

agency at least 7 days before the workshop/meeting by contacting: Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135. 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). For more information, you may contact: Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952, ext. 135.

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 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 Rita Z. Veitmeier, In Re: Emerald Tower Association, Inc.; Docket Number: 2007047745 on August 20, 2007. The following is a summary of the agency's declination of the petition:

The Division has issued an Order Denying the Petition for Declaratory Statement because the petitioner did not seek an opinion as to how a statute, rule or order applies to her particular circumstances, but instead asks hypothetical questions to try to get around the Division's lack of authority to address actions already taken.

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.

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 received the petition for declaratory statement from Theodore W. Swick, In Re: Stonewater Condominium Association, Inc.; Docket No. 2007049451. The petition seeks the agency's opinion as to the applicability of Section 718.110, Florida Statutes as it applies to the petitioner.

Whether an amendment to the declaration recorded by Stonewater Condominium Association, Inc. in the official records of Polk County, Florida 1990 was validly adopted under Section 718.110, Florida Statutes.

A copy 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 Department of Business and Professional Regulation, Division of Land Sales, Condominiums and Mobile Homes, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Yacht Club at Portofino Condominium Association; Docket No. 2007050507 on September 7, 2007. The following is a summary of the agency's disposition of the petition:

The above listed Association has withdrawn its Petition for Declaratory Statement.

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.

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 received the petition for declaratory statement from George Heideman, In Re: Lake Clarke Gardens Condominium, Inc. Docket No.: 2007059017. The petition seeks the agency's opinion as to the applicability of Sections 718.112(2)(d) and 718.112(2)(b), Florida Statutes, and Rule 61B-23.0021, Florida Administrative Code, as it applies to the petitioner.

Whether the February 2007 election of directors at the Lake Clarke Gardens Condominium, Inc. annual meeting was legal under Section 718.112(2)(d), Florida Statutes, and Rule 61B-23.0021, Florida Administrative Code, and whether the proxy votes were properly counted where the proxy holder was absent from the 2007 meeting under Section 718.112(2)(b), Florida Statutes.

A copy 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 Nicholas Karamessinis, Petitioner, In Re: Pelican Bay Yacht Club Condominium, Building A, Inc.; Docket No. 2007044366 on July 31, 2007. The following is a summary of the agency’s declination of the petition:

The Division has denied the Petition for Declaratory Statement because the Petitioner seeks an opinion on a board vote that has already occurred.

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.

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 Charles Wayne Widerman, Unit Owner, In Re: Harbour Beach Resort Condominium Association, Inc. Docket Number: 2007052527 on September 17, 2007. The following is a summary of the agency’s declination of the petition:

The Division has denied the Petition for Declaratory Statement because the Division does not have jurisdiction over this condominium because it is not a “residential condominium” as defined under Section 718.103(23), Florida Statutes.

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 Board of Dentistry has declined to rule on the petition for declaratory statement filed by Smallwood Prison Dental Services, L.L.C. by Dr. Laria-Viota, on November 5, 2007. The following is a summary of the agency’s declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 33, No. 32, of the August 10, 2007, F.A.W. The Board considered the Petition at a duly-noticed public meeting held on September 14, 2007. The Board’s Order, filed on October 8, 2007, finds that Petitioner has complied with the requirements of Section 120.565 of the Florida Statutes and Rule 28-105.002, Florida Administrative Code. The Board of Dentistry declines to issue a declaratory statement in response to Dr. Laria-Viota’s inquiry. The Board determined that the question was an issue of general applicability and that Section 466.025(2), Florida Statutes, was unambiguous and could only be interpreted in one way which did not require issuance of a Declaratory Statement.

A copy of the Order Declining 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, Florida 32399-3258.

**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