

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
64B1-9.001 Disciplinary Guidelines
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 48, December 3, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-21.113 Required Continuing Education
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 21, May 27, 2011 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule, as advertised on May 27, 2011, referenced incorrect information regarding the Statement of Estimated Regulatory Costs.

The summary has been corrected to read as follows:

“SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared by the agency.”

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:
69A-38.020 Scope
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 21, May 27, 2011 issue of the Florida Administrative Weekly.

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“SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared by the agency.”

**Section IV
Emergency Rules**

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12DER11-12 Exemption for Deployed
 Servicemembers

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2011-93 (House Bill 1141), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that could be renewed. This act further provides that all conditions imposed by Sections 120.536(1) and 120.54, Florida Statutes, (Section 4 of Chapter 2011-93) were deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2011-93 (House Bill 1141), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 6 months and that they may be renewed. The form included here is based on the requirements of Chapter 2011-93 (House Bill 1141), Laws of Florida, as passed by the Legislature, and will provide a new application form. The Department of Revenue has taken action to inform interested parties about the form that is being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and interested parties who have told the Department that they want to receive all information associated with property tax rulemaking.

SUMMARY: Chapter 2011-93 (House Bill 1141), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that could be renewed. The purpose of these emergency rules is to provide a procedure and form for property appraisers to implement the new exemption from provisions of Chapter 2011-93, Laws of Florida, (House Bill 1141). The application, Form DR-501M, Deployed Military Exemption Application, is for service members who have been deployed in designated operations as outlined in Section 196.173, Florida Statutes, Exemption for Deployed Servicemembers.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janice Forrester, Department of Revenue, Property Tax Technical Unit, 2450 Shumard Oak Blvd., Tallahassee, Florida 32399-0100, telephone (850)617-8886, Fax (850)617-6112, email address: forrestj@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER11-12 Exemption for Deployed Servicemembers.

(1) This rule applies to the exemption provided in Section 196.172, F.S., for servicemembers who receive a homestead exemption and who were deployed during the previous tax year. For the purposes of this rule the following definitions shall apply:

(a) "Servicemember" means a member or former member of:

1. Any branch of the United States military or military reserves,

2. The United States Coast Guard or its reserves, or

3. The Florida National Guard.

(b) "Deployed" means:

1. On active duty,

2. Outside of the continental United States, Alaska or Hawaii, and

3. In support of a designated operation.

(c) "Designated Operation" means an operation designated by the Florida Legislature. The Department shall annually provide all Property Appraisers with a list of operations which have been designated.

(2)(a) Application for this exemption must be made by March 1 of the year following the qualifying deployment. If the servicemember fails to make a timely application for this exemption the property appraiser may grant the exemption on a late application if they believe circumstances warrant that it be granted. The servicemember may also petition the value adjustment board to accept the late application no later than 25 days after the mailing of the notice provided under Section 194.011(1), F.S.

(b) Application for this exemption shall be made on Form DR-501M, Deployed Military Exemption Application (N. 5/11), which the Department of Revenue adopts and incorporates in this rule by reference. Copies of this form are available, without cost, by downloading the selected form from the Department's Internet site at <http://dor.myflorida.com/dor/property/forms/>. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

(c) In addition to the application, the servicemember must submit to the property appraiser deployment orders or other proof of the qualifying deployments which includes the dates of that deployment and other information necessary to verify eligibility for this exemption. If the servicemember fails to include this documentation with the application, the property appraiser may request the needed documentation from the servicemember before denying the exemption.

(d) Application for this exemption may be made by:

1. The servicemember,

2. The servicemember's spouse, if the homestead is held by the entireties or jointly with right of survivorship,

3. A person holding a power of attorney or other authorization under Chapter 709, F.S., or

4. The personal representative of the servicemember's estate.

(3) After receiving an application for this exemption the property appraiser shall consider the application within 30 days of its receipt or within 30 days of the notice of qualifying deployments, whichever is later. If the application is denied in whole or in part, the property appraiser shall send a notice of disapproval to the taxpayer no later than July 1, citing the reason for the disapproval. The notice of disapproval shall also advise the taxpayer of the right to appeal the decision to the value adjustment board.

(4) This exemption shall apply only to the portion of the property which is the homestead of the deployed servicemember or servicemembers.

(5) The percentage exempt under this exemption shall be calculated as the number of days the servicemember was deployed during the previous calendar year divided by the number of days in that year multiplied by 100.

(6) If the homestead property is owned by joint tenants with a right of survivorship or tenants by the entireties, the property may be granted multiple exemptions for deployed servicemembers. The following provisions shall apply in the event that multiple servicemembers are applying for the exemption on the same homestead property.

(a) Each servicemember shall make a separate application to the property appraiser listing the dates of their deployment.

(b) The property appraiser shall separately calculate the exemption percentage for each servicemember.

(c) The property appraiser shall then add the percentages exempt which were determined for each of the servicemembers who are joint tenants with rights of survivorship or tenants by the entirety before applying that percentage to the taxable value. In no event shall the percentage exempt exceed 100%.

(7) When calculating exemptions and taxes due, the property appraiser shall first apply the exemptions listed in Section 196.031(7), F.S., in the order specified, to produce school and county taxable values. The percentage exempt calculated under this exemption shall then be applied to both taxable values producing final taxable values. The taxes due shall then be calculated and the percentage discount for disabled veterans under Section 196.082, F.S., should then be applied.

(8) If the property is owned by either tenants in common or joint tenants without right of survivorship, the percentage discount allowed under this rule shall only apply to the taxable value of the qualifying servicemembers interest in the property.

(9) The following special provisions shall apply to the 2011 tax year.

(a) The application deadline for 2011 is June 1, 2011. If the servicemember fails to make a timely application for this exemption the property appraiser may grant the exemption on a

late application if they believe circumstances warrant that it be granted. The servicemember may also petition the value adjustment board to accept the late application no later than 25 days after the mailing of the notice provided under Section 194.011(1), F.S.

(b) The "Designated Operations" are:

1. Operation Enduring Freedom, which began on October 7, 2001.

2. Operation Iraqi Freedom, which began on March 19, 2003, and ended on August 31, 2010, and

3. Operation New Dawn, which began on September 1, 2010.

Rulemaking Authority Section 4 of Chapter 2011-93 (House Bill 1141), L.O.F. Law Implemented Sections 1, 2, 3, 5 and 6 of Ch. 2011-93 (House Bill 1141), L.O.F., 196.011, 196.031 FS. History--New 6-1-11.

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: June 1, 2011

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12DER11-13	Form DR-420, Certification of Taxable Value

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. These acts further provided that all conditions imposed by Chapter 120, Florida Statutes, were deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2008-173 (Senate Bill 1588), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The forms included here are based on the requirements of Chapter 2008-173 (Senate Bill 1588), Laws of Florida, as passed by the Legislature, and will replace the forms used in previous years. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, taxing authorities, including counties, municipalities, and independent districts, school districts, their associations, and practitioners

who have told the Department that they want to receive all information associated with property tax rulemaking. The actions that the Department has taken include: making the proposed drafts available via the Internet for public review and comments, establishing a new Department email address to make it easier for interested parties to submit comments and questions to the agency; emailing copies of the draft forms to interested parties, as well as receiving and incorporating public comments on the drafts of forms.

SUMMARY: Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. The purpose of this emergency rule is to renew a previously certified form. The Department found an error in the calculations in lines 22 through 27 of the Form DR-420, with the revision date of 5/11. This form is being renewed and replacing the certified form. The new version will be revised as 6/11 and posted to the Department's Internet site at: <http://dor.myflorida.com/dor/property/forms/#10>.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janice Forrester, Department of Revenue, Property Tax Technical Unit, 2450 Shumard Oak Blvd., Tallahassee, Florida 32399-0100, telephone: (850)617-8886, Fax: (850)617-6112, email address: forrestj@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER11-13 Form DR-420, Certification of Taxable Value.

(1)(a) Form DR-420, Certification of Taxable Value (R. 05/11), incorporated by reference in paragraph (3)(a) of Emergency Rule 12DER11-10, Forms for Use in the Truth in Millage and Maximum Millage Calculations Required by Section 200.065, Florida Statutes, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, is superseded by Form DR-420, Certification of Taxable Value (R. 06/11), hereby incorporated by reference.

(b) Form DR-420 (R. 06/11) is the form to be used by each Property Appraiser to certify taxable value and to be used by each local taxing authority to certify property tax millage rates.

(2) The reference to Form DR-420, Certification of Taxable Value (R. 05/11) in subsection (4) of Emergency Rule 12DER11-11 (Disclosure and Certification of Compliance; Filing of Documents Relating to Millage Levy Compliance Commencing 2009), is superseded by reference to Form DR-420, Certification of Taxable Value (R. 06/11).

(3) The reference in paragraph (3)(a) of Emergency Rule 12DER11-09 to the incorporation of Form DR-420 (R. 5/11) in Emergency Rule 12DER11-10 is superseded by the incorporation of Form DR-420 (R. 06/11) in this emergency rule.

(4) Copies of this form is available, without cost, by downloading the selected form from the Department's Internet site at: <http://dor.myflorida.com/dor/property/forms/>.

Rulemaking Authority Section 13 of Ch. 2008-173 (Senate Bill 1588), L.O.F. Law Implemented Section 11 of Ch. 2008-173 (Senate Bill 1588), L.O.F. History-New 6-7-11.

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: June 7, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-29
 RULE TITLE: Instant Game Number 1110, \$5,000 BANKROLL

SUMMARY: This emergency rule describes Instant Game Number 1110, "\$5,000 BANKROLL," 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: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-29 Instant Game Number 1110, \$5,000 BANKROLL.

- (1) Name of Game. Instant Game Number 1110, "\$5,000 BANKROLL."
- (2) Price. \$5,000 BANKROLL lottery tickets sell for \$1.00 per ticket.
- (3) \$5,000 BANKROLL 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 \$5,000 BANKROLL lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

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



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



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



(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS PRIZE

(8) Determination of Prizewinners.

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

A ticket having a "DOUBLE" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to double the prize shown for that symbol.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, and \$5,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1110 are as follows:

GAME PLAY:	WIN:	ESTIMATED ODDS OF 1 IN:	NUMBER OF WINNERS IN 50 POOLS OF 240,000 TICKETS PER POOL:
\$1	\$1	11.11	1,080,000
\$1 (BANKROLL)	\$2	37.50	320,000
\$1 x 2	\$2	60.00	200,000
\$2	\$2	37.50	320,000
\$1 x 4	\$4	300.00	40,000
\$1 (BANKROLL)	\$4	150.00	80,000
+ \$2	\$4	150.00	80,000
\$2 (BANKROLL)	\$4	300.00	40,000
\$2 x 2	\$4	300.00	40,000
\$4	\$4	300.00	40,000
(\$1 x 3) + \$2	\$5	750.00	16,000
\$1 + \$2	\$5	750.00	16,000
(BANKROLL)	\$5	750.00	16,000
\$1 + (\$2 x 2)	\$5	750.00	16,000
\$1 + \$4	\$5	750.00	16,000
\$5	\$5	750.00	16,000
\$2 + \$4	\$10	500.00	24,000
(BANKROLL)	\$10	500.00	24,000
(\$2 x 3) + \$4	\$10	500.00	24,000
\$5 (BANKROLL)	\$10	500.00	24,000
\$5 x 2	\$10	500.00	24,000
\$10	\$10	500.00	24,000
\$5 (BANKROLL)	\$20	1,500.00	8,000
+ \$10	\$20	1,500.00	8,000
\$5 x 4	\$20	1,500.00	8,000

\$10 (BANKROLL)	\$20	1,500.00	8,000
(\$5 x 2) + \$10	\$20	1,500.00	8,000
\$20	\$20	1,500.00	8,000
\$5 + (\$10 x 2)	\$25	6,000.00	2,000
\$5 + \$5	\$25	8,000.00	1,500
(BANKROLL) + \$10			
(\$5 x 3) + \$10	\$25	6,000.00	2,000
\$5 + \$10	\$25	6,000.00	2,000
(BANKROLL)			
\$25	\$25	8,000.00	1,500
\$10 (BANKROLL) + \$20	\$40	9,600.00	1,250
\$10 x 4	\$40	9,600.00	1,250
\$20 (BANKROLL)	\$40	9,600.00	1,250
(\$10 x 2) + \$20	\$40	9,600.00	1,250
\$40	\$40	9,600.00	1,250
(\$10 x 3) + \$10	\$50	10,000.00	1,200
(BANKROLL)			
(\$10 x 3) + \$20	\$50	10,000.00	1,200
\$10 + (\$20 x 2)	\$50	12,000.00	1,000
\$25 (BANKROLL)	\$50	16,000.00	750
\$50	\$50	16,000.00	750
(\$20 x 3) + \$20	\$100	24,000.00	500
(BANKROLL)			
\$25 x 4	\$100	24,000.00	500
\$20 + (\$40 x 2)	\$100	24,000.00	500
\$50 (BANKROLL)	\$100	24,000.00	500
\$100	\$100	24,000.00	500
\$5,000	\$5,000	240,000.00	50

(10) The estimated overall odds of winning some prize in Instant Game Number 1110 are 1 in 4.87. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1110, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for \$5,000 BANKROLL 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 6-3-11.

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: June 3, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-30
RULE TITLE: Instant Game Number 1112, \$200 GRAND

SUMMARY: This emergency rule describes Instant Game Number 1112, “\$200 GRAND,” 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: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-30 Instant Game Number 1112, \$200 GRAND.

(1) Name of Game. Instant Game Number 1112, “\$200 GRAND.”

(2) Price. \$200 GRAND lottery tickets sell for \$5.00 per ticket.

(3) \$200 GRAND 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 \$200 GRAND lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

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

1 ONE	2 TWO	3 THREE	4 FOUR	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT	29 TWENTYNINE	30 THIRTY
	5x 5 TIMES							

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT	29 TWENTYNINE	30 THIRTY

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

\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY
\$25.00 TWENTY FIVE	\$30.00 THIRTY	\$50.00 FIFTY	\$100 ONE HUNDRED	\$200 TWO HUNDRED
\$400 FOUR HUNDRED	\$1,000 ONE THOUSAND	\$2,000 TWO THOUSAND	\$10,000 TEN THOUSAND	\$200,000 TWO HUNDRED THOUSAND

(7) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
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(8) 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 claimant to the corresponding prize shown for that symbol. A

ticket having a "5x" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to the

prize shown for that symbol. A ticket having a "5x" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to five times the prize shown for

that symbol. A ticket having a "WIN100" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$100. A ticket having a

"WIN12" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$400, \$1,000, \$2,000, \$10,000 and \$200,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1112 are as follows:

\$25	\$25	1,200.00	5,200
(\$2 x 10) + (\$5 x 2) (STAR)	\$30	600.00	10,400
\$5 x 6	\$30	1,200.00	5,200
\$5 + \$5 (5X)	\$30	1,200.00	5,200
\$10 x 3	\$30	1,500.00	4,160
\$30	\$30	1,500.00	4,160
(\$2 x 5) + (\$5 x 6) + \$10 (STAR)	\$50	1,200.00	5,200
(\$5 x 5) + \$5 (5X)	\$50	1,250.00	4,992
\$5 x 10	\$50	1,500.00	4,160
\$25 x 2	\$50	1,500.00	4,160
\$50	\$50	1,500.00	4,160
(\$5 x 10) + (\$25 x 2) (STAR)	\$100	1,200.00	5,200
\$10 x 10	\$100	1,500.00	4,160
\$20 (5X)	\$100	1,500.00	4,160
\$100 (\$100 STARBURST)	\$100	1,200.00	5,200
\$100	\$100	1,500.00	4,160
(\$10 x 10) + (\$50 x 2) (STAR)	\$200	15,000.00	416
(\$10 x 10) + (\$50 x 2)	\$200	15,000.00	416
\$25 x 8	\$200	15,000.00	416
(\$20 x 5) + \$20 (5X)	\$200	15,000.00	416
\$200	\$200	15,000.00	416
(\$30 x 10) + (\$50 x 2) (STAR)	\$400	15,000.00	416
(\$30 x 10) + (\$50 x 2)	\$400	15,000.00	416
\$100 x 4	\$400	15,000.00	416
\$200 x 2	\$400	15,000.00	416
\$400	\$400	15,000.00	416
(\$50 x 4) + (\$100 x 8) (STAR)	\$1,000	40,000.00	156
(\$100 x 6) + (\$200 x 2)	\$1,000	40,000.00	156
\$100 x 10	\$1,000	40,000.00	156
\$200 (5X)	\$1,000	40,000.00	156
\$1,000	\$1,000	40,000.00	156
(\$100 x 4) + (\$200 x 8) (STAR)	\$2,000	120,000.00	52
\$200 x 10	\$2,000	120,000.00	52
\$400 (5X)	\$2,000	120,000.00	52
\$1,000 x 2	\$2,000	120,000.00	52
\$2,000	\$2,000	120,000.00	52
\$10,000	\$10,000	120,000.00	52
\$200,000	\$200,000	1,248,000.00	5

(10) The estimated overall odds of winning some prize in Instant Game Number 1112 are 1 in 4.00. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1112, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

GAME PLAY:	WIN:	ESTIMATED ODDS OF 1 IN:	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL:
\$5	\$5	10.00	624,000
\$2 (5X)	\$10	30.00	208,000
\$2 x 5	\$10	60.00	104,000
\$5 x 2	\$10	30.00	208,000
\$10	\$10	60.00	104,000
\$2 (5X) + \$5	\$15	300.00	20,800
\$5 x 3	\$15	150.00	41,600
\$5 + \$10	\$15	300.00	20,800
\$15	\$15	300.00	20,800
\$2 x 10	\$20	300.00	20,800
\$2 (5X) + \$10	\$20	300.00	20,800
\$5 x 4	\$20	300.00	20,800
\$5 + \$15	\$20	300.00	20,800
\$20	\$20	300.00	20,800
\$5 x 5	\$25	1,200.00	5,200
\$5 (5X)	\$25	1,200.00	5,200
\$5 + (\$10 x 2)	\$25	1,200.00	5,200
\$10 + \$15	\$25	1,200.00	5,200

(12) Payment of prizes for \$200 GRAND 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 6-3-11.

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: June 3, 2011

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-31
 RULE TITLE: Instant Game Number 1111, ROCKIN' 5'S

SUMMARY: This emergency rule describes Instant Game Number 1111, "ROCKIN' 5'S," 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: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-31 Instant Game Number 1111, ROCKIN' 5'S.

(1) Name of Game. Instant Game Number 1111, "ROCKIN' 5'S."

(2) Price. ROCKIN' 5'S lottery tickets sell for \$2.00 per ticket.

(3) ROCKIN' 5'S 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 ROCKIN' 5'S lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

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



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



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



(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS PRIZE

(8) Determination of Prizewinners.

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

A ticket having a "WIN" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to

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

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$40.00, \$100, \$400, \$1,000, \$5,000 and \$25,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1111 are as follows:

GAME PLAY:	WIN:	ESTIMATED ODDS OF 1 IN:	NUMBER OF WINNERS IN 60 POOLS OF 180,000 TICKETS PER POOL:
\$2	\$2	10.71	1,008,000
\$1 x 4	\$4	50.00	216,000
(\$1 x 2) + \$2	\$4	50.00	216,000
\$2 x 2	\$4	50.00	216,000
\$4	\$4	50.00	216,000
\$1 (5X)	\$5	150.00	72,000
(\$1 x 3) + \$2	\$5	250.00	43,200
\$1 + (\$2 x 2)	\$5	250.00	43,200
\$1 + \$4	\$5	375.00	28,800
\$5	\$5	375.00	28,800

\$1 x 10	\$10	150.00	72.000
\$2 (5X)	\$10	150.00	72.000
\$2 x 5	\$10	187.50	57.600
\$5 x 2	\$10	250.00	43.200
\$10	\$10	250.00	43.200
\$2 x 10	\$20	750.00	14.400
\$4 x 5	\$20	750.00	14.400
\$4 (5X)	\$20	750.00	14.400
\$10 x 2	\$20	750.00	14.400
\$20	\$20	750.00	14.400
(\$2 x 8) + \$4 + \$5	\$25	3,600.00	3.000
\$5 x 5	\$25	3,600.00	3.000
\$5 (5X)	\$25	2,400.00	4.500
\$5 + (\$10 x 2)	\$25	3,600.00	3.000
\$25	\$25	3,600.00	3.000
(\$2 x 5) + (\$5 x 4)	\$30	4,500.00	2.400
(\$5 x 4) + \$10	\$30	4,500.00	2.400
\$10 x 3	\$30	4,500.00	2.400
\$5 + \$5 (5X)	\$30	4,500.00	2.400
\$30	\$30	4,500.00	2.400
\$4 x 10	\$40	5,000.00	2.160
\$10 x 4	\$40	6,000.00	1.800
\$4 (5X) + \$4 (5X)	\$40	5,000.00	2.160
\$20 x 2	\$40	6,000.00	1.800
\$40	\$40	6,000.00	1.800
\$10 x 10	\$100	3,000.00	3.600
(\$20 x 3) + \$40	\$100	3,000.00	3.600
\$25 x 4	\$100	3,000.00	3.600
\$20 (5X)	\$100	3,000.00	3.600
\$100	\$100	3,600.00	3.000
\$40 x 10	\$400	36,000.00	300
(\$25 x 4) + (\$100 x 3)	\$400	45,000.00	240
\$40 (5X) + \$40 (5X)	\$400	36,000.00	300
\$100 x 4	\$400	45,000.00	240
\$400	\$400	45,000.00	240
\$100 x 10	\$1,000	180,000.00	60
(\$100 x 6) + \$400	\$1,000	180,000.00	60
(\$100 x 2) + (\$400 x 2)	\$1,000	180,000.00	60
\$100 (5X) + \$100 (5X)	\$1,000	90,000.00	120
\$1,000	\$1,000	180,000.00	60
\$1,000 x 5	\$5,000	1,080,000.00	10
\$5,000	\$5,000	1,080,000.00	10
\$25,000	\$25,000	1,080,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 1111 are 1 in 4.31. Prizes, including the top prizes, are subject to availability at the time of ticket

purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1111, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for ROCKIN' 5'S 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 6-3-11.

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EFFECTIVE DATE: June 3, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration hereby gives notice that on May 19, 2011, a Final Order was issued Denying the Petition for Waiver of subsection 59A-35.100(2), Florida Administrative Code.

The Order concerned the Petition for Waiver, received by the Agency on February 11, 2011, by Alzheimer's Community Care, Inc. The Notice of Petition for Waiver was published in the Florida Administrative Weekly at page 611 of Vol. 37, No. 10, published on March 11, 2011.

The Petitioner requested a waiver from subsections 59A-35.100(2) and 59A-35.100(2), F.A.C., implements Section 408.810, Florida Statutes. This rule states that no more than one license will be issued to operate the same provider types at the identical physical or street address, with the exception of federally authorized clinical laboratories. The Petitioner sought a waiver to allow it to hold a license to operate an adult day care center at a physical location which already houses an adult day care center.

The Agency denied this request and issued a Final Order on the Petition on May 19, 2011. The basis for the Agency's denial of the petition is the failure of the Petitioner to establish that the requirements for a waiver under Section 120.542(2), F.S. would be met. The Petitioner failed to establish a substantial