

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

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. The Agenda will provide conference call in number and conference code.

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.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.**

The **H. Lee Moffitt Cancer Center and Research Institute** announces a public meeting to which all persons are invited.

DATE AND TIME: September 22, 2009, 11:30 a.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL.

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 2 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).

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: September 22, 2009, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by contacting: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

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 2 days before the workshop/meeting by contacting: Lori Payne. 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).

**FLORIDA LEAGUE OF CITIES, INC.**

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 25, 2009, 8:00 a.m.

PLACE: Four Seasons, 2800 South Ocean Blvd., Palm Beach, FL, (561)582-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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.

**SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION**

The **Sunshine State Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 25, 2009, 10:00 a.m.

PLACE: Law Offices of Bryant Miller Olive, One Biscayne Tower, Suite 1480, 2 South Biscayne Boulevard, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Program Administrator at (850)878-1874 or from the Commission's website: [www.ssgfc.com](http://www.ssgfc.com).

**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 Catherine Adolf, Petitioner/Unit Owner, In Re: 2080 Ocean Drive Condominium Association, Inc. on March 25, 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 jurisdiction to interpret vague or ambiguous provisions in the governing documents; or in events that have already taken place; or where there are parties who will be affected by the decision who are not parties to the proceeding.

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 on August 20, 2009, the Florida Real Estate Appraisal Board has issued an order disposing of the petition for declaratory statement filed by Nanette Johnson-Smith on May 20, 2009. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 26, of the July 2, 2009, Florida Administrative Weekly. Petitioner sought the Board's interpretation of Section 475.611(1)(h), Florida Statutes, entitled "Definitions." Petitioner sought to know whether her licensure as a certified residential real estate appraiser authorized her to appraise "Condo-tels." The Florida Real Estate Appraisal Board considered the Petition at its meeting held on August 4, 2009, in Orlando, Florida. The Board's Order, filed on August 20, 2009, denied the petition on the grounds that it was not in substantial compliance with the provisions of Section 120.565, F.S., and Chapter 28-105, F.A.C.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Thomas W. O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

**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**

The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Charles L. Harrup, filed on February 3, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 10, of the March 13, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 1, 2009. The Petitioner did not specify a particular rule or statute. However, it appears the Petitioner seeks the Board's guidance regarding an issue relating to Section 484.012, Florida Statutes. Specifically he seeks guidance on the following issue: Whether an optician is obligated to dispense contact lenses to a patient who tries to order contact lenses just prior to the one-year expiration date on the prescription when the number of contacts ordered by the patient will last much longer than the prescription expiration date.

The Board declines to issue a declaratory statement because Section 484.012, Florida Statutes, is clear as written.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Anthony D. Record, filed on February 3, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 10, of the March 13, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 1, 2009. The petition inquired as to disciplinary actions taken when records are not readily available to clients when an optician is deceased.

The Board declines to issue a declaratory statement because Rule 64B12-10.006, Florida Administrative Code, is clear regarding the optician's obligations regarding prescription files.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Anthony D. Record, filed on February 3, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 10, of the March 13, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public

meeting held on June 1, 2009. The petition seeks the Board's guidance regarding several issues relating to Section 484.006(3), Florida Statutes. Specifically: (1) Under this section, can an optician tell a customer to pick out any frame and the optician would make a pair of +2.50s?; (2) At the patient's request, could the optician make a pair of +2.50s, customizing them with the patient's PD?; and (3) At the patient's request, can an optician make and sell reading glasses to a potential customer who wants +2.00 for the right eye and +2.75 for the left eye?

The Board declines to issue a declaratory statement because Section 484.006(3), Florida Statutes, is clear about the "sale" of spectacles for reading purposes, and Sections 484.002 and 484.012, Florida Statutes, are clear as to the scope of practice of opticianry.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Anthony D. Record, filed on February 3, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 10, of the March 13, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 1, 2009. The petition seeks the Board's guidance regarding Section 484.012, Florida Statutes. Specifically, whether the written prescription that is required to be kept on files means only the original prescription or whether various types of copies would fulfill the requirements.

The Board declines to issue a declaratory statement because Section 484.012, Florida Statutes, is clear about copies of prescriptions.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Anthony D. Record, filed on February 3, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 10, of the March 13, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 1, 2009. The petition seeks the Board's guidance regarding the clause "optical dispensing" as used in Section 484.002(9), Florida Statutes.

The Board declines to issue a declaratory statement because Section 484.002(9), Florida Statutes, is clear that an optician can interpret but not alter a prescription.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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The Board of Opticianry hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Anthony D. Record, filed on February 3, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 10, of the March 13, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 1, 2009. The petition seeks the Board's guidance about several issues relating to Section 484.002(9), Florida Statutes, regarding optical dispensing.

The Board declines to issue a declaratory statement because Section 484.002(9), Florida Statutes, is clear regarding this question.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE IS HEREBY GIVEN THAT the Board of Opticianry has declined to rule on the petition for declaratory statement filed by Miguel R. Rodriguez on December 12, 2008. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Variance or Waiver was published in Vol. 35, No. 4, of the January 30, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 9, 2009. The Board's Order, filed on March 2, 2009, denies the Petition for Variance or Waiver of Rule 64B12-9.016, Florida Administrative Code. The Board finds that the Petitioner has not established that the purpose of the underlying statute, Section 484.007(1)(d)2., Florida Statutes, would be met were he granted a variance or waiver from Rule 64B12-9.016, Florida Administrative Code. Further, the Petitioner failed to establish that the Board's application of Rule 64B12-9.016, Florida Administrative Code, to his circumstances would violate the principles of fairness and would impose a substantial hardship on him.

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

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