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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."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Morton Plant Hospital on January 17, 2007. The following is a summary of the agency's disposition of the petition:

MORTON PLANT Summary statement of the Agency's decision: On January 17, 2007 the Agency received a Petition for Declaratory Statement ("Petition") from Morton Plant Hospital Association, Inc., d/b/a/Morton Plant Hospital ("Morton Plant"). Morton Plant's Petition requests that the Agency issue a declaratory statement pursuant to Section 120.565, Fla. Stat. (2006), advising Morton Plant as to the applicability of paragraph 59A-3.066(2)(e), and subsections 59A-3.079(3), 59A-3.081(11), Florida Administrative Code, to Morton Plant's intended development of a freestanding emergency department at a location off the premises of Morton Plant Hospital. The Petition also asks "whether AHCA will add the proposed freestanding emergency department to Morton Plant's Class I Hospital license as an offsite outpatient facility upon Morton Plant's satisfaction of all applicable statutory and regulatory criteria" as set forth in the Petition. AHCA will add the proposed freestanding emergency department to Morton Plant's Class I Hospital license as an offsite outpatient facility upon Morton Plant's full and complete compliance to the Agency's satisfaction of all statutory and regulatory criteria as stated in the Petition, provided that Morton Plant is also in compliance with all other applicable Florida and federal statutes and regulations. This Agency Declaratory Statement concerns only the authority the Agency has as of its issuance. Furthermore, this Declaratory Statement is only intended to apply to this specific party, in these specific circumstances as related in the Petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting Isabelle Kalms by phone at (850)921-0114. Please refer all comments to: William Roberts, Office of General Counsel, 2727 Mahan Drive, Tallahassee, Florida 32308.

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 The Conservancy and Sporting Society; Docket Number 2007008627 on February 12, 2007. The following is a summary of the agency's disposition of the petition:

The Division ordered that Conservancy Sporting Society plan is not subject to regulation as a timeshare plan under the exceptions provided in Sections 721.03(1) and 721.52(4), Florida Statutes (2006), because it is less than three years in duration and provides members with a notice no less than 30 days and no more than 60 days prior to the date of renewal informing the member of the right to terminate at any time prior to the date of automatic renewal.

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 Baytree Condominium Association, Inc.; Docket Number 2007009226 on February 14, 2007. The following is a summary of the agency's declination of the petition:

The Division has no jurisdiction or authority to issue a Declaratory Statement due to related litigation pending in the Nineteenth Judicial Circuit Court. Therefore, the Division has issued an Order Declining the Petition for Declaratory Statement.

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 Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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 5, 2007, the Board of Psychology has received the petition for declaratory statement from Demara Bennett, Psy.D. The petition seeks the agency's opinion as to the applicability of Rule 64B19-18.004, Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 64B19-18.004, Florida Administrative Code, concerning the psychologist's signature for an evaluation, as outlined in the petition, which also contains other licensed professional signatures.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has issued an order disposing of the petition for declaratory statement filed by Debevoise & Plimpton, LLP, on behalf of Protective Life Insurance Company on January 19, 2007. The following is a summary of the agency's disposition of the petition:

The Petition for a Declaratory Statement was granted only with regard to the aspect of a funding agreement-backed securitization program which involves the ownership of a beneficial interest by an affiliate of Protective Life Insurance Company. The Office states that the ownership of a beneficial interest by an affiliate of Protective Life Insurance Company does not constitute the transaction of insurance within the meaning of Section 624.10, Florida Statutes, and the ownership of a beneficial interest by an affiliate of Protective Life Insurance Company does not constitute the sale of insurance within the meaning of Section 624.02, Florida Statutes. The Office does not make a declaration on the applicability of the Florida Insurance Code to funding agreement-backed securitization programs in general.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: General Counsel, Office of Insurance Regulation, Acting as Agency Clerk, 612 Larson Building, Tallahassee, Florida 32399-4206.

**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 EDUCATION

Request for Applications for Available Funding
The Florida Department of Education, Division of Workforce Education announces the availability of instructions and forms for preparing project applications for funding under the Adult Education and Family Literacy Act of 1998, (Public Law 105-220). Follow the guidelines on each individual Request for Proposal (RFP) as due dates may vary, depending on final approval and web posting.