

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE CHAPTER NO.: 5L-3
RULE CHAPTER TITLE: Aquaculture Best Management Practices

RULE NO.: 5L-3.004
RULE TITLE: Aquaculture Best Management Practices Manual

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 25, of the June 24, 2005, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

The changes are as follows:

5L-3.004 Aquaculture Best Management Practices Manual.

(1) The Best Management Practices manual used by the Department under Chapter 5L-3, F.A.C., is adopted and incorporated by reference in this section. The manual is listed below by subject title and date. Copies of the manual may be obtained by contacting the Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, FL 32301, (850)488-4033 or from the Division of Aquaculture's website at www.FloridaAquaculture.com. ~~Department,~~

(2) Aquaculture Best Management Practices Manual, January, 2005 ~~October, 2002~~.

(3) The following documents have been adopted by reference into the Aquaculture Best Management Practices Manual, January 2005 and are also incorporated by reference into this rule:

(a) USDAS/NRCS Agricultural Handbook, 590 (September, 1997), ftp://ftp.wcc.nrcs.usda.gov/downloads/hydrology_hydraulics/misc/ponds.pdf

(b) University of Florida IFAS Circular No. 334, (February, 1999) <http://edis.ifas.ufl.edu>

(c) NRCS Conservation Practice Standard Code 327, Conservation Cover (July, 1998), http://efotg.nrcs.usda.gov/references/public/IA/N327_10-2003.pdf

(d) NRCS, FOTG Commercial Fishponds 397 (March, 2003), <http://efotg.nrcs.usda.gov/references/public/AL/tg397.pdf>

Specific Authority 570.07(23), 597.004(2)(b), 791.07 FS. Law Implemented 570.0705, 597.003, 597.004 FS. History—New 10-4-00, Amended 12-29-02, 6-8-04, _____.

The following changes have been made to the manual:

1. Chapter II. Compliance Monitoring, C. Penalties (3) and (4) have been rewritten –

(3) Continued failure to comply will ~~may~~ result in the suspension/revocation of the producers Aquaculture Certificate and an administrative fine of up to \$1,000 per day per occurrence until compliance is obtained.

(4) Repeat offenders will ~~may~~ be subject to suspension/revocation of the producers Aquaculture certificate and an administrative fine of up to \$1,000 per day per occurrence until compliance is obtained and the Department will request that legal measures be initiated to impose misdemeanor charges.

2. Chapter IV. Water Resources, E. Other Water Quality Enhancement Practices, Best Management practices 9th bulleted paragraph has been rewritten – Utilize cage systems which are designed to minimize feed loss and to allow for the collection and removal of waste. ~~Floating cage technology is encouraged.~~ Treatment

3. Chapter V. Construction, A. New Construction, Best Management Practices 1st bulleted paragraph has been rewritten – A new farm or facility application for a certificate of registration shall contain the following information: ~~The applicant for an interim certificate of registration shall submit the following to the department.~~

4. Chapter V. Construction, E. Floodplain Issues, Best Management Practices 1st bulleted paragraph has been rewritten – Prior to any new construction ~~For all new construction~~ within the 100-year flood zone, submit a facility plan to the Division of Aquaculture ~~for approval prior to beginning any construction.~~

5. Chapter V. Construction, K. Embankment Ponds, Best Management Practices paragraph 5 has been rewritten – Avoid digging a pond that penetrates a Class I drinking water aquifer. If a pond penetrates a Class I drinking water aquifer, the applicant will be limited to ~~the~~ less than 1,500 pounds per surface acre stocking density and daily feeding rates not to exceed 5% of biomass. The pounds per surface acre are determined by multiplying the known fish population by the average fish weight and dividing that number by the total surface acres.

6. Chapter VI. Non-Native and Restricted Non-Native Species, E. Transgenic Species, Best Management Practices 2nd bulleted paragraph has been rewritten – Certified aquaculturists must apply to and receive from the FDACS, Division of Aquaculture written authorization prior to culturing any transgenic aquatic species. Authorization will only be considered:

(1) After all requested information is provided;

(2) After the Division has received a recommendation from the Transgenic Aquatic Species Advisory Committee;

(3) After the Department has reviewed all other information that has been submitted by the public; and

(4) If upon review of all the foregoing it can be determined that authorization will not pose a threat to the public health, safety, and welfare.

7. Chapter IX. Shellfish Culture, B. Submerged Lands – Grow Out, Best Management Practices 2nd bulleted paragraph has been rewritten – Follow all the terms and conditions of the Sovereignty Submerged Land Aquaculture Lease, and be fully compliant with provisions of Chapters 253, 258, Part II, 597, F.S., Chapters ~~Rules~~ 5L-1, 5L-3, F.A.C. ~~and any other applicable provisions of law and administrative code.~~

8. Chapter IX. Shellfish Culture, B. Submerged Lands – Grow Out, Best Management Practices 8th bulleted paragraph has been rewritten – Culture materials (cultch) placed on the grow-out area must be a suitable substrate for attachment of oyster larvae: such as natural molluscan shells; fossilized shell; coral, and other aquatic organisms; lithic materials such as crushed and graded limestone, granite, and gravel which coat calcium carbonate and/or fossilized organisms; or recycled materials which contain lithic fractions and calcium carbonate, including crushed and graded concrete. Exceptions to this list of generally accepted cultch materials must be specifically approved and identified within the aquaculture lease agreement. for the purpose of establishing or enhancing shellfish reefs must be approved by the FDACS, Division of Aquaculture.

9. Chapter IX. Shellfish Culture, B. Submerged Lands – Grow Out, Best Management Practices 13th and 14th bulleted paragraphs have been deleted – ~~The use of shellfish growing racks within the grow out area must be approved in advance by the FDACS, Division of Aquaculture~~

~~The use of predator exclusion devices, other than standard practices (soft bags, hard bags, cover netting, chicken wire, crab traps), must be approved by the FDACS, Division of Aquaculture.~~

10. Chapter IX. Shellfish Culture, C. Public Health Protection, Best Management Practices 1st bulleted paragraph has been rewritten – Shellfish grown by the aquaculturists shall comply with provisions of Chapters Rules 5L-1, 5L-3, F.A.C., and Chapter 597, F.S. ~~and any other applicable provisions of law and administrative code.~~

11. Chapter IX. Shellfish Culture, E. Disease Prevention, Best Management Practices 2nd bulleted paragraph has been rewritten – Stock must currently be free of the following pathogens: Quahog Parasite Unknown (QPX) in clams; *Haplosporidium nelsoni* (MSX), and *Perkinsus marinus* (Dermo) in oysters. ~~If future additional pathogens are identified as posing a threat to natural stocks, this list may be updated.~~

12. Chapter XII. Health Management, A. Health BMP’s For All Species 2nd bulleted paragraph has been reworded – Written authorization may be required from the State Veterinarian prior to importing non-native aquatic species from

outside the U.S. Additional authorizations may be required prior to the importation of non-native aquatic species. Please contact, USDA, USFWS, and FWC for more information regarding any requirements they may impose. In addition all appropriate federal and FWC requirements must be met prior to the importation of non-native aquatic species.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kal Knickerbocker, Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, (850)488-4033.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-19.070	Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods
12A-19.071	Department of Revenue Electronic Database
12A-19.072	Certification of Service Address Databases
12A-19.073	Use of Enhanced Zip Code Method to Assign Service Addresses to Local Taxing Jurisdictions
12A-19.100	Public Use Forms

CORRECTED NOTICE OF CHANGE

The Department of Revenue announces a correction to the Notice of Change that was published in the Florida Administrative Weekly on September 23, 2005 (Vol. 31, No. 38, p. 3343). The Notice of Change should have contained each of the rules as listed in this notice and should have referenced the changes to paragraph (b) of subsection (2) of Rule 12A-19.071, F.A.C., in lieu of paragraph (a) of subsection (2) of Rule 12A-19.072, F.A.C. The provisions of that paragraph have been changed, so that, when adopted, paragraph (2)(b) of Rule 12A-19.071, F.A.C., will read as published in the September 23, 2005, edition of the Florida Administrative Weekly.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-46	Utilities Installation or Adjustment
RULE NO.:	RULE TITLE:
14-46.001	Utilities Installation or Adjustment

NOTICE OF CHANGE

SUMMARY OF CHANGE: Most changes refer to the *Utility Accommodation Manual* and other reference documents rather than to the rule itself. Notice was published in Florida

Administrative Weekly, Vol. 30, No. 35, August 27, 2004. Changes are being made in response to the Joint Administrative Procedures Committee review and comments provided in the October 22, 2004, public hearing and to resolve concerns expressed by the Utility Industry. The APA rulemaking process has been suspended under the provisions of Section 120.54(3)(e)6., F.S., pending resolution of the comments from the Joint Administrative Procedures Committee.

1. Paragraph 14-46.001(2)(a): The reference site where one can obtain a copy of the manual is changed to read as follows:

“(a) ... Copies of this document are available from the FDOT via the Office of Roadway Design, Utility Section at 605 Suwannee Street, MS 32, Tallahassee, Florida 32399-0450, or the Department Utility Web Site: <http://www.dot.state.fl.us/rddesign/utilities/files/utilities.htm>. ~~Maps and Publication Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450.”~~

2. Preface: The third paragraph was changed to remove the provision for FDOT to withhold future permits and added language from Section 337.403, F.S.

3. Table of Contents: The page numbering and contents were updated.

4. Section 1.6: Added text further clarifying the FDOT Liaison process.

5. Section 2.1, Encasement: Deleted the last sentence referring to a conduit through which it is intended to insert another pipe or product to facilitate construction or maintenance.

6. Section 2.1, *Manual on Uniform Traffic Control Devices*: Revised the definition to make a reference to Rule 14-15.010, F.A.C. which already incorporates the *Manual on Uniform Traffic Control Devices* by reference.

7. Section 2.1, Permit: Removed the revocation of permit for non-compliance text and added text from Section 337.402, F.S.

8. Section 2.1, Qualified Welder: Removed the reference to American Petroleum Institute Standard 1104.

9. Section 2.1, Vegetation: Removed the text identifying vegetation as being on FDOT R/W.

10. Section 3.3.11: Added “for longitudinal locations” to exception requirements for installation of utility facilities on railroad R/W and limited access R/W.

11. Section 3.3.13: Added “where otherwise required by law” for permit requirements required by other governmental entities.

12. Section 3.5.3: Added clarification that railroad R/W and limited access R/W shall not be used for utility distribution purposes.

13. Section 3.5.6: Added clarification that permits are not needed for maintenance or replacement of existing overhead facilities.

14. Section 3.6.10: The provision relating to a “reasonably acceptable track record” requirement for a bond or cash deposit is being deleted.

15. Section 3.7.1: Removed “an on-site representative” from the text and revised the requirement for the permittee to be present when the utility is performing work on FDOT’s behalf.

16. Section 3.7.5: Removed the last sentence stating that “FDOT shall specify the type of information to be required in the permit request”.

17. Section 3.7.6: Specific policy relating to rail corridor clearance has been included in the text, removing the need to incorporate by reference the “South Florida Rail Corridor Clearance” policy (Policy Statement 000-725-003).

18. Section 3.7.10: Added a section explaining requirements for when domestic drinking water passes through an FDOT drainage structure.

19. Section 3.7.7: The reference to AASHTO LRFD Bridge Design Specifications is deleted. The *Bridge Inspector’s Reference Manual* is incorporated by reference in Rule Section 14-48.001, F.A.C. The following underlined text is added to the section: “. . . meet or exceed the requirements of H.S. 20 Military Load as shown in the Bridge Inspectors Reference Manual and incorporated by reference in Rule 14-48.001, F.A.C.”

20. Section 3.7.8: The word “may” is replaced with “is authorized to.”

21. Section 3.7.10: Changed “in Tallahassee” to “per subsection 62-555.314(3), F.A.C.” The term “properly justified” in the fourth sentence is deleted. The fifth sentence is deleted. The reference to “FDEP” is corrected to “DEP.”

22. Section 3.8: Added further clarification for permit non-compliance in accordance with Section 337.403, F.S.

23. Section 3.8.2: The text “to extend the time allowed to achieve compliance or take action” is deleted.

24. Section 4.3: Added reference to appendix A for FDOT Standard Specifications.

25. Section 4.4: Removed interpretation for when damaged FDOT infrastructure is to be upgraded and interpretation of Section 337.402, Florida Statutes. Removed vague language using the phrase “may under some circumstances”.

26. Section 4.5.2: The first occurrence of “may be” is changed to “are,” the second occurrence of “may” is changed to “shall,” and the term “a release form” is changed to “Exempt Documents/Security System Plan Distribution Form.” The typographical error in the footer of Exhibit N is changed from 1,2,3 of 7 to 1,2,3 of 3.

27. Section 4.5.3: Added the text stating that “FDOT will comply with Section 120.54, F.S., Rulemaking.”

28. Section 5.1.1: The text has been changed to include clarification regarding joint use conditions. The previously proposed sentence “Where duct systems . . . additional poles or ducts.” is deleted. The “may” in the last sentence of the first paragraph is changed to “will.”

29. Section 5.1.2: Added text explaining exception to not place below ground facilities within 3 feet of the R/W line.

30. Section 5.1.3: The text has been changed to provide clarification regarding criteria governing when a second pole line will or will not be required. The “may” is changed to “will.”

31. Section 5.1.5: Removed the text prohibiting installation of rural underground utility facilities within 3 feet of the R/W line.

32. Section 5.6.4: A reference to Appendix B is added.

33. Section 6.1: Removed description of the requirement to restore FDOT R/W to the condition before the utility work was started and replaced it with a reference to Section 337.402, F.S.

34. Section 6.1.4: A reference to Appendix A or B as appropriate is added.

35. Section 8.1: Appendix A and C are referenced. A new sentence “Pursuant to Section 334.044(25), F.S., the FDOT has adopted safety standards in addition to those found in the MUTCD.” is added as a new fourth paragraph in Section 8.1. This addition to Section 8.1 is actually in response to a JAPC comment to Section 8.3 regarding statutory authority.

36. Sections 8.3 and 8.4: Rewritten to provide for optional self-certification:

“8.3 Specifications and Job Control

The Standard Specifications for Road and Bridge Construction, 2004 Edition, Subarticle 102-3.2, Worksite Traffic Supervisor is deleted and replaced with the following: The Permittee shall provide an individual who is responsible for initiating, installing, and maintaining all traffic control devices as described in Section 102 and in the permit. This individual, when covered by an annual certification pursuant to Section 8.4, shall have in his/her possession suitable identification issued or approved by the UAO showing his or her relationship to the certifying UAO. If the UAO elects to have its employees, agents and/or subcontractors trained in accordance with the FDOT’s Maintenance of Traffic Training Procedure in Appendix D in lieu of submitting an annual certification, as described in the *UAM*, Section 8.4, this individual shall have in his/her possession a valid (no more than four years old) wallet card verifying the successful completion of the appropriate training.

Provide trained flaggers to direct traffic where one-way operation in a single lane is in effect and in other situations as required.

8.4 Training

The Permittee is responsible for ensuring that individuals responsible for utility work zone traffic control planning, design, implementation, inspection, and/or for supervising the selection, placement, or maintenance of traffic control schemes and devices in work zones on the State Highway System R/W have proper training as to the MOT requirements prescribed in Appendix A and C of the *UAM*. The utility shall annually submit a written certification that all its employees, together with a list of agents and subcontractors, responsible for these utility work zone activities have been trained as to the MOT requirements prescribed in Appendix A and C of the *UAM*. UAO employees, agents and/or subcontractors responsible for these work zone activities that are not covered by such certification shall satisfactorily complete the training requirements in accordance with Appendix D.

When changes are made to Appendix A or Appendix C, the Utility shall certify that the individuals responsible for utility work zone traffic control have been properly trained in such changes affecting work zone traffic control.”

37. Section 8.7: The dates of the SAE standards are added.

38. Section 9.3.2: Corrected grammar and added “Where required by Law” to clarify when a greater clearance is required than specified in the *UAM*.

39. Section 9.3.3: Added “Where required by Law” to clarify when a greater clearance is required than specified in the *UAM*.

40. Section 9.3.4: Added “Where required by Law” to clarify when a greater clearance is required than specified in the *UAM*.

41. Section 9.4: Removed text prohibiting new utility facilities being installed longitudinally on FDOT owned railroad corridors.

42. Section 10.9.6: Removed the text limiting access to only one point.

43. Section 10.9.8: A reference to Appendix B is added.

44. Section 10.11: Removed the text indicating that FDOT would specify the type of information to be required in the permit request. A reference to Appendix A is added.

45. Sections 10.13 through 10.15: A reference to Appendix A or B as appropriate is added.

46. Section 10.20: Revised antenna permit requirements on utility appurtenances.

47. Section 11.2: Clarified when the Utility is to submit marked up plans in CADD or other electronic format. Clarified the difference in reference points between when utility work is part of an FDOT construction project and when it is not.

48. Section 12.1.7 – Removed the reference to FDOT’s policy on accommodation of new utilities within limited access R/W.

49. Section 12.3: Replaced reference to policy of telecommunications facilities on limited access R/W (Topic No. 000-625-025) with policy text. The policy number reference is deleted so that the text stands as is in the UAM. The phrases “and may approve” and “certain telecommunications (TCA)” in the first sentence of the first paragraph are deleted. The last sentence of the first paragraph “Such facilities . . . TCA Facilities.” is deleted. The phrase “TCA and the” in the first sentence of the second paragraph is deleted. The third paragraph “Installation . . . attached criteria.” is deleted. The title of part 1.A. is changed from “General Access for TCA Facilities” to “General Access.” In the second sentence of paragraph 1.A., the term “TCA facilities . . .” is changed to “Facilities . . .” In part 1.C., a reference to Appendix C is added. In Part 3.b.6., the text “Topic No. 000-625-025-e Page 5 of 5” is deleted.

50. Section 12.3, I, C: Changed reference from Standard Index 611 to Standard Index 612.

51. Exhibit H editorial correction to footer: This is actually Exhibit I. The footer is being corrected to correct the number of pages.

52. Exhibit J, Line 4: Removed the provision for non-issuance of new permits.

53. Exhibit J, Line 12, First Sentence: Removed the reference to Chapter 8 with respect to amending MOT plans.

54. Exhibit J, Line 15: Reworded the requirement for a permittee to provide assistance for protection of their facilities during FDOT activities.

55. Exhibit J, Paragraph 18: The last part of the sentence “except where modified by this permit, the UAM, or FDOT Agreement” is deleted.

56. Exhibit K, Second Paragraph: Reworded the requirement for a permittee to provide assistance for protection of their facilities during FDOT activities.

57. References: The reference to the *Manual on Uniform Traffic Control Devices* is deleted. The MUTCD is incorporated by reference in Rule 14-15.010, F.A.C., and, therefore, does not need to be incorporated within this section.

58. References: Added the provision that the references are subject to changes as set forth in the UAM.

59. References, National Reference 3: Revised the title to reflect the latest edition of the *Roadside Design Guide*.

60. References, National Reference 4: Removed the edition specific identifier to the *MUTCD*.

61. References, National Reference 7: Revised to reflect the 2004 edition of *A Policy on Geometric Design of Highways and Streets*.

62. References, State Reference 1: Revised to reflect the effective date of the *FDOT Standard Specifications for Road and Bridge Construction*.

63. References, State Reference 2: Revised to reflect the latest edition of the *FDOT Design Standards for Design, Construction, Maintenance and Utility Operations on the State Highway System*.

64. References, State Reference 3: Removed the references due to the text of the references being included in the UAM.

65. Appendix D, Administrator, Page 2: The second sentence of the definition was deleted and now reads “An individual or group assuming the responsibility of processing courses under the direction of the MOTC.”

66. Appendix D, Institution Training Facility, Page 2: The definition is revised to read “Any training facility that has a staff of instructors and offers career advancement and enhancement training. The following shall be considered as meeting these criteria: Members of the State of Florida University System, the Department and other state agencies.”

67. Appendix D, Paragraph (10), Page 4: The section is deleted and subsequent Paragraph (11) is renumbered to (10).

68. Appendix D, Section 3.3: The word “may” is changed to “will.”

69. Appendix D, Section 6.1: The definition of Institution Training Facility was updated. In the first sentence of the second paragraph, the phrase “and, upon request by the Department and/or the MOTC, make records available for review” is deleted.

70. Appendix D, Section 6.3, Paragraph (5), Page 9: The first two sentences are changed to: “The MOTC has the authority to review/approve instructors who do not meet the above training requirements. If the MOTC determines the instructor has equivalent education or experience, the MOTC will waive this training requirement.”

71. Appendix D, Section 6.9.2: The term “may occasionally” is changed to “will” and the phrase “due to major change in the Department’s policy such as the issuance of new Design Standards” is changed to “pursuant to rule amendment process.”

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-13.004	License Procedure
59A-13.005	Administration and Management
59A-13.007	Admission, Transfer and Discharge Policies
59A-13.008	Child Care Policies
59A-13.009	Medical Director
59A-13.010	Nursing Services
59A-13.013	In-service Training for Staff, Parents and Guardians
59A-13.014	Medical Record
59A-13.015	Quality Assurance Committee
59A-13.020	Infection Control
59A-13.022	Fire Safety and Emergency Procedures

NOTICE OF WITHDRAWAL

Notice is hereby given that the above-stated rule numbers and titles, as noticed in Vol. 31, No. 37, September 16, 2005, Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
59A-31	Disputed Reimbursement Rule
RULE NOS.:	RULE TITLES:
59A-31.001	Disputed Reimbursement Avoidance
59A-31.002	Disputed Reimbursement Resolution
59A-31.003	Utilization and Reimbursement Dispute Resolution Definitions
59A-31.004	Requirements for Filing a Petition
59A-31.005	Petition Determination
59A-31.006	Penalties

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 31, No. 18, May 6, 2005, Florida Administrative Weekly, and corrected in Vol. 31, No. 21, May 27, 2005, Florida Administrative Weekly, has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Building Code Administrators and Inspectors

RULE NO.:	RULE TITLE:
61G19-9.004	Approval of Courses

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 25, June 24, 2005, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF THE LOTTERY

RULE TITLE:	RULE NO.:
Instant Game Number 613, ACES HIGH	53ER05-71

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 613, "ACES HIGH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER05-71 Instant Game Number 613, ACES HIGH.

(1) Name of Game. Instant Game Number 613, "ACES HIGH."

(2) Price. ACES HIGH lottery tickets sell for \$1.00 per ticket.

(3) ACES HIGH 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 ACES HIGH lottery ticket, the ticket must meet the applicable requirements of Rule 53ER05-60, F.A.C.