

PLACE: UCF Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

MEETING TYPE: Public Awareness Committee Meeting

DATE AND TIME: Thursday, May 8, 2008, 11:45 a.m. – 12:45 p.m.

PLACE: UCF Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

For a copy of the agendas and more information about how to attend the meetings contact JC Gamboa at jgamboa@ounce.org or (850)488-4952, ext. 149.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

A copy of the agenda may be obtained by contacting: Josephine (JC) Gamboa at (850)488-4952, jgamboa@ounce.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 7 days before the workshop/meeting. 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 Josephine (JC) Gamboa, (850)488-4952, jgamboa@ounce.org.

H. LEE MOFFITT CANCER CENTER AND RESEARCH AUTHORITY

The State of Florida, **Cancer Control Research and Advisory Council** announces a council meeting to which all interested persons are invited.

DATE AND TIME: Monday, May 12, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Broward Room, Tampa, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Cancer Control Research and Advisory Council.

A copy of the agenda may be obtained by contacting: Glendora Flanders-Ghani at (813)745-6251 or email: Glendora.Flandersghani@moffitt.org.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Medical Advisory Committee of the **Florida Birth-Related Neurological Injury Compensation Association** announces a public meeting to which all persons are invited.

DATE AND TIME: May, 16, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: The Crowne Plaza West Palm Beach, 1601 Belvedere Road, West Palm Beach, FL 33406, (561)689-6400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Advisory Committee.

A copy of the agenda may be obtained by contacting (850)488-8191.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Joseph Hermann, Production Manager, on behalf of Arroyo Enterprises, Inc., on April 3, 2008, regarding clarification of the Florida Building Code's requirements for shutters on a glass sunroom with a glass roof located in Martin County. Petitioner asks whether a sunroom is considered a separate structure; whether a sunroom must be constructed under an existing roof or deck; whether a sunroom can be built as partially enclosed; and whether a sunroom must be shuttered if the existing openings of the main structure are shuttered or have impact glass. It has been assigned the number DCA08-DEC-108.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Lee Arsenault on behalf of The Vintage Group, Inc. on April 10, 2008, regarding whether the Florida Building Code, Residential and Mechanical Volumes (2007 as amended) allow exhaust from mechanical bathroom ventilators to be discharged into the soffit area of a home equipped with passive soffit and off-ridge vents. It has been assigned the number DCA08-DEC-112.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has received the petition for declaratory statement from American Health Associates Clinical Laboratory, Inc. The petition seeks the agency’s opinion as to the applicability of Sections 483.201(5) and 483.245(1), Florida Statutes (2007) and Rule 59A-7.037, Florida Administrative Code, as it applies to the petitioner.

The Petition was received on April 7, 2008 and seeks the Agency’s opinion as to the applicability of statutes and rules as it applies to the Petitioner. The Petition seeks interpretation of the following provisions: Sections 483.201(5) and 483.245(1), Florida Statutes (2007) and Rule 59A-7.037, Florida Administrative Code. The Petition requests a declaratory statement from the Agency regarding the statutory prohibitions as recited in Section 483.245, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has received the petition for declaratory statement from Dominion Diagnostics, LLC. The petition seeks the agency’s opinion as to the applicability of Sections 483.245 and 483.825(1)(q), Florida Statutes, and subsection 59A-7.020(15) and Rule 59A-7.037, Florida Administrative Code. as it applies to the petitioner.

The Agency for Health Care Administration has received a petition for declaratory statement on April 9, 2008, from Dominion Diagnostics, LLC. The petition seeks the agency’s opinion as to the applicability of statutes and rules as it applies to the petitioner. The provisions on which the declaratory statement are sought are: Sections 483.245 and 483.825(1)(q), Florida Statutes, and subsection 59A-7.020(15) and Rule 59A-7.037, Florida Administrative Code. The Petitioner is requesting that the Agency issue a declaratory statement advising whether providing specimen cups containing an instant test result violates current rules and statutes. The Petitioner has further requested that the Agency address whether providing a staff member or contractor to a physician’s office also violates current rules and statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has issued an order disposing of the petition for declaratory statement filed by Ronald Futch on November 13, 2007. The following is a summary of the agency’s disposition of the petition:

Even if Petitioner were now able to establish that he was previously entitled to purchase service credit to upgrade his prior Regular Class service as an emergency medical technician to Special Risk Class service (which the Division disputes), he could not now claim or purchase retirement credit for the subject period because a retirement benefit has been cashed or deposited in the DROP for him. Petitioner is not permitted to continue working for Volusia County, or any other FRS employer, after his DROP termination date and also avoid the application of that provision. The existing statutes and related rules are clear and do not permit exceptions under the circumstances advanced by Petitioner.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

Please refer all comments to: Geoffrey M. Christian, Esq., Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has issued an order disposing of the petition for declaratory statement filed by Michael Hensler on November 13, 2007. The following is a summary of the agency’s disposition of the petition:

Even if Petitioner were now able to establish that he was previously entitled to purchase service credit to upgrade his prior Regular Class service as an emergency medical technician to Special Risk Class service (which the Division disputes), he could not now claim or purchase retirement credit for the subject period because a retirement benefit has been cashed or deposited in the DROP for him.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

Please refer all comments to: Geoffrey M. Christian, Esq., Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, 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 Catherine Adolf, In RE: 2080 Ocean Drive Condominium Association, Inc., Docket No. 2008009772 on February 18, 2008. The following is a summary of the agency's disposition of the petition:

The actions of Association in maintaining the limited common elements of Ocean Drive are not inconsistent with the provisions of Section 718.113, Florida Statutes; and the Division declines to address the issue of whether the management contract is fair and reasonable under Section 718.302(4), Florida Statutes.

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 Land Sales, Condominiums, 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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Rick and Christine H. Irizarry, Unit Owners, In RE: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2008000543 on December 27, 2007. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the issue is under investigation.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, 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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Sharon L.

Piergeorge, Petitioner, In RE: Jupiter Ocean Grande One Association, Inc., Docket No. 2008021081. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Jupiter Ocean Grande One Association, Inc. may enforce an amendment restricting leases under Section 718.110(13), 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 Land Sales, Condominiums, 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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Edward A. Sheridan, In RE: Coralstone Condominium Association, Inc., Docket No. 2008008135 on February 6, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because there is an open complaint on the same issues pending before the Division.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, 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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Sun Island Association, Inc., Docket No. 2008004421 on January 23, 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 ambiguous provisions in a declaration.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, 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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Michael J. Venezia, Petitioner, In RE: The Hallmark of Hollywood Condominium Association, Inc., Docket No. 2008020983. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Section 718.404, Florida Statutes, may be retroactively applied to The Hallmark of Hollywood, a Condominium to change the percentages of ownership shares of common expenses assigned to residential and commercial units under the declaration, and whether the association may redistribute the developer assigned parking spaces from commercial owners to residential owners.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, 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 Land Sales, Condominiums, 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 OF WITHDRAWAL

The Board of Psychology hereby gives notice that the petition filed by Robert Henley Woody, on February 19, 2008, seeking the Board's interpretation of Sections 456.054 and paragraph 490.009(1)(j), subsection 490.012(6) F.S., has been withdrawn. The Notice of Petition for Declaratory Statement published in Vol. 34, No. 11 of the March 14, 2008, issue of the Florida Administrative Weekly.

The person to be contacted regarding this petition is: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Stephen P. Rinaldi, Fire Marshal, Escambia County Fire Rescue, Petitioner. The petition seeks the agency's opinion as to the applicability of FFPC-NFPA 101 30.2.4.3 (1) and FFPC NFPA 301 30.3.1.3. as it applies to the petitioner.

Majestic Oaks Apartments, 7840 Lilac Lane Buildings 1-8, Pensacola, FL 32514.

A copy 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@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Florida Department of Financial Services has received the petition for declaratory statement from Charles K. Bortell, Jr., 5200 N. Federal Highway, #2, Ft. Lauderdale, FL 33308. The Petition is dated April 11, 2008, and was received by the Department on April 14, 2008. The petition seeks the agency's opinion as to the applicability of issues concerning what type of insurance agent licensure is required to originate certain surplus lines insurance business as it applies to the petitioner.

The Petition states as follows concerning the ruling sought: "Petitioner respectfully requests the Florida Department of Financial Services and/or the Office of Insurance Regulation (OIR), as might be appropriate regarding jurisdiction, to provide specific and explicit declaratory authority, for all similarly licensed Florida 'Health insurance' agents, including the Petitioner, as follows: such properly licensed 'Health insurance' agents are duly authorized to originate and submit any eligible Surplus Lines coverages to a Florida surplus lines agent; providing the coverages satisfy the statutory descriptions and requisites of Sections 624.603 and 626.829, F.S."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Douglas Shropshire, Staff Counsel, Department of Financial Services, Division of Legal Services, Larson Building, 6th Floor, 200 East Gaines Street, Tallahassee, Florida 32399-0333, or by email at shropshired@dfs.state.fl.us.

Persons seeking to intervene shall comply with Rule 28-105.0024, Florida Administrative Code, and rules cited thereunder. Any persons seeking to intervene should file their petition for intervention by not later than May 19, 2008, to the attention of staff counsel Douglas Shropshire, at the address given above.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Financial Services Commission, Office of Insurance Regulation has received the petition for declaratory statement from The AFP Accumulation Trust. The petition seeks the agency’s opinion as to the applicability of the Florida Viatical Settlement Act, Chapter 626, Part X, Florida Statutes, as it applies to the petitioner.

The Petitioner has withdrawn its earlier Petition, the notice of which had been published, and replaced it with this new one. The new petition sets out a more detailed recitation of the applicable facts. The petition asks how the viatical settlement act applies to a proposed financial arrangement in which a life insurance policy held by a trust is transferred by means of a transfer of ownership of the trust itself, rather than of the policy itself.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bob Prentiss at bob.prentiss@fldfs.com.

Please refer all comments to: Bob Prentiss at bob.prentiss@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has received the petition for declaratory statement from James B. Coppinger. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes as it applies to the petitioner.

OFFICE OF FINANCIAL REGULATION NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation received a petition for declaratory statement on March 28, 2008, from James B. Coppinger, Chief Executive Officer, of Transpayment, Inc. The petition seeks the Office’s opinion as to whether Transpayment and its Retail Customers must register with the Office pursuant to Chapter 560, Florida Statutes, and specifically whether their activities fall within the definitions of “Funds Transmitter” and “Money Transmitter” pursuant to Section 560.103, Florida Statutes.

A copy of the petition for declaratory statement may be obtained by writing: Agency Clerk, Office of Financial Regulation, Fletcher Building, Suite #526, 200 E. Gaines Street, Tallahassee, FL 32399-0379.

A copy of the Petition for Declaratory Statement may be obtained by contacting Sheila Harley, Assistant General Counsel at (850)410-9896

Please refer all comments to Sheila Harley.

**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 building facilities at Arcadia Forestry Center, located 3-miles west of Arcadia on Highway 70, DeSoto County, Florida. The Project Budget is estimated at: \$330,000.00.

The Department is seeking a Contractor for the construction of building facilities at the Arcadia Forestry Center, which includes (1) Administrative Building, 1,200 square feet, single-story frame construction, and (1) 2,500 square foot, pre-engineered metal equipment shed, with storage area and mezzanine, and site work. The Contractor shall provide all materials, labor,