

FLORIDA PORTS COUNCIL

The **Florida Seaport Transportation and Economic Development Council** announces a workshop to which all persons are invited.

DATES AND TIMES: December 17, 2007, 1:00 p.m. – 5:00 p.m.; December 18, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Doubletree Hotel, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Seaport Transportation and Economic Development Council Agency Partner Workshop on Strategic Planning.

A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, FL 32301, (850)222-8028.

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 48 hours before the workshop/meeting by contacting: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, FL 32301, (850)222-8028. 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: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, FL 32301, (850)222-8028.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs has received the petition for declaratory statement from Emma Rogers, Wallis Lawson and Bettie R. Mitchell of Daytona Beach, Florida. The petition seeks the agency’s opinion as to whether the petitioners are entitled to or must be provided an opportunity for public participation with regard to a future land use map amendment to a particular parcel of land, and, if so, whether the agency will require the City of Daytona Beach, Florida to proceed with and complete the future land use map amendment for the parcel prior to issuing any development orders for the parcel. It has been assigned the number DCA07-DEC-274.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

NOTICE IS HEREBY GIVEN THAT the Department of Highway Safety and Motor Vehicles Office of General Counsel has declined to rule on the petition for declaratory statement filed by Capitol Publishing, through its representative, James A. Donato, President, on September 4, 2007. The following is a summary of the agency’s declination of the petition:

Petitioner does not qualify as a free newspaper of general circulation as set forth in Section 316.066(5)(b), (e), Florida Statutes, due to its status as an internet-based publication, the lack of legitimate media status as contemplated by the statute, and its history showing a purpose of publishing names and other personal identifying information concerning parties to motor vehicle crashes. The Petitioner may not immediately receive copies of crash reports.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Judson Chapman General Counsel Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, A-432, Tallahassee, FL 32399-0504.

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 MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has received the petition for declaratory statement from the Leon County School Board. The petition seeks the agency’s opinion as to the applicability of Sections 121.091(13)(b)1. and 1012.01(2)(a)-(d), Florida Statutes, and Rule 60S-9.001, Florida Administrative Code, as it applies to the petitioner.

The Leon County School Board is unsure whether vocational and adult education teachers are eligible for DROP extension based on the above-referenced statutes and rule.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Elizabeth R. Stevens, Esq., Department of Management Services, 4050 Esplanade Way, Suite 160-L, Tallahassee, Florida 32399-0950.

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 Petition for Declaratory Statement filed on behalf of Scott H. Plantz, M.D. has been withdrawn. The Notice of the Petition was published in Vol. 33, No. 43, of the October 26, 2007, F.A.W.

THE PERSON TO BE CONTACTED REGARDING THE PETITION IS: Larry McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-0353.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Stanley Whittaker, ARNP. The petition seeks the agency's opinion as to the applicability of Section 394.463 F.S., as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under Section 394.463 F.S., entitled "Involuntary Examination," whether it is within the scope of practice of a Florida Registered Nurse to sign the necessary forms which would lawfully allow to take place an involuntary examination of patients that are a threat to themselves or others. This petition will be considered by the Board Practice Committee at its meeting on February 6, 2008.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Michael J. Barnes, Petitioner, Petition for Declaratory Statement, Case #91645-07-FM on December 4, 2007. The following is a summary of the agency's disposition of the petition:

The Declaratory Statement concludes that with regard to the facts alleged in the Petition, the authority having jurisdiction is within his legal authority not to require parking signs on the access road because the units in question are already constructed. The Department is unable to answer the remainder of Petitioner's questions because the questions are based on facts not alleged in the Petition.

A COPY OF THE DECLARATORY STATEMENT MAY BE OBTAINED BY CONTACTING: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340, or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from John J. Cunningham, Fire Marshal City of Cape Canaveral, Petitioner, Case No. 83177. The petition seeks the agency's opinion as to the applicability of paragraph 69A-43.018(1)(c), F.A.C., and Section 509.215(a), F.S., as it applies to the petitioner.

Occupant wants to use the Fire Flight system for the secondary means of egress.

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-mailing your request to Lesley.Mendelson@fldfs.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:

William R. Muldrow vs. Department of Community Affairs, Division of Housing and Florida Building Commission; Case No.: 07-4070RX; Rule No.: 9B-3.0475

National Foundation to Prevent Child Sexual Abuse, Inc. vs. Department of Law Enforcement; Case No.: 07-4614RX; Rule No.: 11C-6.004(3)(b)

William Lane vs. Department of Law Enforcement; Case No.: 07-4495RX; Rule Nos.: 11D-8.011, 11D-8.012, 11D-8.013, 11D-8.014

Lifepath Hospice and Palliative Care, Inc. vs. Department of Elder Affairs; Case No.: 07-3835RP; Rule No.: 58A-2.012(1)(b)