

DATE AND TIME: February 25, 2009, 10:00 a.m.
 PLACE: Tampa Crowne Plaza, 10221 Princess Palm Avenue, Tampa, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Review law enforcement agencies for accreditation or reaccreditation and general business of the Commission.
 A copy of the agenda may be obtained by contacting: Executive Director, Peg Gant at 1(800)558-0218 or visiting www.flaccreditation.org.
 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 1 day before the workshop/meeting by contacting: Executive Director, Peg Gant at 1(800)558-0218. 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: Executive Director, Peg Gant at 1(800)558-0218.

FLORIDA PORTS COUNCIL

The **Florida Ports Financing Commission** (FPFC) announces a telephone conference call to which all persons are invited.
 DATE AND TIME: Wednesday, February 25, 2009, 10:00 a.m.
 PLACE: Toll Free Dial-In Number: 1(877)540-9892, Participant Code: 833035
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.
 A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council at (850)222-8028.
 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 48 hours before the workshop/meeting by contacting: Toy Keller, Florida Ports Council at (850)222-8028. 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: Toy Keller, Florida Ports Council at (850)222-8028.

MID-FLORIDA AREA AGENCY ON AGING

The **Elder Options** announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2009, 10:00 a.m.
 PLACE: Elder Options Board Room, 5700 S. W. 34th Street, Suite 222, Florida Farm Bureau Building, Gainesville, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting of the Elder Options Board of Directors. The Board will take action on matters to be determined by the members of the Board, which may include matters such as the Executive Director's Report.
 A copy of the agenda may be obtained by contacting: Sarah Ellis at (352)378-6649.
 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 48 hours before the workshop/meeting by contacting: Sarah Ellis at (352)378-6649. 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: Sarah Ellis at (352)378-6649.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Mary Christofferson, Petitioner/Unit Owner, In Re: Bayshore Embassy Condominium, Inc., Docket No. 2008066968, on December 11, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division does not have the authority to interpret and enforce ambiguous provisions in the governing documents; or where facts are in dispute; or where owners who will be affected by the decision are not parties to the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has issued an order disposing of the petition for declaratory statement filed by Andrew I. Lewis, Petitioner, In Re: The Olympus Condominium Association, Inc., Docket No. 2008056492, on October 9, 2008. The following is a summary of the agency's disposition of the petition:

It is ordered that The Olympus Condominium Association, Inc., is required to abide by the new provisions governing director terms under the amendment to Section 718.112(2)(d)1., Florida Statutes, and may either reaffirm its bylaws by majority vote of the total voting interests approving two-year staggered terms or else all director's terms default to one-year terms upon expiration. The directors elected to two-year terms in February 2008 are allowed to continue serving until the terms expire in February 2010.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Dawn Marcus, Petitioner/Unit Owner, In Re: Boca Teeca Condominium No. 4, Inc. Docket Number: 2008060457 on October 29, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division has not received a copy of Boca Teeca Condominium No. 4's governing documents and may not issue a declaratory statement without reviewing the documents; or where others who will be affected by the decision are not parties to the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Harvey Wasserman, Petitioner, In Re: Del Mar Association, Inc., Docket No. 2008062585 on November 10, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division may not address issues that have already taken place; or where facts are in dispute.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT the Department of Environmental Protection has received the petition for declaratory statement from TRI-TECH Analytical Laboratories, Inc., Fisherman's Wharf MH & RV Park, Lake Saunders Utilities, Meadows of Astatula, and Tom Felton, c/o

General Utilities, Inc. The petition seeks the agency’s opinion as to the applicability of Rule 62-160.650, F.A.C., as it applies to the petitioner.

The Petition seeks a declaratory statement regarding the following: whether the laboratory petitioner is an “audited party,” as defined in Rule 62-160.650, F.A.C.; whether the Department must follow the procedures outlined in Rule 62-160.650, F.A.C., to address alleged deficiencies found during an audit; and whether the wastewater facility petitioners’ obligations with respect to selection and use of a laboratory is limited to ensuring that the laboratory is properly certified and maintaining evidence of such certification.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lea Crandall, Agency Clerk, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000 or by e-mail: lea.crandall@dep.state.fl.us.

Please refer all comments to: Lea Crandall, Agency Clerk, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, e-mail: lea.crandall@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Shannon Morse, RN on September 3, 2008. The following is a summary of the agency’s disposition of the petition:

The Board of Nursing hereby gives notice that it has issued a Final Order on the Petition for Declaratory Statement, which was filed on September 3, 2008, on behalf of Shannon Morse, RN. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 43, of the October 24, 2008, issue of the Florida Administrative Weekly. Specifically, the Petitioner requested that the Board issue an opinion as to whether it is within her scope of practice as defined in the Nurse Practice Act, specifically Section 464.003(3)(a), F.S., and paragraph 64B9-8.005(2)(n), F.A.C., to perform the physical exam and assess patients for potential skin cancers, which may include presumptive diagnoses of nonmelanoma and melanoma skin cancers. The Board of Nursing considered the Petition at its meeting held on December 5, 2008, in Kissimmee, Florida. The Board’s Order, filed on January 12, 2009, and found that under the specific facts of the Petition, a presumptive diagnosis of skin cancer is not within the scope of Petitioner’s license.

A copy of the Board’s Order may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN THAT on January 21, 2009 the Department of Health has received the petition for declaratory statement from Pharmedlink, Inc., 12345 Starkey Road, Suite L, Largo, Florida. The petition seeks the agency’s opinion as to

the applicability of Section 499.0121(6), Florida Statutes and paragraphs 64F-12.023(3)(a) and 64F-12.012(2)(d), Florida Administrative Code, as it applies to the petitioner.

The petition seeks a Declaratory Statement from the Department of Health, Drugs Devices and Cosmetics Program regarding the creation of an inbound inventory prior to the shipment of prescription medications into Florida as required by Section 499.0121(6), Florida Statutes and paragraphs 64F-12.023(3)(a) and 64F-12.012(2)(d), Florida Administrative Code. The petition seeks the Department’s approval of Petitioner’s creation of the required inbound inventory upon its receipt of a shipment of prescription medications.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4294.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Roy Tremain, Eustice Fire Chief, on June 19, 2008. The following is a summary of the agency’s disposition of the petition:

The subject of the Petition is the application of the Florida Fire Safety Code (the “Code”) to a bed and breakfast located in Eustice, Florida, as it relates to the requirements of Section 509.215, Florida Statutes. The Declaratory Statement concludes that the exemption for structures offering fewer than 50 percent of their units to the public is not applicable to the subject structure because the rooms offered are not units as defined in the Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340; or by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

**Section VIII
Notices 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