

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NOS.: RULE TITLES:
 69L-5.205 Loss Data Reporting
 69L-5.217 Civil Penalties and Fines

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly.

The following is added to the end of the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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: Based upon the economic analysis conducted by the Department and past experiences with rules of this nature, there will be no adverse effect on small businesses, economic growth, private-sector job creation, employment or investment in excess of the threshold requiring legislative ratification. There will also be no increase in regulatory costs in excess of the threshold requiring legislative ratification. The proposed amendment to Rule 69L-5.217, F.A.C., will reduce the penalties that are assessed against self-insurers for late filing of reports and forms.

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
 53ER11-63 Code of Ethics

SUMMARY: This emergency rule sets forth the Code of Ethics for employees of the Florida Lottery and replaces Rules 53ER07-40 and 53ER07-41, F.A.C.

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:

53ER11-63 Code of Ethics.

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

(2) Definitions.

For purposes of this rule,

(a) "Chief ethics officer" means the Lottery's Deputy General Counsel.

(b) "Employee" means any person employed by the Florida Lottery.

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

"Gift" does not include:

1. Salary, benefits, services, fees, commissions, gifts or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization (the donee's principal employer or business occupation and unrelated to the donee's public position); or

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

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

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

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

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

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

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

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

(e) "Lobbyist" means a person who is employed and receives payment for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other