

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 32399-1029.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT ON August 13, 2003, the Board of Chiropractic Medicine received a Petition for Declaratory Statement from Harry M. Rubinstein, D.C., J.D. The Petition seeks the agency’s opinion as to the applicability of paragraph 460.413(1)(n), Florida Statutes, to the Petitioner’s particular circumstances. If Petitioner is successful in acquiring a Florida Bar license, he inquires regarding the extent that he may provide legal representation to his Chiropractic patients.

A copy of the Petition for Declaratory Statement may be obtained by writing: Joe R. Baker, Jr., Board Executive Director, Board of Chiropractic Medicine, Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT ON August 18, 2003, the Department of Health, Board of Physical Therapy Practice received a Petition for Declaratory Statement from Jerry L. Smith, PT. The Petition seeks the agency’s opinion as to the applicability of Section 486.021(11), Florida Statutes, and Final Order DOH-02-1684-DS-MQA to Petitioner’s circumstances. As a physical therapist working for a veterinarian as a veterinary assistant and not holding himself out as a physical therapist, Petitioner asks whether he may accept orders and provide documentation regarding physical therapy as is customary in the practice of veterinary medicine.

A copy of the Petition for Declaratory Statement may be obtained by writing: Kaye Howerton, Board Executive Director, Board of Physical Therapy Practice, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

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 Eric A. Neilinger. The following is a summary of the agency’s disposition of the petition: (a) a separate fire alarm control panel to control elevator functions does meet the intent of the code but the issue of when a fire alarm system must be replaced calls for a decision that is reserved to the authority having jurisdiction and is, therefore, not addressed; and (b) when a building is equipped with a fire alarm system, the panels must be interconnected when annunciators are installed at a constantly attended location, and (c) whether automatic initiating devices are required to be installed in open unenclosed elevator landings is clearly answered by a rule or code section not administered by this agency and therefore will not be included as a part of the declaratory statement.

A copy of the declaratory statement may be obtained in any of the following ways:

1. Write to, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, fax number (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
2. E-mail your request to mazzeog@doi.state.fl.us (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal’s website at <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

**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:

Guido Perou vs. Department of Financial Services; Case No.: 03-2859RX; Rule No.: 4-211.042(8)

Mack Farms, Inc. and Robert J. Malone vs. Department of Agriculture and Consumer Services; Case No.: 03-2892RX; Rule No.: 5E-2.033

Miccosukee Tribe of Indians vs. Department of Environmental Protection; Case No.: 03-2872RP; Rule Nos.: 62-302.530, 62-302.540

Friends of the Everglades vs. Department of Environmental Protection; Case No.: 03-2873RP; Rule Nos.: 62-302.530, 62-302.540

Florida Audubon Society, d/b/a Audubon of Florida, National Audubon Society, The Everglades Foundation, Inc. and Florida Wildlife Federation vs. Department of Environmental Protection; Case No.: 03-2882RP; Rule No.: 62-302.540

New Hope Sugar Compoany and Okeelanta Corporation vs. Department of Environmental Protection; Case No.: 03-2883RP; Rule No.: 62-302.540

Sugar Cane Growers Cooperative of Florida vs. Department of Environmental Protection; Case No.: 03-2884RP; Rule No.: 62-302.540

Department of Health vs. Michael Arthur Dunn, D.C.; Case No.: 03-2939RX; Rule No.: 64B2-15.001(2)(e),(3)

Luz Marina Vilar vs. Department of Health, Board of Physical Therapy Practice; Case No.: 03-2940RX; Rule No.: 64B17-3.003

Fabiola Pacheco vs. Department of Health, Board of Physical Therapy Practice; Case No.: 03-2941RX; Rule No.: 64B17-3.003

Jaime Tatis vs. Department of Health, Board of Physical Therapy Practice; Case No.: 03-2942RX; Rule No.: 64B17-3.003

Angelica Morelli vs. Department of Health, Board of Physical Therapy Practice; Case No.: 03-2943RX; Rule No.: 64B17-3.003

Patricia Noriega vs. Department of Health, Board of Physical Therapy Practice; Case No.: 03-2944RX; Rule No.: 64B17-3.003

Sacred Heart Health System, Inc., d/b/a Sacred Heart Hospital on the Emerald Coast vs. Agency for Health Care Administration; Case No.: 03-2871RU

Capital Health Plan, Inc. vs. Department of Management Services; Case No.: 03-2945RU

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

David L. McSherry, December McSherry, Dwight Adams, Sierra Club, Inc., Sustainable Alachua County, Inc. and Saving Florida, Inc. vs. Department of Community Affairs; Case No.: 03-2711-RU; Dismissed

**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

PROJECT FACT SHEET
Lifelong Learning Complex – Jupiter
BR-614

Florida Atlantic University

PROJECT DESCRIPTION

The project consists of site development and construction of a 16,300 gross square feet building at FAU’s John D. MacArthur Campus. Major space categories within the building include offices, classrooms and a 500-seat auditorium.

The Construction budget is approximately \$2.6 million.

SELECTION CRITERIA

Firms will be evaluated in the following areas: Experience and ability, past experience; bonding capacity; record-keeping; administrative ability; critical path scheduling expertise; cost estimating; cost control ability; quality contract capability;