

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor’s Commission on Disabilities**, Transportation/Independent Living Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday June 9, 2010, 10:00 a.m. – 12:00 Noon

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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 the City of South Daytona. It was assigned the number DCA10-DEC-079. The petition seeks the agency’s opinion as to the applicability of Sections 611.1, Florida Building Code, Existing Building Volume, and 1510.1, 1502 and 1507, Florida Building Code, Building Volume (2007, as amended) as it applies to the petitioner.

The petitioner asks if new roof coverings can be installed over existing roof coverings, without the addition of the required minimum slope of 1/4" in 12", for room covering systems requiring that minimum slope, and whether standing water that evaporates within 48 hours meets the code definition of Positive Roof Drainage.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 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.”

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 issued an order disposing of the petition for declaratory statement filed by Jeremy V. Anderson on behalf of Fiddler’s Green Condominium Association II, Inc. on March 26, 2010. The following is a summary of the agency’s disposition of the petition:

The Division finds that Fiddler’s Green Condominium Association II, Inc.’s bylaw limiting a director to two consecutive terms is consistent with Section 718.112(2)(d)1., Florida Statutes, which provides that all unit owners, except those explicitly limited by the statute, are eligible to run for election to the board.

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 Gabriel A. Ferrer, Petitioner/Unit Owner, In Re: Grand Isle North Hutchinson Island Condominium Association, Inc., on March 23, 2010. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because it may not issue a declaratory statement where the facts concern events that have already taken place; or because the record contains no competent, substantial evidence to support the declaration.

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 received the petition for declaratory statement from Desmond J. Fowles, Petitioner/Unit Owner, In Re: Lansbrook Village Condominium Association. The petition seeks the agency's opinion as to the applicability of Section 718.301, Florida Statutes, and subsection 61B-23.003(8), Florida Administrative Code, as it applies to the petitioner.

Whether Lansbrook Marketing, L.L.C., a subsequent developer and majority owner of units in Lansbrook Village Condominium Association, Inc., must hold an election to transfer control to the non-developer unit owners under Section 718.301, Florida Statutes, and subsection 61B-23.003(8), Florida Administrative Code.

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 issued an order disposing of the petition for declaratory statement filed by Parliament Towers Condominium, Inc., Docket No.: 2010009829 on March 12, 2010. The following is a summary of the agency's disposition of the petition:

The Division finds that in the absence of an amendment to its declaration making the association responsible for installing and maintaining hurricane shutters, hurricane protection or hurricane-resistant glass, Parliament Towers Condominium Association, inc. must have a majority vote of unit owners to install hurricane-resistant glass in the windows of the first three floors of the condominium under Section 718.113(5)(a), Florida Statutes, and must assess the cost as a common expense, which includes the use of common surplus funds, under Sections 718.115(1)(e) and (3), 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 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 May 18, 2010, the Board of Chiropractic Medicine has received the petition for declaratory statement from Serena Sara, D.C. The petition seeks the agency's opinion as to the applicability of Chapter 460, Florida Statutes, as it applies to the petitioner.

The petitioner is seeking the Board’s interpretation of Chapter 460, Florida Statutes, concerning whether the use of the product “Beautiful Image model 900” falls within the scope of practice for Chiropractic Medicine. Petitioner also seeks whether other employees of her office, such as registered chiropractic assistants, licensed massage therapists, or estheticians may use the product on patients.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on May 25, 2010, the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from Daniel Sauerteig. The petition seeks the agency’s opinion as to the applicability of Rule 64B3-10.005, F.A.C., as it applies to the petitioner.

Although the petition neglects to reference a statute or rule, it appears the petitioner seeks the Board’s interpretation of Rule 64B3-10.005, F.A.C., concerning the licensure requirements for hematology.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Massage Therapy hereby gives notice that on May 24, 2010, it received a Petition for Declaratory Statement filed by First Coast Technical College, seeking interpretation of Rule 64B7-32.001, F.A.C. First Coast Technical College is seeking an approval letter to offer distance education learning processes beyond the minimum 500 hour requirement. The Board will address this petition at its next meeting.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Christy Robinson, Acting Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256. Comments on this petition should be filed with the Board of Massage Therapy within 14 days of publication of this notice.

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 Eric A. Neilinger, Case No.: 109853-10-FM on April 5, 2010. The following is a summary of the agency’s disposition of the petition:

The Petitioner asks whether the local authority having jurisdiction has the discretion to require more than one manual pull station in the subject clubhouse which is fully protected by an automatic sprinkler system supervised by the fire alarm. The answer is yes; however, the discretion should be limited by the intent of the Code as set forth in NFPA 101-A.9.6.2.5.

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