

DATE AND TIME: Friday, May 29, 2009, 9:00 a.m. – 5:00 p.m.

PLACE: The Advocacy Center for Persons with Disabilities, Inc., 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advocacy Center for Persons with Disabilities, Inc., Florida's Protection and Advocacy Programs Quarterly Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Paige Morgan at (850)488-9071, ext. 219.

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: Advocacy Center for Persons with Disabilities, Inc., 2728 Centerview Drive, Suite 102, Tallahassee, Florida 32301, 1(800)346-4127. 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: Paige Morgan at (850)488-9071, ext. 219.

A copy of the agenda may be obtained by contacting: Dana Farmer at 1(800)342-0823, ext. 226 or email: danaf@advocacycenter.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 3 days before the workshop/meeting by contacting: Dana Farmer at 1(800)342-0823, ext. 226 or danaf@advocacycenter.org. If you are a person with hearing or speech impairments, 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: Dana Farmer at 1(800)342-0823, ext. 226 or danaf@advocacycenter.org.

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 received the petition for declaratory statement from David B. Haber, Esq., In Re: Portofino/South Pointe Master Association, Inc., Docket No. 2009019992 on April 9, 2009. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Does the president of the South Pointe Condominium Association, Inc., who already holds a seat on the Portofino/South Pointe Master Association, Inc. board have a right to place his name into candidacy to run for the one "at large" master association board seat to be voted upon only by the South Pointe Condominium Association members?

A copy 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.

The **Advocacy Center for Persons with Disabilities, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2009, 2:30 p.m. – 3:30 p.m.

PLACE: The Advocacy Center for Persons with Disabilities, Inc., 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301
 GENERAL SUBJECT MATTER TO BE CONSIDERED: This forum is in conjunction with a Federal site visit by the Protection and Advocacy for Individuals with Mental Illnesses (PAIMI) program, the Center for Mental Health Services (CMHS) within the Substance Abuse and Mental Health Services Administration (SAMHSA), U.S. Department of Health and Human Services (DHHS).

We invite you to comment at the public forum in person, to attend by phone or to submit your comments in writing. If you are unable to attend in person or by phone, please mail your comments in advance to: Dana L. Farmer, PAIMI Coordinator, at the above address or email: danaf@advocacycenter.org. Comments may also be sent in advance via email: Karen.Armstrong@samhsa.hhs.gov. To participate by phone, Conference Call: 1(888)808-6959, Conference Code: 1014286. Our office is on StarMetro Routes 25, 26 and 80X, with a stop right in front of our building.

We welcome comments that express your opinion about the PAIMI Program. We will begin with an overview and discussion of the process and our current priorities and then open the floor to discussion. Comments will be limited to three (3) minutes, though more time may be allotted if all in attendance have had a chance to speak. Persons offering oral comments are encouraged to submit a written copy or their comments, if possible.

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 received the petition for declaratory statement from David B. Haber, Esq., In Re: Portofino Towers Condominium Association, Inc., Docket No. 2009019987 on April 7, 2009. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Whether Portofino Towers Condominium Association, Inc. may enforce a pet restriction to remove a Doberman pincer in unit 1002.

A copy 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 received the petition for declaratory statement from Don Marks and Agathe Marks, Petitioners/Unit Owners, In Re: Pan American Condominium Association, Inc., Docket No. 2009019986 on April 9, 2009. The petition seeks the agency's opinion as to the applicability of Section 718.113, Florida Statutes, as it applies to the petitioner.

Whether Pan American Condominium Association, Inc. is responsible for relocating a hot water heater that serves 8 other units from within the boundaries of one unit to a common element area and whether the association is responsible for maintaining the hot water heater under Section 718.113, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1031.

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 James Wergles, Attorney in fact for JANET SCUDDER, Unit Owner, In Re: Tregate East Condominium Association, Inc., Docket No. 2009002765 on April 19, 2009. 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 contracts, as interpretation of contracts is strictly a judicial function.

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."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on April 2, 2009, the Dietetics and Nutrition Council has received the petition for declaratory statement from John A. Fitzsimmons, III. The petition seeks the agency's opinion as to the applicability of Section 468.505(1)(a), F.S., as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 468.505(1)(a), F.S., and if the Petitioner's actions listed in the petition regarding exemptions are in accordance with that Section 468.505(1)(a), F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Dietetics and Nutrition Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Leesburg Fire Department on November 26, 2008. The following is a summary of the agency’s declination of the petition:

The Petition poses the following question: Does building construction type, specifically IIIB, allow the waiver of the fire alarm system requirement in NFPA 101-31.3.4.1.1? Following a discussion of the application standard, the Declaratory Statement concludes that it is not the appropriate means for obtaining a policy statement of general applicability from an agency, citing Tampa Electric Company v. Florida Department of Community Affairs, 654 So.2d 998 (Fla. 1st DCA, 1995). The standard provides exceptions to the fire alarm system requirement in existing apartment buildings; however, the Petition does not allege sufficient facts to determine whether any of the exceptions apply. In accordance with the foregoing, and the statutes, rules and case cited therein, the Petition for Declaratory Statement herein is hereby DENIED.

A copy of the Order Declining 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.

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 Frank McElroy, Petitioner on January 23, 2009. The following is a summary of the agency’s disposition of the petition:

The Petition was presented at the Florida Fire Code Advisory Council meeting on March 27, 2009 in St. Augustine, Florida. The affected condominium association presented its arguments through the association’s Vice President. Members of the public also spoke at the meeting. The Subject of the Petition is whether a fire alarm system is required in the subject structure which lacks a fire sprinkler system. The answer is yes, because the Life Safety Code, adopted by rule of the Department, requires the fire alarm system as a minimum requirement and the subject structure did not meet any of the exceptions for the requirement. The local fire authority is authorized to approve an alternative that provides an equivalent level of fire safety; however, an alternative was not proposed.

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, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please

include your phone number on your request in case any question arises), 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

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

NONE

**Section IX
Notices 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 AGRICULTURE AND CONSUMER SERVICES

INVITATION TO BID

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, hereinafter referred to as Owner, for the construction of a new office and storage facility at the Belle Glade Forestry Site, located at 2842 North Main Street, Belle Glade, Florida (3 miles North of Belle Glade on US 441), Palm Beach County, Florida. The Project Budget is estimated at: \$275,000.00.