

legislative authority by making substance abuse treatment mandatory and imposing disciplinary action in the event an inmate refuses treatment. He further asserts that treatment should not be denied an inmate based upon the length of time remaining to be served on the inmate's sentence.

The Department denied Inmate Harris' Petition to Initiate Rulemaking. The Petition in actuality addresses existing, rather than proposed rules and is misplaced, since inmates may not engage in rule challenges. Even if that were not the case, the Petition should be denied on the merits. The Department is required by law to provide inmates in need with substance abuse treatment to the fullest extent possible and is authorized to adopt rules relating to the care and discipline of inmates. Contrary to the Petitioner's assertion the length of time remaining to be served on an inmate's sentence is not a basis for denial of treatment.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Jason Wilson. The Petitioner requested that the Department of Corrections amend Rule 33-602.101(5), Florida Administrative Code, to require the Department to exempt Native Americans from rule provisions which require male inmates to have their hair cut short to medium uniform length at all times.

The Department denied Inmate Wilson's Petition to Initiate Rulemaking. The rule at issue is a neutral, generally applicable rule that does not offend the Free Exercise Clause of the United States Constitution even though it has an incidental effect on religious practice. Where a prison regulation impinges upon an inmate's free exercise rights it is nonetheless valid, where it serves a valid penological interest.

A copy of the Order may be obtained from: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections received a Petition to Initiate Rulemaking on January 29, 2001 from Mark Osterback. Petitioner is seeking amendment of Rule 33-501.301, Florida Administrative Code, to require inclusion of the 1998 Inmate Discipline Manual in law library collections.

A copy of the Petition may be obtained by writing: Giselle Lylen Rivera, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

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 a declaratory statement In Re: Petition for Declaratory Statement, Victoria Suites Investment, Inc., Petitioner; Docket Number 2000-181.

The declaratory statement provided, in summary, that Petitioner must transfer control of the association to the non-developer unit owners in accordance with Section 718.301(1)(d), Florida Statutes.

A copy of the declaratory statement may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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:

Legal Club of America Corporation, F/K/A and Justice for All, Inc. D/B/A Legal Club of America vs. Department of Insurance; Case No.: 99-0771RX; Rule No.: 4-201.003

Florida League of Cities, Inc. vs. Department of Insurance, State Fire Marshal's Office; Case No.: 00-5143RP; Rule No.: 4A-62.003

Discovery Experimental and Development, Inc. vs. Department of Health; Case No.: 99-0005RX; Rule Nos.: 10D-45.0545, 64F-12.006, 64F-12.019

James T. Kimball vs. Department of Health; Case No.: 99-0006RX; Rule Nos.: 10D-45.0545, 64F-12.019

Jamie Hewitt, D/B/A Hewitt Mobile Home Movers; Bill Fisher, D/B/A Mobile Tech; Hudz Manufactured Housing, Inc., A Florida Corporation; Bob Uhl, D/B/A Bob Uhl Mobile Home Movers; Byrds Mobile Homes, Inc., A Florida Corporation; et al. vs. Department of Highway Safety and Motor Vehicles; Case No.: 99-2061RX; Rule No.: 15C-1

Diane Porter, Ashley Smith, Jane Gallucci and Sandi Bisceglia vs. State Board of Administration; Case No.: 01-0268RP; Rule No.: 19-9.001

William Robinson vs. Florida Parole Commission; Case No.: 99-0118RX; Rule No.: 23-21.0155(3); Dismissed

John King vs. Florida Parole and Probation Commission; Case No.: 99-1278RX; Rule No.: 23-23.155

John Abbey; Michael Alison; Linda E. Allen; Russell L. Allen; John Alway, M.D.; Patricia Antich; Robert Bacon; Mark Barnett; Hellmut Bauer; Jaime M. Benavides, Jr., and Joyce Benavides; Nela Benavides; Edward Brezina, Jr., M.D.; Judy Cummings; et al. vs. Department of Community Affairs; Case No.: 99-0621RX; Rule No.: 28-36

John Abbey; Michael Alison; Linda E. Allen; Russell L. Allen; John Alway, M.D.; Patricia Antich; Robert Bacon; Mark Barnett; Hellmut Bauer; Jaime M. Benavides, Jr., and Joyce Benavides; Nela Benavides; Edward Brezina, Jr., M.D.; Judy Cummings; et al. vs. Administration Commission and Department of Community Affairs; Case No.: 99-1033RX; Rule No.: 28-36

James Yeik vs. Department of Corrections; Case No.: 99-0631RP; Rule No.: 33-7.006

Eckerd Corporation vs. Agency for Health Care Administration; Case No.: 99-4025RX; Rule No.: 59G-4.250

Tutas Towne Realty, Inc. and Bryant Tutas vs. Florida Real Estate Commission; Case No.: 99-0269RX; Rule No.: 61J2-5.014

Florida Medical Association vs. Department of Health, Board of Acupuncture; Case No.: 01-0025RP; Rule No.: 64B1-4.010-.011

The Coalition of Affordable Housing Providers, Inc. vs. Florida Housing Finance Corporation; Case No.: 01-0269RP; Rule No.: 67-48.002(11)

Raymond Petit, Jr. vs. Florida Commission on Human Relations; Case No.: 99-1277RU

East Pointe Hospital vs. Agency for Health Care Administration; Case No.: 99-1831RU

North Broward Hospital District vs. Department of Insurance; Case No.: 99-3623RU

1st Propane of Bushnell vs. Department of Agriculture and Consumer Services; Case No.: 99-4024RU

Florida Service Agreement Association vs. Department of Insurance; Case No.: 99-4066RU

Florida Public Employees Council 79 AFSCME, Altamese Thompson, and Sue Ezell vs. Department of Labor and Employment Security; Case No.: 99-4281RU

Florida Association of Realtors vs. Department of Business and Professional Regulation, Florida Real Estate Commission; Case No.: 99-4430RU

The Sierra Club vs. St. Johns River Water Management District; Case No.: 99-5003RU

Lakesmart Associates, Ltd. vs. Florida Housing Finance Corporation; Case No.: 00-4287RU

RPK Associates, Ltd. vs. Florida Housing Finance Corporation; Case No.: 00-4408RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Florida Association of Life Underwriters vs. Department of Insurance; Case No.: 99-0272RP; Rule No.: 4-154.520; Dismissed

Health Insurance Association of America, Inc. vs. Department of Insurance; Case No.: 99-0267RP; Rule No.: 4-154.520; Dismissed

Florida Association of Health Maintenance Organizations, Inc. vs. Department of Insurance; Case No.: 99-0268RP; Rule No.: 4-154.520; Dismissed

Legal Club of America Corporation, F/K/A and Justice for All, Inc. D/B/A Legal Club of America vs. Department of Insurance; Case No.: 99-0771RX; Rule No.: 4-201.003; Dismissed

Discovery Experimental and Development, Inc. vs. Department of Health; Case No.: 99-0005RX; Rule Nos.: 10D-45.0545, 64F-12.006, 64F-12.019; Dismissed

James T. Kimball vs. Department of Health; Case No.: 99-0006RX; Rule Nos.: 10D-45.0545, 64F-12.019; Dismissed

Jamie Hewitt, D/B/A Hewitt Mobile Home Movers; Bill Fisher, D/B/A Mobile Tech; Hudz Manufactured Housing, Inc., A Florida Corporation; Bob Uhl, D/B/A Bob Uhl Mobile Home Movers; Byrds Mobile Homes, Inc., A Florida Corporatoin; et al. vs. Department of Highway Safety and Motor Vehicles; Case No.: 99-2061RX; Rule No.: 15C-1; Dismissed

William Robinson vs. Florida Parole Commission; Case No.: 99-0118RX; Rule No.: 23-21.0155(3); Dismissed

John King vs. Florida Parole and Probation Commission; Case No.: 99-1278RX; Rule No.: 23-23.155; Dismissed

John Abbey; Michael Alison; Linda E. Allen; Russell L. Allen; John Alway, M.D.; Patricia Antich; Robert Bacon; Mark Barnett; Hellmut Bauer; Jaime M. Benavides, Jr., and Joyce Benavides; Nela Benavides; Edward Brezina, Jr., M.D.; Judy Cummings; et al. vs. Department of Community Affairs; Case No.: 99-0621RX; Rule No.: 28-36; Dismissed

John Abbey; Michael Alison; Linda E. Allen; Russell L. Allen; John Alway, M.D.; Patricia Antich; Robert Bacon; Mark Barnett; Hellmut Bauer; Jaime M. Benavides, Jr., and Joyce Benavides; Nela Benavides; Edward Brezina, Jr., M.D.; Judy Cummings; et al. vs. Administration Commission and Department of Community Affairs; Case No.: 99-1033RX; Rule No.: 28-36; Dismissed

James Yeik vs. Department of Corrections; Case No.: 99-0631RP; Rule No.: 33-7.006; Dismissed

South Broward Hospital District, d/b/a Memorial Hospital West vs. Agency for Health Care Administration; Case No.: 00-3906RP; Rule No.: 59C-1.005; Voluntary Dismissal

Eckerd Corporation vs. Agency for Health Care Administration; Case No.: 99-4025RX; Rule No.: 59G-4.250; Voluntary Dismissal

Tutas Towne Realty, Inc. and Bryant Tutas vs. Florida Real Estate Commission; Case No.: 99-0269RX; Rule No.: 61J2-5.014; Dismissed

Joseph P. Laurino, Ph.D. vs. Department of Health, Board of Clinical Laboratory Personnel; Case No.: 00-3315RX; Rule No.: 64B3-5.007(2)(a); Dismissed upon Withdrawal

Raymond Petit, Jr. vs. Florida Commission on Human Relations; Case No.: 99-1277RU; Dismissed

East Pointe Hospital vs. Agency for Health Care Administration; Case No.: 99-1831RU; Dismissed

North Broward Hospital District vs. Department of Insurance; Case No.: 99-3623RU; Dismissed

1st Propane of Bushnell vs. Department of Agriculture and Consumer Services; Case No.: 99-4024RU; Voluntary Dismissal

Florida Service Agreement Association vs. Department of Insurance; Case No.: 99-4066RU; Dismissed

Florida Public Employees Council 79 AFSCME, Altamese Thompson, and Sue Ezell vs. Department of Labor and Employment Security; Case No.: 99-4281RU; Dismissed

Florida Association of Realtors vs. Department of Business and Professional Regulation, Florida Real Estate Commission; Case No.: 99-4430RU; Voluntary Dismissal

The Sierra Club vs. St. Johns River Water Managment District; Case No.: 99-5003RU; Voluntary Dismissal

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