns River Basin and Kissimmee River Basin.
 SUMMARY: These TMDLs address certain dissolved oxygen impairments in the Lower St. Johns River Basin, and certain nutrient impairments in the Kissimmee River Basin.

Specifically, the dissolved oxygen TMDL rule being proposed for adoption in the Lower St. Johns River Basin is for Haw Creek above Crescent Lake (WBID 2622A). This waterbody was verified for a dissolved oxygen impairment using the methodology established in Chapter 62-303, F.A.C. This rulemaking for Haw Creek has been given an OGC case number 20-1054.

Additionally, the nutrient TMDL rules being proposed for adoption in the Kissimmee River Basin are for Lake Condel (WBIDs 3168X5) and Lake Anderson (WBID 3168E). These waterbodies were verified for nutrients impairment using the methodology established in Chapter 62-303, F.A.C. This rulemaking for Lakes Condel and Anderson has been given an OGC case number 21-0418.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 been prepared by the Agency.

The SERCs estimate that there be total costs after implementation of the rules of \$3,915,212 per year for Haw Creek above Crescent Lake; and, \$1,492,100 and \$1,864,800 per year for Lakes Condel and Anderson, respectively. The majority of the estimated costs are expected to be borne by governmental and agricultural entities in the watersheds.

Pursuant to paragraph 403.067(6)(c), Florida Statutes, the proposed rules do not require legislative ratification.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: Ansel Bubel, Division of Environmental Assessment and Restoration, Water Quality Evaluation and TMDL Program, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8072.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.415 Lower St. Johns River Basin TMDLs
(1) through (51) No change.

(52) Haw Creek above Crescent Lake. The DO TMDL for Haw Creek above Crescent Lake is a seven-year average of annual loads of 504,043 lbs/year TN and 21,880 lbs/year TP, and is allocated as follows:

(a) The WLA for wastewater point sources is not applicable;

(b) The WLA for discharges subject to the Department's NPDES MS4 Permitting Program is a 28 % reduction of TN (calculated from 680,261 lbs/year) and a 62 % reduction of TP (calculated from 55,813 lbs/year), which are based on the highest seven-year average of annual loads from the 2004 – 2015 period; and

(c) The LA for nonpoint sources is a 28 % reduction of TN (calculated from 680,261 lbs/year) and a 62 % reduction of TP (calculated from 55,813 lbs/year), which are based on the highest seven-year average of annual loads from the 2004 – 2015 period.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 12-3-03, Amended 5-15-06, 6-3-08, 7-27-09, 11-2-09, 7-21-10, 5-30-17, 5-9-21, _____.

62-304.515 Kissimmee River Basin TMDLs.

(1) through (14) No change.

(15) Lake Condel. The nutrient TMDL for Lake Condel is an AGM concentration of 1.05 mg/L TN and 0.03 mg/L TP, and is allocated as follows:

(a) The WLA for wastewater point sources is not applicable;

(b) The WLA for discharges subject to the Department's NPDES MS4 Permitting Program is a 59 % reduction of TN (calculated from 2.55 mg/L) and 86 % reduction of TP (calculated from 0.21 mg/L), which are based on the highest AGM concentrations from the 2000 – 2015 period; and

(c) The LA for nonpoint sources is 59 % reduction of TN (calculated from 2.55 mg/L) and 86 % reduction of TP (calculated from 0.21 mg/L), which are based on the highest AGM concentration from the 2000 – 2015 period.

(16) Lake Anderson. The nutrient TMDL for Lake Anderson is an AGM concentration of 1.05 mg/L TN and 0.03 mg/L TP, and is allocated as follows:

(a) The WLA for wastewater point sources is not applicable;

(b) The WLA for discharges subject to the Department's NPDES MS4 Permitting Program is a 22 % reduction of TN (calculated from 1.34 mg/L) and 52 % reduction of TP (calculated from 0.06 mg/L), which are based on the highest AGM concentrations from the 2000 – 2015 period; and

(c) The LA for nonpoint sources is 22 % reduction of TN (calculated from 1.34 mg/L) and 52 % reduction of TP (calculated from 0.06 mg/L), which are based on the highest AGM concentration from the 2000 – 2015 period.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 12-17-13, Amended 11-15-18, 1-30-20, 5-9-21, 11-9-21,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Espy, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shawn Hamilton, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 08, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 2, 2021.

DEPARTMENT OF JUVENILE JUSTICE

Division of Administration

RULE NO.: RULE TITLE:
63F-14.001 Claims for Restitution

PURPOSE AND EFFECT: The rule implements ch. 2021-131, Laws of Florida, which amended section 402.181, Florida Statutes, making the department responsible for processing claims for injuries and damages caused by youth in department care and custody.

SUMMARY: The rule provides a claims process and incorporates a form by which claims can be filed.

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 SERC Checklist and current information available to the Department indicates that the statutory threshold for ratification will not be exceeded.

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:

LAW IMPLEMENTED:

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, December 28, 2021, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr. Ste. 3200, Tallahassee, FL 32399-3100, email: john.milla@fldjj.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

63F-14.001 Claims for Restitution

(1) The following definitions shall be used for the purpose of addressing restitution claims:

(a) "Claimant" means any person who submits a restitution claim alleging property damages or direct medical expenses for injuries caused by youth in the care and custody of the department.

(b) "Incident" means the occurrence of property damage or injury resulting from the same or similar event or occurrence in time.

(c) "Preponderance of the evidence" means the party bearing the burden of proof must present evidence which shows that the fact to be proven is more probable than not.

(d) "Restitution" means recompense for injury or loss.

(e) "Restitution claim" means any reimbursement claim resulting from property damage or injury caused by a youth that has not been restored or recompensed through another entitlement.

(f) "Youth" means any person in the care and custody of the department.

(2) A claimant filing a restitution claim with the department under section 402.181, Florida Statutes, has the burden to provide a preponderance of the evidence to establish:

(a) that the action(s) of a youth is the direct cause of claimant's property damage or injury and

(b) the monetary amounts of the claimant's damages.

(3) Only one claim can be submitted per claimant per incident.

(4) The maximum restitution amount per claimant per incident may not exceed \$1,000.00.

(5) Restitution claims must be submitted to the department using the "State Institution Claims Program Form" (ADFA-001, Sept. 23, 2021) available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, incorporated by reference.

(a) A complete State Institution Claims Program Form must be received by the department, in accordance with the instructions on the form, within 90 calendar days from the date of the incident that caused the property damage or medical

injury. Any Form received after 90 calendar days of the incident must be denied.

(b) The State Institution Claims Program Form is considered complete when it is received by the department with all required fields filled out, including all required documentation attached.

(c) Once the department has received a complete State Institution Claims Program Form, it must resolve the claim within 60 calendar days. The 60 days may be tolled:

1. For 21 calendar days from the date the department issues a request for additional information to the claimant or legal representative. If the department has not received the additional information within the 21 calendar days, it will resolve the claim based solely upon the information it has been provided.

2. Whenever a claimant requests compensation for the same incident not pursuant to section 402.181, Florida Statutes, for the period of time until such claim is resolved and until the department is notified thereof by claimant.

Rulemaking Authority 402.181(3) F.S. Law Implemented 402.181, F.S. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Sandra Sidwell, Chief of Finance and Accounting
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Josefina Tamayo, Acting Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 19, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 8, 2021

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.: RULE TITLE:
2ER21-1 Private Employer Vaccination Mandate Complaints

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to section 381.00317(6), Florida Statutes, the Department is not required to make findings of an immediate danger to the public, health, safety, or welfare as all conditions are deemed met to adopt emergency rules pursuant to section 120.54(4), Florida Statutes.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Pursuant to section 381.00317(6), Florida Statutes, the procedures are deemed fair under the circumstances.

SUMMARY: The rule establishes the procedure for private employer vaccination mandate complaints pursuant to 381.00317(3) and (4), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Edward Tellechea, Chief Assistant Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399-1050, by email at Ed.Tellechea@myfloridalegal.com; or Lynette Norr, Senior Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399-1050, by email at Lynette.Norr@myfloridalegal.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

2ER21-1 Private Employer Vaccination Mandate Complaints.

(1) Definitions – As used in this rule and Section 381.00317, F.S.:

(a) The “department” means the Department of Legal Affairs.

(b) “Employee” means any person who receives remuneration from a private employer for the performance of any work or service occurring within this state while engaged in any employment under any appointment or contract for hire or apprenticeship, express or implied, oral, or written, whether lawfully or unlawfully employed, and includes, but is not limited to, aliens and minors. The definition of “employee” does not include someone who is an independent contractor, a volunteer, or someone who serves in a private nonprofit agency without compensation other than expenses.

(c) The term “independent contractor” as used in subsection (1)(b) of this rule means any person within this state who either:

1. meets four or more of the following:
a. maintains a separate business with his or her own work facility, truck, equipment, materials, or similar accommodations apart from the private employer;

b. holds or has applied for a federal employer identification number;

c. receives compensation for services rendered or work performed and such compensation is paid to a business, other than the private employer, rather than to an individual;

d. holds one or more bank accounts in the name of a business entity, other than the private employer for purposes of paying business expenses or other expenses related to services rendered or work performed for compensation;

e. performs work or is able to perform work for any entity in addition to or besides the private employer at his or her own

election without the necessity of completing an employment application or process; or

f. receives compensation for work or services rendered on a competitive-bid basis or completion of a task or a set of tasks as defined by a contractual agreement, unless such contractual agreement expressly states that an employment relationship exists; or

2. based on the nature of the situation satisfies any of the following conditions:

a. The person performs or agrees to perform specific services or work for a specific amount of money and controls the means of performing the services or work;

b. The person incurs the principal expenses related to the service or work that he or she performs or agrees to perform;

c. The person is responsible for the satisfactory completion of the work or services that he or she performs or agrees to perform;

d. The person receives compensation for work or services performed for a commission or on a per-job basis and not on any other basis;

e. The person may realize a profit or suffer a loss in connection with performing work or services;

f. The person has continuing or recurring business liabilities or obligations;

g. The success or failure of the person's business depends on the relationship of business receipts to expenditures.

(d) "Private employer" means any person, sole proprietorship, partnership, limited partnership, limited liability partnership, limited liability company, corporation, or any similar legal entity who employs employees within this state. The definition of "private employer" includes the legal representative of a deceased person, the receiver or trustees of any person or business entity, employment agencies, employee leasing companies, and similar agents who provide employees to other persons. The definition of "private employer" does not include the United States, its agencies, the state or any political subdivision thereof, including the executive, legislative, and judicial branches of government, the independent establishments of the state, counties, municipalities, districts, authorities, boards, or commissions, any agencies that are subject to chapter 286 of the Florida Statutes, educational institution as defined in Florida Statutes §112.0441, or a corporation or legal entity created by act of the legislature or ordinance by a governmental entity.

(e) "Functional equivalent of termination" as used in Section 381.00317(4), F.S., shall be found when it is determined that (i) the employee resigned under duress; or (ii) the employer, through its actions, made working conditions so difficult or intolerable that a reasonable person in the employee's position would feel compelled to resign.

(2) The department shall investigate a legally sufficient complaint alleging a violation of Section 381.00317, F.S., or any rule adopted thereunder. The complaint must be submitted on form VAX 1, titled "Private Employer Vaccination Mandate Complaint," (12/21), which is hereby incorporated by reference and _____ available _____ at <http://myfloridalegal.com/vaxmandate/webform>. A complete complaint may be submitted either electronically at <http://myfloridalegal.com/vaxmandate/webform>, a paper hard copy of the complaint form may be obtained at <http://myfloridalegal.com/vaxmandate/paper> and submitted via email to: vaxmandate@myfloridalegal.com, or a paper hard copy may be mailed to: The Department of Legal Affairs, Private Employer Vaccine Mandate Program, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

(3) Complainants who submit an incomplete complaint shall be notified in writing and will have thirty (30) days from the date of the notice of incompleteness to submit to the Department the missing information or materials. Failure to timely provide the requested missing information or materials shall result in dismissal of the complaint.

(4) A complaint is legally sufficient if it contains all the information required by the complaint form and ultimate facts that demonstrate that a violation of Section 381.00317, F.S., or any rule adopted thereunder, has occurred. In order to determine legal sufficiency, the department may require supporting information or documentation. When an investigation of any subject is undertaken, the department shall promptly furnish to the subject a copy of the complaint that resulted in the initiation of the investigation. The subject may submit a written response to the information contained in such complaint or document within twenty (20) days after service to the subject of the complaint or document. The subject's written response shall be considered by the department when determining if there is probable cause.

(5) When its investigation is complete and legally sufficient, the department shall prepare and submit to the Attorney General's designee the department's investigative report. The report shall contain the investigative findings and the recommendations of the department concerning the existence of probable cause. Upon review of the investigative findings and recommendations, the designee shall either find that there is probable cause that one or more violations of Section 381.00317, F.S., or any rule adopted thereunder, has occurred or that there is insufficient evidence to support a finding of probable cause and that the complaint should be dismissed. If probable cause is found, the department shall file a formal administrative complaint against the subject that complies with Rule 28-106.2015, F.A.C., and prosecute that complaint pursuant to Chapter 120, F.S., and Rule Chapter 28-106, F.A.C.

(6) An evidentiary hearing before an administrative law judge from the Division of Administrative Hearings shall be held pursuant to Section 120.57(1), F.S., if there are any disputed issues of material fact. The department shall have the burden to prove the allegations contained in the complaint by a preponderance of evidence. The administrative law judge shall issue a recommended order pursuant to Section 120.57(1), F.S., and the department shall determine and issue the final order in each case which shall constitute final agency action. The penalty set forth in the final order shall be imposed in accordance with Section 381.00317(4)(a) and (b), F.S.

(7) The department may resolve a complaint pursuant to Section 120.57(4), F.S., and impose a penalty through informal disposition by consent order.

(8) The department shall periodically notify the person who filed the complaint of the status of the investigation, indicating whether probable cause has been found and the status of the administrative proceeding or appeal. When probable cause has been found, the department shall provide to the person who filed the complaint a copy of the administrative complaint and:

(a) A written explanation of how an administrative complaint is resolved by the adjudicative process.

(b) A written explanation of how and when the person may participate in the adjudicative process.

(c) A written notice of any hearing before the Division of Administrative Hearings.

(9) When probable cause is not found, the department shall so inform the person who filed the complaint and notify that person that he or she may, within 30 days, provide any additional information to the department which may be relevant to the decision. To facilitate the provision of additional information, the person who filed the complaint may receive, upon request, a copy of the investigative report that supported the recommendation for closure. In any administrative proceeding under Section 120.57(1), F.S., the person who filed the complaint shall have the right to present oral or written communication relating to the alleged violations or to the appropriate penalty.

Rulemaking Authority 381.00317(6) FS. Law Implemented 381.00317(3), (4), (5) FS. History—New

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: December 2, 2021

DEPARTMENT OF THE LOTTERY

RULE NUMBER: 53ER21-61 RULE TITLE: GOLD RUSH SUPREME BONUS PLAY PROMOTION AMENDMENT

SUMMARY OF THE RULE: This emergency rule describes the GOLD RUSH SUPREME BONUS PLAY PROMOTION AMENDMENT. The rule amends Emergency Rule 53ER21-8 Gold Rush Supreme Bonus Play Promotion, F. A. C., to increase the number of coupons awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-61 GOLD RUSH SUPREME BONUS PLAY PROMOTION AMENDMENT

(1) The table in subsection (2)(c) (Coupons) of Emergency Rule 53ER21-8 Gold Rush Supreme Bonus Play Promotion is replaced in its entirety with:

Coupon Award	Total Number of Coupons
\$1.00 Scratch-Off Coupon	204,393
\$5.00 Scratch-Off Coupon	150,000
\$10.00 Scratch-Off Coupon	106,546
\$25.00 Cash Coupon	106,729
Total	567,668

(2) Except as provided herein, all other provisions of Rule 53ER21-8 shall remain in full force and effect.

Rulemaking Authority 24.105(9), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9), 24.107, 24.115(1) FS. History- New 12-1-21.

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: 12/1/2021

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-62 RULE TITLE: Game Number 1502, PERFECT 10s

SUMMARY OF THE RULE: This emergency rule describes Game Number 1502, "PERFECT 10s," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney,

Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-62 Game Number 1502, PERFECT 10s.

(1) Name of Game. Game Number 1502, PERFECT 10s.

(2) Game Number 1502, PERFECT 10s is a Scratch-Off lottery game (also known as an instant lottery game).

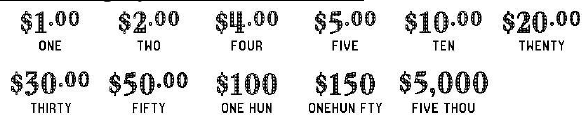
(3) Price. PERFECT 10s lottery tickets sell for \$1.00 per ticket.

(4) PERFECT 10s 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 PERFECT 10s lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, *Payment of Prizes*, F.A.C.

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



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



(7) The legend is:

PLAY AREA

(8) Determination of Prizewinners.

(a) A ticket having a 10HIN play symbol and play symbol caption in the play area shall entitle the prizewinner to the prize

shown for that symbol. A ticket having a 10HINALL play symbol and play symbol caption in the play area shall entitle the prizewinner to all six prizes shown.

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

(9) The odds of winning, value, and number of prizes in Game Number 1502 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 74.16 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	11.11	1,601,991
\$1 x 2	\$2	25.00	711,930
\$2	\$2	33.33	533,979
\$1 x 4	\$4	100.00	177,993
(\$1 x 2) + \$2	\$4	149.97	118,689
\$2 x 2	\$4	299.64	59,403
\$4	\$4	299.86	59,358
(\$1 x 3) + \$2	\$5	500.60	35,556
(\$2 x 2) + \$1	\$5	500.30	35,577
\$4 + \$1	\$5	499.59	35,628
\$5	\$5	500.39	35,571
(\$1 x 5) + \$5 (MONEYBAG)	\$10	750.65	23,712
(\$1 x 2) + (\$4 x 2)	\$10	750.65	23,712
\$5 + \$4 + \$1	\$10	499.71	35,619
\$5 x 2	\$10	749.13	23,760
\$10	\$10	749.51	23,748
(\$1 x 2) + (\$4 x 2) + (\$5 x 2) (MONEYBAG)	\$20	1,500.91	11,859
\$1 + \$4 + \$5 + \$10	\$20	749.32	23,754
(\$5 x 2) + \$10	\$20	1,499.01	11,874
\$10 x 2	\$20	1,502.81	11,844
\$20	\$20	1,502.81	11,844
\$5 x 6 (MONEYBAG)	\$30	4,365.78	4,077
(\$5 x 2) + \$20	\$30	6,003.14	2,965
\$10 + \$20	\$30	6,037.75	2,948
(\$10 x 2) + (\$5 x 2)	\$30	5,948.96	2,992
\$30	\$30	6,007.19	2,963
(\$10 x 4) + (\$5 x 2) (MONEYBAG)	\$50	6,931.19	2,568
(\$5 x 2) + (\$10 x 2) + \$20	\$50	8,006.88	2,223
(\$20 x 2) + (\$5 x 2)	\$50	8,010.49	2,222
\$30 + \$20	\$50	9,492.96	1,875
\$50	\$50	9,678.79	1,839
(\$10 x 5) + \$50 (MONEYBAG)	\$100	9,595.31	1,855
(\$30 x 2) + (\$20 x 2)	\$100	16,137.17	1,103
\$50 + \$30 + \$20	\$100	16,093.40	1,106
\$50 x 2	\$100	15,920.66	1,118
\$100	\$100	14,182.71	1,255
(\$50 x 2) + (\$20 x 2) + (\$5 x 2) (MONEYBAG)	\$150	123,606.25	144
\$50 x 3	\$150	119,458.39	149

(\$50 x 2) + (\$20 x 2) + \$10	\$150	117,876.16	151
\$100 + \$50	\$150	121,913.01	146
\$150	\$150	121,913.01	146
\$5,000	\$5,000	556,228.13	32

(10) The overall odds of winning some prize in Game Number 1502 are 1 in 4.89. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Game Number 1502, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for PERFECT 10s lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 12-2-21.

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

Effective date: 12/2/2021

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-63
 RULE TITLE: Game Number 1503, 2022 TAXES PAID
 SUMMARY OF THE RULE: This emergency rule describes Game Number 1503, "2022 TAXES PAID," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.
 THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-63 Game Number 1503, 2022 TAXES PAID.

- (1) Name of Game. Game Number 1503, 2022 TAXES PAID.
- (2) Game Number 1503, 2022 TAXES PAID is a Scratch-Off lottery game (also known as an instant lottery game).
- (3) Price. 2022 TAXES PAID lottery tickets sell for \$2.00 per ticket.

(4) 2022 TAXES PAID 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 2022 TAXES PAID lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, *Payment of Prizes, F.A.C.*

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

1 ONE	2 TWO	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
									

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

1 ONE	2 TWO	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY

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

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 THIRTY FIVE	\$40.00 FORTY
\$50.00 FIFTY	\$100 ONE HUNDRED	\$200 TWO HUNDRED	\$250 TWO HUNDRED FIFTY	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	 FREE \$500/TAXES PAID	

(8) The play symbols and play symbol captions that may appear in the BONUS SPOT play area are as follows:

1 ONE	2 TWO	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
 WIN									

(9) The prize symbols and prize symbol captions that may appear in the BONUS SPOT play area are as follows:



\$1.00 ONE	\$4.00 FOUR	\$20.00 TWENTY	\$40.00 FORTY	\$50.00 FIFTY	\$100 ONE HUNDRED
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(10) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
BONUS	

(11) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a  symbol in the YOUR NUMBERS play area shall entitle the prizewinner to two times the prize shown for that symbol. A ticket having a  symbol in the YOUR NUMBERS play area shall entitle the prizewinner to three times the prize shown for that symbol.



(b) **BONUS SPOT.** A ticket having a **WIN** play symbol and corresponding play symbol caption in the **BONUS SPOT** play area shall entitle the prizewinner to the prize shown in the **BONUS SPOT** play area.

(c) A player may win up to eleven (11) times on a ticket.

(12) **Top Prize.** A player who wins a Top Prize of “\$50,000.00/Taxes Paid” will have an estimated reportable taxable value of \$65,789.47 on the Top Prize, which is the \$50,000.00 prize plus the Federal income tax withholding paid (24%) by the Lottery for a U.S. citizen or legal U. S. resident. Pursuant to applicable provisions of the Internal Revenue Code Federal, income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%). Therefore, a nonresident alien prizewinner will have an additional amount withheld from the \$50,000.00 prize prior to issuance of the prize to him/her. Aside from set forth herein, a player is solely responsible for any additional Federal, State, and/or local tax, and/or other costs and taxes.

(13) The odds of winning, value, and number of prizes in Game Number 1503 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 98.63 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.71	1,657,594
\$1 + \$1 (3X)	\$4	50.03	354,834
\$1 (MONEYROLL) + \$2	\$4	74.92	236,966
\$2 (MONEYROLL)	\$4	50.03	354,834
\$4	\$4	49.97	355,326
\$1 x 5	\$5	375.19	47,320
\$1 (3X) + \$2	\$5	375.94	47,226
\$2 (MONEYROLL) + \$1	\$5	374.70	47,382
\$1 + \$4 (STAR)	\$5	375.19	47,320
\$5	\$5	373.99	47,472
\$1 x 10	\$10	250.13	70,978
\$2 (MONEYROLL) + \$2 (3X)	\$10	249.92	71,040
\$2 (3X) + \$4	\$10	250.45	70,888
\$5 (MONEYROLL)	\$10	249.92	71,040
\$10	\$10	249.59	71,134
\$1 + \$1 (STAR) + (\$2 x 9)	\$20	755.30	23,506
\$5 + \$5 (3X)	\$20	748.48	23,720
\$4 (MONEYROLL) + \$4 (3X)	\$20	750.32	23,662
\$10 (MONEYROLL)	\$20	750.44	23,658
\$20	\$20	745.53	23,814
(\$2 x 10) + \$20 (STAR)	\$40	748.77	23,711

\$5 (MONEYROLL) + \$10 (3X)	\$40	750.19	23,666
\$10 (MONEYROLL) + \$20	\$40	747.85	23,740
\$20 (MONEYROLL)	\$40	748.36	23,724
\$40	\$40	749.27	23,695
(\$5 x 8) + (\$10 x 2) + \$40 (STAR)	\$100	3,275.65	5,420
\$20 (3X) + \$40 (STAR)	\$100	3,604.14	4,926
\$20 (MONEYROLL) + \$20 (3X)	\$100	3,650.83	4,863
\$20 + \$40 (MONEYROLL)	\$100	3,584.49	4,953
\$100	\$100	3,596.11	4,937
(\$10 x 10) + \$100 (STAR)	\$200	36,085.37	492
(\$25 x 2) + \$50 (3X)	\$200	35,939.27	494
\$25 (MONEYROLL) + \$50 (3X)	\$200	30,193.88	588
\$100 (MONEYROLL)	\$200	30,193.88	588
\$200	\$200	36,530.86	486
\$50 + \$50 (STAR) + (\$100 x 9)	\$1,000	179,333.33	99
\$200 (MONEYROLL) + \$200 (3X)	\$1,000	183,030.93	97
\$500 (MONEYROLL)	\$1,000	183,030.93	97
\$50 + \$100 (MONEYROLL) + \$250 (3X)	\$1,000	179,333.33	99
\$1,000	\$1,000	172,368.93	103
\$50,000	\$50,000	1,479,500.00	12

(14) The overall odds of winning some prize in Game Number 1503 are 1 in 4.65. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(15) For reorders of Game Number 1503, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(16) Payment of prizes for 2022 TAXES PAID lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 12-2-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS LATER TIME AND DATE IS SPECIFIED IN THE RULE.
Effective date: 12/2/2021

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-64 RULE TITLE: Game Number 1504, LOTERIATM
SUMMARY OF THE RULE: This emergency rule describes Game Number 1504, “LOTERIATM” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of

prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-64 Game Number 1504, LOTERIA™.

(1) Name of Game. Game Number 1504, LOTERIA™.

(2) Game Number 1504, LOTERIA™ is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. LOTERIA™ lottery tickets sell for \$2.00 per ticket.

(4) LOTERIA™ 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 LOTERIA™ lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, Payment of Prizes, F.A.C.

(5) The play symbols and play symbol captions that may appear in the CALLER'S CARDS play area or the BONUS CALLER'S CARD play area are as follows:



(6) The legends are as follows:

CALLER CARDS BONUS CALLER CARD

(7) Determination of Prizewinners.

(a) There are fourteen CALLER'S CARDS and one BONUS CALLER'S CARD on each LOTERIA™ ticket. All fifteen caller cards are used to play the game. Players match the play symbols and corresponding play symbol captions on the CALLER'S CARDS and BONUS CALLER'S CARD to the play symbols and corresponding play symbol captions on the PLAYING BOARD. A ticket having a total of four matching

play symbols and corresponding play symbol captions in any one complete horizontal, vertical, or diagonal line shall entitle the claimant to the prize shown for that line.

(b) The possible prizes are \$2, \$5, \$10, \$20, \$40, \$100, \$200, \$400, \$10,000, and \$30,000.

(c) A player may win up to three (3) times on a ticket.

(8) The odds of winning, value, and number of prizes in Game Number 1504 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 551.32 POOLS OF 120,000 TICKETS PER POOL
\$2	\$2	9.37	7,057,018
\$5	\$5	13.64	4,851,510
\$10	\$10	74.98	882,352
\$5 + \$10	\$15	150.07	440,835
\$20	\$20	150.00	441,052
\$5 + \$20	\$25	450.15	146,969
\$10 + \$20	\$30	225.08	293,932
\$40	\$40	1,799.14	36,772
\$10 + \$40	\$50	3,598.66	18,384
\$10 + \$20 + \$40	\$70	3,595.14	18,402
\$100	\$100	890.70	74,276
\$5 + \$20 + \$100	\$125	7,213.02	9,172
\$10 + \$40 + \$100	\$150	22,335.52	2,962
\$200	\$200	7,182.48	9,211
\$5 + \$20 + \$200	\$225	59,281.18	1,116
\$10 + \$40 + \$200	\$250	59,979.87	1,103
\$100 + \$200	\$300	59,547.97	1,111
\$40 + \$100 + \$200	\$340	91,001.10	727
\$400	\$400	89,766.35	737
\$10,000	\$10,000	2,067.431.25	32
\$30,000	\$30,000	3,307.890.00	20

(9) The overall odds of winning some prize in Game Number 1504 are 1 in 4.63. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Game Number 1504, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for Game Number 1504, LOTERIA™ lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS.
Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New
12-2-21.

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

Effective date: 12/2/2021

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-65
RULE TITLE: Game Number 1505, WIN IT ALL
SUMMARY OF THE RULE: This emergency rule describes Game Number 1505, "WIN IT ALL," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-65 Game Number 1505, WIN IT ALL.

(1) Name of Game. Game Number 1505, WIN IT ALL.

(2) Game Number 1505, WIN IT ALL is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. WIN IT ALL lottery tickets sell for \$5.00 per ticket.

(4) WIN IT ALL 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 WIN IT ALL lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-34, Payment of Prizes, F.A.C.

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

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN
15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY	21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT
29 TWENTYNINE	30 THIRTY	31 THIRTYONE	32 THIRTYTWO	33 THIRTYTHREE	34 THIRTYFOUR	5X FIFTY PERCENT	10X ONE HUNDRED PERCENT	20X TWO HUNDRED PERCENT					

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

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN
15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY	21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT
29 TWENTYNINE	30 THIRTY	31 THIRTYONE	32 THIRTYTWO	33 THIRTYTHREE	34 THIRTYFOUR								

(7) The play symbols and play symbol captions that may appear in the WIN IT ALL NUMBER play area are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN
15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY	21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT
29 TWENTYNINE	30 THIRTY	31 THIRTYONE	32 THIRTYTWO	33 THIRTYTHREE	34 THIRTYFOUR								

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

\$1.00 ONE DOLLAR	\$2.00 TWO DOLLARS	\$4.00 FOUR DOLLARS	\$5.00 FIVE DOLLARS	\$10.00 TEN DOLLARS	\$20.00 TWENTY DOLLARS	\$25.00 TWENTY FIVE DOLLARS	\$40.00 FORTY DOLLARS	\$50.00 FIFTY DOLLARS
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(9) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS	WIN IT ALL NUMBER
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(10) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a ^{5X} play symbol and corresponding play symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to five times the prize shown for that symbol.

A ticket having a ^{10X} play symbol and corresponding play symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to ten times the prize shown for that symbol. A

ticket having a ^{20X} play symbol and corresponding play symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to twenty times the prize shown for that symbol.

(b) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches the play symbol and corresponding play symbol caption in the WIN IT ALL NUMBER play area shall entitle the prizewinner to all twelve prizes shown.

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

(11) The odds of winning, value, and number of prizes in Game Number 1505 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNER S IN 155.08 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	1,860,799
\$5 x 2	\$10	37.50	496,274
\$2 (5X)	\$10	30.01	620,189
\$1 + \$4 + \$5	\$10	59.99	310,198

\$10	\$10	29.99	620.453
\$2 x 10	\$20	299.68	62.100
\$2 (5X) + (\$5 x 2)	\$20	150.01	124.062
\$5 x 4	\$20	299.80	62.074
\$10 x 2	\$20	300.24	61.983
\$20	\$20	299.93	62.049
\$5 x 5	\$25	1,200.81	15.498
\$5 (5X)	\$25	599.36	31.050
\$2 (5X) + \$5 + \$10	\$25	600.19	31.007
\$5 + (\$10 x 2)	\$25	1,200.11	15.507
\$25	\$25	1,196.94	15.548
\$5 x 8	\$40	1,500.93	12.399
\$10 x 4	\$40	1,503.24	12.380
\$2 (20X)	\$40	1,206.49	15.425
\$20 x 2	\$40	1,499.72	12.409
\$40	\$40	1,500.45	12.403
\$5 x 10	\$50	6,042.23	3.080
\$5 (10X)	\$50	4,820.02	3.861
\$10 (5X)	\$50	4,796.41	3.880
\$2 (20X) + \$10	\$50	3,991.01	4.663
\$50	\$50	5,997.45	3.103
(\$10 x 8) + (\$5 x 4) (WIN IT ALL)	\$100	1,260.85	14.760
(\$5 x 10) + (\$25 x 2)	\$100	1,716.48	10.842
\$10 (5X) + (\$10 x 5)	\$100	1,597.29	11.651
\$10 (10X)	\$100	1,595.92	11.661
\$25 x 4	\$100	1,709.86	10.884
\$5 (20X)	\$100	1,597.57	11.649
\$100	\$100	2,393.58	7.775
(\$10 x 11) + \$40 (WIN IT ALL)	\$150	7,038.61	2.644
(\$5 x 2) + (\$10 x 6) + (\$20 x 4)	\$150	9,983.95	1.864
\$10 (10X) + \$50	\$150	10,021.58	1.857
\$5 (20X) + \$10 + \$40	\$150	10,064.94	1.849
\$50 x 3	\$150	12,022.02	1.548
\$150	\$150	12,076.63	1.541
(\$20 x 10) + (\$100 x 2) (WIN IT ALL)	\$400	12,068.79	1.542
\$20 (10X) + \$40 (5X)	\$400	15,044.53	1.237
\$20 (5X) + (\$50 x 6)	\$400	14,959.87	1.244
\$20 (20X)	\$400	15,279.21	1.218
\$200 x 2	\$400	15,044.53	1.237
\$400	\$400	19,946.50	933
(\$100 x 8) + (\$50 x 4) (WIN IT ALL)	\$1,000	20,075.60	927
\$100 (10X)	\$1,000	60,226.80	309
\$100 (5X) + (\$100 x 5)	\$1,000	59,079.62	315
\$50 (20X)	\$1,000	60,619.15	307
\$200 + (\$400 x 2)	\$1,000	61,217.37	304
\$1,000	\$1,000	58,706.88	317
(\$50 x 2) + (\$100 x 7) + (\$400 x 3) (WIN IT ALL)	\$2,000	60,226.80	309
\$100 (20X)	\$2,000	120,065.03	155

\$100 (10X) + \$1,000	\$2,000	120,844.68	154
\$2,000	\$2,000	120,844.68	154
\$10,000	\$10,000	118,535.54	157
\$500,000	\$500,000	2,326,260.00	8

(12) The overall odds of winning some prize in Game Number 1505 are 1 in 4.07. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Game Number 1505, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for WIN IT ALL lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 12-2-21.

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

Effective date: 12/2/2021

DEPARTMENT OF HEALTH

RULE NO.: 64ER21-19
 RULE TITLE: Application Window for the Pigford/BFL Batching Cycle

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to Chapter 2021-37, § 15, Laws of Florida, the Department is not required to make findings of an immediate danger to the public, health, safety, or welfare.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Department of Health is directed by Chapter 2021-37, § 15, Laws of Florida, to adopt emergency rules to implement section 381.986, Florida Statutes.

SUMMARY: This emergency rule establishes the application window for the Pigford/BFL batching cycle in accordance with Emergency Rule 64ER21-16.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Breanne Ereckson at Breanne.Ereckson@flhealth.gov.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64ER21-19 Application Window for the Pigford/BFL Batching Cycle

(1) The definitions stated in Emergency Rule 64ER21-16 apply to this rule.

(2) This emergency rule establishes the application window for the Pigford/BFL batching cycle.

(3) The application window for the Pigford/BFL batching cycle opens on Monday, March 21, 2022, at 9:00 a.m. The application window closes on Friday, March 25, 2022, at 5:00 p.m.

(4) The one available Pigford/BFL license will be issued in the Pigford/BFL batching cycle.

(5) Applications for the Pigford/BFL license must be submitted to the department in compliance with Emergency Rule 64ER21-16.

Rulemaking Authority Art. X, § 29, Fla. Const., 381.986(8)(b), 381.986(8)(k), FS. Law Implemented Art. X, § 29, Fla. Const., 381.986(8)(a), 381.986(8)(b), FS. History—New 12-1-21.

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: 12-1-21

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on December 2, 2021, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Deer Park Cottages Homeowners Association, Inc.- File Tracking No. 21-4340

Date Petition Filed: July 7, 2021

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register July 13, 2021

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Talia Paolillo, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 6117, water.variances@watermatters.org. (T2021036-2).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On November 9, 2021 the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from SWEET FLAVORS LLC located in Sunrise. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and 3-compartment sink.

The Petition for this variance was published in Vol. 47/219 on November 10, 2021. The Order for this Petition was signed and approved on November 29, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sinks and 3-compartment sink are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On November 16, 2021 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and

subsection 61C-4.010(6), Florida Administrative Code from Aris Catering located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 47/223 on November 17, 2021. The Order for this Petition was signed and approved on December 1, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On December 2, 2021, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Porto Vista Bld D at 501 N Tamiami Trl, Venice, FL, filed October 11, 2021, and advertised on October 20, 2021, in Vol. 47, No. 204, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.4.1.5 and 2.15.9.2, ASME A17.1, 2016 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires platform guards and bottom car clearances operations because the Petitioner has demonstrated that the purpose of the underlying

statute has been met and that the Petitioner would suffer a substantial hardship if required to comply with this rule (VW2021-149).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On November 8, 2021 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from DDY Box Lunch located in Hialeah. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 47/218 on November 9, 2021. The Order for this Petition was signed and approved on November 29, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI
Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION
Education Practices Commission

The Education Practices Commission announces a public meeting to which all persons are invited.

DATE AND TIME: An Education Practices Commission Leadership Team Meeting is being conducted at 2:30 p.m. or as soon thereafter on December 16, 2021.

PLACE: Zoom Meeting:
<https://zoom.us/j/93493020198?pwd=SzhaSU0vekFrZXBaehdqT0F2Q0wrdz09>

Meeting ID: 934 9302 0198, Passcode: 3h2cHR

The following conference number will only be activated if the Zoom Video Hearing needs to be terminated.

Phone Meeting: United States Toll-Free: 1(888)585-9008, Conference Room Number: 847-456-389

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Leadership Team Meeting of the Education Practices Commission is being held to discuss any issues that arose during the previous hearing cycle and/or issues concerning the commission.

A copy of the agenda may be obtained by contacting: Lisa Forbess at (850)245-0455.

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: Lisa Forbess at (850)245-0455. 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: Lisa Forbess at (850)245-0455.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Monday, December 13, 2021, 5:00 p.m.

SFWMD Recreational Public Forum

PLACE: This meeting will be conducted via Zoom, a media technology free for the public to use. https://sfwmd.gov.zoom.us/webinar/register/WN_hKXXK7pt8Q8WvdrsV4CHV-A

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SFWMD Recreational Public Forum is an important public discussion regarding the public recreational issues and opportunities within the South Florida Water Management District.

The public and stakeholders are invited to participate and will have an opportunity to view and comment during the meeting by utilizing the following link: https://sfwmd.gov.zoom.us/webinar/register/WN_hKXXK7pt8Q8WvdrsV4CHV-A

This link can also be found on the District’s website at www.SFWMD.gov/meetings, and will go live at approximately 5:00 p.m. on December 13, 2021.

All of this meeting will be conducted via media technology.

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

A copy of the agenda may be obtained by contacting: Yvette Bonilla at ybonilla@sfwmd.gov, or at <https://www.sfwmd.gov/news-events/meetings>, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at rbyrd@sfwmd.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Yvette Bonilla at ybonilla@sfwmd.gov.

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 14, 2021, 9:00 a.m.

PLACE: TELECONFERENCE: 1(866)528-2256 Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Teleconference

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

DEPARTMENT OF MANAGEMENT SERVICES

Florida Digital Service

RULE NO.: RULE TITLE:

60GG-5.002 Enterprise Architecture

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

DATE AND TIME: December 17, 2021, 3:00 p.m. – 5:00 p.m. or until adjourned

PLACE: 2555 Shumard Oak Blvd., Tallahassee, Florida 32311, Second Floor FLDS Training Suite

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of the enterprise architecture rule creating a comprehensive operational framework and unified information technology environment.

A copy of the agenda may be obtained by contacting: Andrea Barber, Government Analyst, 4050 Esplanade Way, Tallahassee, Florida 32399, Rulemaking@dms.fl.gov, (850)901-6279, or on the Department's website at https://www.dms.myflorida.com/agency_administration/general_counsel/rulemaking.

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: Andrea Barber, Government Analyst, 4050 Esplanade Way, Tallahassee, Florida 32399, Rulemaking@dms.fl.gov, (850)901-6279. 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: Andrea Barber, Government Analyst, 4050 Esplanade Way, Tallahassee, Florida 32399, Rulemaking@dms.fl.gov, (850)901-6279.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 16, 2021, 10:00 a.m.

PLACE: 1(888)585-9008, participant passcode: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces an open house public meeting to which all persons are invited.

DATE AND TIME: January 11, 2022, 4:00 p.m. – 7:00 p.m. ET

PLACE: Courtyard Marriott – Miami/Homestead, 2905 NE 9th Street, Homestead, Florida 33033

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on the draft Underground Injection Control Class I construction and operational testing permit for the FPL Turkey Point Clean Energy Center injection wells (File No. 039089-001-002-UC/II, WACS ID # 106814). The project is located at the 9760 S.W. 344 Street, Florida City, Florida 33035. The facility will construct and operationally test two non-hazardous Class I injection wells DIW-2 and DIW-3, for the disposal of industrial wastewater associated with the Florida Power & Light Company (FPL) Turkey Point r power generation Unit 5. The water source for FPL Clean Water Recovery Center (CWRC) and subsequently the power generation Unit 5, will be reclaimed wastewater from the Miami-Dade County Water and Sewer Department South District Wastewater Treatment Plant (SDWWTP). Reclaimed water is to receive advanced reclaimed treatment from the CWRC prior to being used in the Unit 5 cooling towers.

During normal injection well operation, injection fluids will include the Unit 5 cooling tower blowdown water), CWRC

wastewater treatment residuals, and other wastewater from the Unit 5 power generation process. The maximum injection rate and injection volume for the injection wells shall not exceed 12,949 gallons per minute (gpm) and 18.65 million gallons per day (MGD), respectively and will be based on the maximum rate at which the short-term injection test is conducted on each injection well. Both injection wells are proposed to be constructed with a 24-inch diameter casing set to 3,000 feet below land surface (bls), an 18-inch tubing with packer for annular pressure monitoring set at 2,990 feet bls, and total depth of 3,500 feet bls. Injection wells DIW-2 and DIW-3 are to be monitored by proposed dual-zone monitor well DZMW-2 which is to be completed in the Florida aquifer with monitor intervals from approximately 1,450 to 1,500 feet bls and 1,850 to 1,900 feet bls. The construction of DZMW-2 is also included in this permit. The final casing depths for the injection wells and monitor well zones will be based on results of the drilling and testing conducted on these wells and will need to be approved by the Department. The Department issued the draft UIC permit for the FPL Turkey Point Clean Energy Center on November 19, 2021.

During the public comment period provided in Rule 62-528.315, Florida Administrative Code (F.A.C.), any interested person may submit written and oral comments on the draft permit. All significant comments shall be considered in making the final decision and shall be answered as provided in Rule 62-528.330, F.A.C. A copy of the meeting agenda may be obtained by contacting: Annette G. Roberts, Engineering Specialist III, Florida Department of Environmental Protection, Aquifer Protection Program by U.S. Mail, 2600 Blair Stone Road, MS 3530, Tallahassee, Florida 32399-2400; or by phone: (850)245-8336. A copy of the agenda, permit application, and related information are also available using the following link: <https://bit.ly/DEPTurkeyPt> During this open house public meeting, representatives of both the Department and the applicant will be available to answer questions and provide information about the Draft Permit for the proposed project and the application. Rules 62-528.310 and 62-528.325, Fla. Admin. Code, provide an opportunity for public comment and procedures for public meetings for the above referenced draft permit.

The files associated with this draft permit are also available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except state holidays, at the Department of Environmental Protection, Aquifer Protection Program, 2600 Blair Stone Road, MS 3530, Tallahassee, Florida 32399-2400. Written comments shall be submitted to the Department of Environmental Protection, Aquifer Protection Program, or to the Department during the public meeting. Persons wishing to enter oral comment into the record at the public meeting will be able to do so on an individual basis

at an oral comment station. All oral or written public comments should be provided to the Department prior to the conclusion of the public meeting on the subject draft permit application. Comments may also be submitted via e-mail to APP@FloridaDEP.gov. All comments received within the 30-day period and through the conclusion of the public meeting will be considered in formulation of the Department's final decision regarding permit issuance.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Annette G. Roberts as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 18, 2022, 11:00 a.m. – 2:00 p.m.

PLACE: <https://global.gotomeeting.com/join/518233085>,

1(877)309-2073, 518-233-085

GENERAL SUBJECT MATTER TO BE CONSIDERED: Vol. 47/223

The Florida Board of Chiropractic Medicine will meet to consider updates and draft language to be incorporated in to Rule 64B2-13.004 Continuing Education. Written public comment requested to be published in meeting materials is due to MQA.Chiropractic@flhealth.gov by 12/28/21.

A copy of the agenda may be obtained by contacting: <https://floridaschiropracticmedicine.gov/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: 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: MQA.Chiropractic@flhealth.gov.

DEPARTMENT OF HEALTH

Office of Statewide Research

The Florida Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 15, 2021, 1:30 p.m. – 3:00 p.m.

PLACE: Microsoft Teams Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: Florida Dept. of Health at IRB@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Dept. of Health at IRB@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Dept. of Health at IRB@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

The department of children and families announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2021, 10:00 a.m. – 12:00 Noon CT

PLACE: Microsoft Teams

If you like a meeting invite, please contact Mylisa Lee mylisa.lee@myflfamilies.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda

https://calendar.google.com/calendar/event?eid=Mm90ZDZpcGF1anRibThmdGRiNzZuOW12NzMgc2prNGxiZGt0NWZsdmhnYmVhODFIY2s4YzBAZw&ctz=America/New_York&ctz=America/New_York

A copy of the agenda may be obtained by contacting: Mylisa Lee, mylisa.lee@myflfamilies.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: Mylisa Lee, mylisa.lee@myflfamilies.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).

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: Mylisa Lee, mylisa.lee@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Florida Children and Youth Cabinet announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 14, 2021, 3:00 p.m. – 4:00 p.m. ET

PLACE: The Capitol, 400 South Monroe Street, Tallahassee, Florida 32399, The Cabinet Meeting Room located on the first floor.

GENERAL SUBJECT MATTER TO BE CONSIDERED: NOTICE OF CORRECTION: The Department advertised a meeting announcement on December 2, 2021, in Volume 47, Number 232, of the Florida Administrative Register. This notice corrects the date and time and supersedes all others regarding this meeting. At this meeting, members will meet to conduct regular business of the Florida Children and Youth Cabinet.

A copy of the agenda may be obtained by contacting: A copy of the agenda will be forthcoming.

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: Pat Smith, Dept. of Children and Families, (850)717-4452, pat.smith@myflfamilies.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: Pat Smith, Dept. of Children and Families, (850)717-4452, pat.smith@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NO.: RULE TITLE:

69C-3.001 Purpose

The Division of Treasury announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 9, 2021, 1:30 p.m.

PLACE: Go to Meeting online

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a biannual meeting of the Chief Financial Officer's Treasury Investment Committee pursuant to Section 17.575, Florida

Statutes. The purpose of the Go to Meeting is to provide an overview of Treasury operations and performance.

A copy of the agenda may be obtained by contacting: Wanda Cole, (850)413-3310.

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: Wanda Cole, (850)413-3310. 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).

THE CORRADINO GROUP, INC.

The Florida Department of Transportation (FDOT), District Six announces a workshop to which all persons are invited.

DATE AND TIME: December 14, 2021, 6:00 p.m. – 8:00 p.m.

PLACE: Virtual:

<https://attendee.gotowebinar.com/register/5880954963466973195>

In-Person: FDOT District Six Auditorium, located at 1000 NW 111 Avenue, Miami, Florida 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, has scheduled an Alternative Public Workshop regarding the proposed improvements to State Road (SR) 826/Palmetto Expressway from SR 5/US 1/S Dixie Highway to NW 25 Street in Miami-Dade County. This meeting will consist of a formal presentation followed by an open discussion, from 6:00 p.m. – 8:00 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions.

The Alternative Public Workshop is being held to present the results of the PD&E Study to date and will provide the community an opportunity to obtain input and learn more about the alternatives under consideration. Notices are being sent to all property owners and tenants located within at least 500 feet on either side of the corridor’s right of way line, and to other public officials, regulatory agencies, organizations, and individuals interested in the project.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Mr. Raul Quintela, P.E., Project Manager, at (305)470-5271 or by email at raul.quintela@dot.state.fl.us. Public participation is solicited

without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Nicholas Danu, P.E. at (305)470-5219; in writing to FDOT, 1000 NW 111 Avenue, Miami, FL 33172; or by email at Nicholas.Danu@dot.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). Any persons who require translation services (free of charge) should also contact Mr. Nicholas Danu at least seven (7) days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Raul Quintela, P.E., Project Manager, at (305)470-5271 or by email at raul.quintela@dot.state.fl.us.

You may also visit the project website at www.fdotmiamidade.com/826expressouth.

**Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements**

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Florida State University

NOTICE TO DESIGN/BUILD TEAMS

Florida State University announces that Qualifications Based Design/Build Services for the design and construction improvements to Doak Campbell Stadium will be required for the project listed below.

PROJECT SOLE POINT OF CONTACT:

The Sole Point of Contact for the RFQ will be: James C. Johnson, MPA – Strategic Category Manager for MRO/Facilities, Florida State University Facilities Department, Office: (850)645-0407, jcjohnson@fsu.edu.

Respondents to this RFQ or persons acting on their behalf shall not contact any employee or officer of FSU, Board of Trustees, or a University Direct Support Organization concerning any aspect of this RFQ, except in writing to the Sole Point of Contact or Chief Procurement Officer or as provided in this RFQ document, from the date of release of this RFQ through the end of the 72-hour period following FSU’s posting of the notice of intended award, in accordance with Board of Governors (BOG) Regulation 18.002. Violation of this provision may be grounds for rejecting a proposal response.

PROJECT NUMBER: FS-211

PROJECT NAME AND LOCATION: Doak Campbell Stadium Improvements, Florida State University, Tallahassee, Florida

The project consists of the planning, design, and construction of improvements to Doak Campbell Stadium on FSU’s main campus and be completed in phases and coordinated with all stadium activities. Improvements include; Stadium infrastructure, structural, life safety, code, and related repairs

required to bring the stadium into compliance. The areas of work will be determined by the availability of funds and schedule to maximize improvements.

The Design/Build Services contract shall comply with the qualifications-based Design/Build selection provisions in Section 287.055, F.S. and 6C-14.007, F.A.C., including design and pre-construction fees, construction related service costs and a guaranteed maximum price. The University will contract with a single contract entity whose Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting, construction services, labor, materials, and equipment required to design and construct the project. Blanket professional design liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as a part of Basic Services.

The overall proposed value of this project is approximately \$20,000,000. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class IX. Project development including professional services is contingent upon availability of funds.

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a letter of application, the completed Florida State University “Design/Build Services Qualification Supplement” form (DBSQS), with attachments, and additional information required as described in the DBSQS, via the online electronic sourcing portal as described below. Applications submitted in any other format will not be considered. Submittals that do not comply with these requirements or do not include the requested data will not be considered. Submission must be uploaded by January 13, 2022, no later than 3:00 p.m. ET.

All applicants must be licensed to practice its profession in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as “Associations” without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

The Florida State University Project Fact Sheet may be obtained by going to FSU’s Public Procurement Portal and finding RFQ-00607-20222 or by emailing James Johnson at jcjohnson@fsu.edu.

The plans and specifications are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a Design/Build team may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Design/Build team must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

*****PLEASE CAREFULLY NOTE NEW SUBMITTAL INFORMATION*****

FSU utilizes an online electronic sourcing portal for accepting professional qualifications letter of application and Design/Build Services Qualifications Supplement digitally. We do not accept hard copy submissions or submissions through other medium other than through FSU's Public Procurement Portal.

Your submission must be uploaded prior to the deadline as indicated above. Note: We strongly recommend that you give yourself sufficient time and at least ONE (1) hour before the Closing date/time to begin the uploading process and to finalize your submission. Late submissions due to electronic uploading delays will not be considered.

- Each item of requested information is instantly sealed (no one from FSU can review) and will only be visible after the closing date/time. You may edit your submission as needed up to the closing date/time.

- Responders may elect to utilize the import/export feature to export questions into Excel in order to work on responses offline and import into the system upon completion.

- Keep in mind that when answering questions in the provided text box within the system (if applicable) there is a limit to the number of characters you can use in your response. The dynamic character limit counter at the bottom of each text box will display the remaining characters available.

- Uploading large documents may take significant time, depending on the size of the file(s) and your Internet connection speed. The maximum upload file size is 50 MB.

- Please do not embed any documents within your uploaded files, as they will not be accessible or evaluated.

- Information submitted that is not requested by FSU or in the specific format requested will be considered supplemental and not subject to evaluation.

- All sourcing event-related communications between vendors and FSU is managed and tracked through a Question-and-Answer Board within the RFQ event on the Public Procurement Portal. Any issues or questions related to logging in or technical issues, including attachments, can be submitted to our third party software host, Jaggaer via a Support form:

<https://www.jaggaer.com/service-support/supplier-support/> or by calling 1(800)233-1121, option 2 then option 2.

Applications that do not comply with the above instructions will not be considered. Submittals are part of the public record, and no submittal material will be returned.

Florida State University strongly encourages the use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

Florida State University Procurement will be holding a Zoom informal workshop on how vendors can work within FSU's Public Procurement Portal and ask questions. The session will be one hour in length. Interested contractors are requested to send an email to James Johnson at jcjohnson@fsu.edu to attend the Zoom workshop.

DAYTONA STATE COLLEGE

Architectural/Professional Services

Daytona State College

Professional Services

RFQ #22-012 (Request for Qualifications)

Pursuant to the provisions of Section 287.055, Florida Statutes, the "Consultants' Competitive Negotiations Act", Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural and engineering services.

The project is to provide professional services for the Master Site Plan for all campuses except the Deltona Campus. Firms or individuals desiring to qualify for consideration must submit proposals no later than 2:00 p.m. on January 3, 2022, to the Facilities Planning Department, Daytona State College, Building 430A/Room 108, 1200 W. International Speedway Blvd., Daytona Beach, FL 32114. Interested parties may obtain information by contacting sharon.dyke@daytonastate.edu or by visiting our website at <http://www.daytonastate.edu/who-we-are/working-with-daytona-state-college/facilities-planning>

END OF AD

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, November 26, 2021 and 3:00 p.m., Thursday, December 2, 2021.

Rule No.	File Date	Effective Date
2ER21-1	12/2/2021	12/2/2021
53ER21-61	12/1/2021	12/1/2021
53ER21-62	12/2/2021	12/2/2021
53ER21-63	12/2/2021	12/2/2021
53ER21-64	12/2/2021	12/2/2021
53ER21-65	12/2/2021	12/2/2021
59G-4.251	11/30/2021	12/20/2021
61-31.101	11/30/2021	12/20/2021
61-35.017	11/30/2021	12/20/2021
61-35.012	11/30/2021	12/20/2021
64-4.013	11/30/2021	12/20/2021
64-4.207	11/30/2021	12/20/2021
64-4.212	11/30/2021	12/20/2021
64-4.213	11/30/2021	12/20/2021
64B5-15.008	11/30/2021	12/20/2021
64B5-15.012	11/30/2021	12/20/2021
64B10-16.001	12/1/2021	12/21/2021
64B16-28.100	11/29/2021	12/19/2021
64B32-5.001	12/1/2021	12/21/2021
64ER21-19	12/1/2021	12/1/2021
69A-37.501	12/1/2021	12/21/2021
69A-37.502	12/1/2021	12/21/2021
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	10/22/2021	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Restoration Assistance

Drinking Water State Revolving Fund

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN)

CITY OF MASCOTTE

The Florida Department of Environmental Protection (DEP) has determined that the City of Mascotte’s project, located in Lake County, for water treatment system expansion and improvements is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$47,928,000. The project may qualify for a Drinking Water SRF loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A copy of the FCEN can be obtained by writing: Cheryl Minskey, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399 3000, or calling (850)245-2985 or emailing Cheryl.minskey@dep.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

Interest Rate Set Pursuant To Section 55.03, Florida Statute

RULE NO.: RULE TITLE:

69I-25.003 Requirements (Repealed)

INTEREST RATE SET PURSUANT TO SECTION 55.03, FLORIDA STATUTES

Chapter 2011-169, Laws of Florida, amended Section 55.03(1), Florida Statutes (F.S), to require the Chief Financial Officer to set the rate of interest that shall be payable on judgments and decrees on a quarterly basis rather than an annual basis. The

interest rate for the quarter beginning January 1, 2022 has been set at 4.25 percent per annum or a daily rate of .0116438 percent (.000116438 expressed as a decimal). Current and historical interest rates are available on the following website: <https://www.myfloridacfo.com/Division/AA/LocalGovernments/Current.htm>.

Please contact the Vendor Ombudsman Section at (850)413-5516 if you have any questions.

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.
