

contacting: Brian Rick, (305)470-5349 or by writing to him: FDOT Public Information Office, 1000 N.W. 111 Ave., Miami, FL 33172, via e-mail: Brian.Rick@dot.state.fl.us. 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).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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 Astor Post No.: 9986 Veterans of Foreign Wars of The United States, Inc., DS 2012-067 on August 22, 2012.

The petition seeks the agency’s opinion as to the applicability of as it applies to the petitioner. The Petitioner requests that the Division issue a Declaratory Statement advising whether it will adopt the Attorney General’s opinion that nonprofit organizations cannot conduct sweepstakes pursuant to Section 849.094, F.S. Should the Division advise that they are not adopting the Attorney General’s opinion, the Petitioner inquires if it may use certain described equipment used in a described manner to conduct game promotions.

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 32399-2202.

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 32399-2202.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Raymond A. Manucy, President of RM Enterprises, Inc. on April 30, 2012. The following is a summary of the agency’s disposition of the petition:

The petition was granted, and in response to petitioner’s questions the answers are that statewide product approval is an optional process. However, to maintain petitioner’s current product approval, it would have to be updated to comply with the 2010 Florida Building Code. Additionally, the 2010 Florida Building Code does require higher lateral and uplift loads than the 2007 Florida Building Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk’s Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Kelly M. Tindall and Tina L. Hoffmeister on June 6, 2012. The following is a summary of the agency’s disposition of the petition:

The petition was denied and the petition was dismissed because the petitioners do not need an official opinion from the agency to assist them to select a future course of action and because a declaratory statement is not an appropriate remedy where there is related pending litigation.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paul C. Stadler, Jr., Assistant General Counsel, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4247, (850)413-3010.

A copy of the petition for a declaratory statement and final order may be obtained by contacting the contact person listed above. The final order was filed on August 31, 2012.

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:

Karen Peek, Beth Weatherstone, and Florida Education Association vs. State Board of Education and Department of Education; Case No.: 12-1111RP; Rule No.: 6A-5.030; Invalid