

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council is seeking input from interested members of the public to the Florida State Independent Living Plan.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

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

DATES AND TIMES: April 23, 2010, 11:00 a.m., Executive Session; April 23, 2010, 12:00 Noon, Public Board Meeting

PLACE: Hyatt Regency, Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors of the Florida Birth-Related Neurological Injury Compensation Association. The public is invited at 12:00 Noon.

For more information, you may contact: Minnie Patrick at (850)488-8191.

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 Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from The Groves Community Development District. The petition seeks the agency's opinion as to the applicability of Section 561.20(2)(h), Florida Statutes, as it applies to the petitioner.

Whether the Groves Community Development District is eligible to qualify for an on-premise consumption only 4COPSCX license available to a civic center authority pursuant to Section 561.20(2)(h), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399.

Please refer all comments to: Michael Ross, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399.

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 Andrew Foley, Petitioner, In Re: Orange Blossom Tower Condominium Association, Inc. on December 22, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division may not issue a declaratory statement concerning events that have already occurred; or when there are facts in dispute; or where there are other persons who will be substantially affected by the decision and who are not parties to the petition; or for the purpose of determining contractual rights between private parties because the 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.

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 Sunrise Lakes Condominium Apts., Phase 3, Inc. 1 on January 20, 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 concerning events that have already occurred; or when there are facts in dispute; or where there are unit owners who will be affected by the decision who are not parties to the petition; or issue a

declaratory statement for the purpose of determining contractual rights between private parties because the 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 the Florida Board of Dentistry has received the petition for declaratory statement from Dwight H. Pate, D.M.D. The petition seeks the agency's opinion as to the applicability of Rule 64B5-4.002, F.A.C., as it applies to the petitioner.

Petitioner wants to use a patient's testimonial in an office brochure without violating paragraphs 64B5-4.002(3)(c) and (e), F.A.C.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin C08, Tallahassee, FL 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

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 M. Hodge, Petitioner. The petition seeks the agency's opinion as to the applicability of Section 553.73(9)(i), F.S., NFPA 1, 10.1.3., as it applies to the petitioner.

A 200 x 20 ft. chickee is built overlapping an existing assembly building (restaurant) that has electrical on the exterior and restricts exiting the ends only, and the petition addresses other questions concerning chickees at this particular structure. The address of this structure is 2520 N. Dale Mabry Hwy., Tampa, Florida.

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-mail: Lesley.Mendelson@myfloridacfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, has received the petition for declaratory statement from Eric A. Neilinger, Petitioner. The petition seeks the agency's opinion as to the applicability of Florida Fire Prevention Code 2007 edition NFPA 1 section 1.10.9.1, as it applies to the petitioner.

Miami Dade county fire appeal board excludes licensed fire alarm contractors from appealing rejections of plans or installation. Pursuant to their submittal for appeal the following is extracted from their process: It is required that the application be filed by the owners of the property which is the subject of the application, the owner or attorney must be present at the hearing. This is in direct conflict with the FFPC, not allowing due process for all effected people. As a licensed fire alarm contractor, we design and build systems based on code requirements. It is our responsibility to the owners to install a code compliant system. When AHJs ask for more than the code required that is clearly documented, we must be able to have an avenue to appeal this process without having to go directly to the state. State Fire Marshal requires a local appeal process to be used prior to appealing to the state Fire Marshal office. Question: Can the local Fire Appeals board exclude other affected parties from the local appeal process, and can the locally affected party, in this case a licensed fire alarm contractor bypass the local board and submit the state for a declaratory statement.

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-mail: Lesley.Mendelson@ myfloridacfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services has received the petition for declaratory statement from Safety-Net Hospital Alternative Risk Pool, LLC. The petition seeks the agency's opinion as to the applicability of Sections 626.932 and 626.9325, Florida Statutes, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Regina Keenan, Division of Legal Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Financial Services Commission, Office of Insurance Regulation has received the petition for declaratory statement from Safety-Net Hospital Alternative Risk Pool, LLC. The petition seeks the agency’s opinion as to the applicability of Section 395.106(3), Florida Statutes, as it applies to the petitioner.

Petitioner requests in its Amended Petition for Declaratory Statement that the Office of Insurance Regulation declare that, by virtue of the provisions of Section 395.106(3), Florida Statutes, an alliance such as Safety-Net and its members is not required to pay the surplus lines tax described in Section 626.932, Florida Statutes, or the service fee described in Section 626.9325, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Hunter, Legal Services Office, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-4206, (850)413-4281 or email: Amanda.Hunter@florid.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:

Florida Healthcare Association, Inc. vs. Agency for Healthcare Administration; Case No.: 10-1123RP; Rule No.: 59A-35.065

Las Mercedes Home Care Corp. vs. Agency for Health Care Administration; Case No.: 10-0860RX; Rule No.: 59G-4.130

City of Largo vs. Department of Environmental Protection; Case No.: 10-1190RP; Rule No.: 62-304.600

Pinellas County vs. Department of Environmental Protection; Case No.: 10-1191RP; Rule No.: 62-304.600

City of St. Petersburg vs. Department of Environmental Protection; Case No.: 10-1230RP; Rule No.: 62-304.600

Hillsborough County, A Political Subdivision vs. Department of Environmental Protection; Case No.: 10-1232RP; Rule No.: 62-304.600

Pasco County, A Political Subdivision vs. Department of Environmental Protection; Case No.: 10-1231RP; Rule No.: 62-304.610

Wiregrass Ranch, Inc. vs. Department of Environmental Protection; Case No.: 10-1233RP; Rule No.: 62-304.610

City of Tampa vs. Department of Environmental Protection; Case No.: 10-1234RP; Rule No.: 62-304.610

CF Industries, Inc. vs. Department of Environmental Protection; Case No.: 10-1193RP; Rule No.: 62-304.610(11)

J.S. vs. Agency for Persons with Disabilities; Case No.: 10-1192RP; Rule No.: 65G-4.014

C.M., L.C., and V.M. vs. Agency for Persons with Disabilities; Case No.: 10-1141RP; Rule Nos.: 65G-4.014(1), 65G-4.014(3), 65G-4.017(1), 65G-4.017(3)

J. E., C. A., L. L., and J. F. vs. Agency for Persons with Disabilities; Case No.: 10-1287RP; Rule Nos.: 65G-4.014(1), 65G-4.014(3), 65G-4.017(1), 65G-4.017(3)

Luis B. Jaramillo, Jr. vs. Department of Financial Services; Case No.: 10-1139RX; Rule No.: 69B-211.042(7)(b)1.

Bay Point Schools, Inc. vs. Department of Juvenile Justice; Case No.: 10-1125RU

The Advocacy Center for Persons with Disabilities, R. H., J. A. C., A. W., and D. T. vs. Agency for Health Care Administration; Case No.: 10-1189RU

Isabelle K. Sharpe, M.D. vs. Department of Health, Board of Medicine; Case No.: 10-1243RU

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

Brian L. Blair vs. Florida Elections Commission; Case No.: 09-4732RX; Rule No.: 2B-1.002; Invalid