# Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

# DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Florida Building Commission issued a Final Order, March 12, 2001, in response to the request received from Don T. Scroggs, CEO, Square One Builders, Inc., on February 9, 2001. The request was assigned the number DCA01-DEC-024. The Final Order dismisses the petition for Declaratory Statement without prejudice.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

# **DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the State of Florida, Department of Corrections received a Petition to Initiate Rulemaking on March 8, 2001 from Mark Osterback. Petitioner is seeking amendment of Chapter 33-103, Florida Administrative Code, to require the Department to provide a procedure to review grievances pertaining to the operation of, and other matters relating to, the Financial Service Center.

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.

NOTICE IS HEREBY GIVEN that the Department of Corrections has issued a response to a Petition to Initiate Rulemaking from Douglas Jackson. The Petitioner requested that the Department of Corrections amend Chapter 33, FAC., to include a uniform rule relating to storage of inmate legal property and further requests that the uniform rule permit free access to this property by inmates.

The Department denied Inmate Jackson's Petition to Initiate Rulemaking on the grounds that Rule 33-210.102(11)(b), FAC., authorizes each warden of an institution to adopt a procedure whereby legal materials may be stored. In adopting such a rule, the Department recognized that the ability of institutions to store property varies. Adoption of a uniform rule is currently not feasible. Furthermore, free access to legal property by inmates implies that all inmates would have access to the property. Such a provision is clearly not in an inmate's best interests.

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 Douglas Jackson. The Petitioner requested that the Department of Corrections amend Rule 33-501.301, FAC., to permit general population inmates free access to law libraries without the need to submit an Inmate Request. He asserts that inmates are denied free access to courts by a contrary policy.

The Department denied Inmate Jackson's Petition to Initiate Rulemaking on the grounds that an institution rule that requires an inmate to submit an Inmate Request prior to using the law library does not impinge upon an inmate's right of access to courts. Inmates do not have a constitutional right to free access to law libraries.

Even where prison regulations do impinge upon an inmate's constitutional rights, they are nonetheless valid where they serve a legitimate penological interest. Requiring inmates to submit an Inmate Request permits an institution to maximize access to the law library, allows for priority use by inmates with court deadlines, and permits scheduling of other inmates during non-work hours.

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.

# AGENCY FOR WORFORCE INNOVATION

NOTICE IS HEREBY GIVEN that the Agency for Workforce Innovation, has agreed to an Abeyance in the matter of In Re: Request for a Declaratory Statement Resolving Questions about the Appeal Procedures that Apply to the Denial of Mike Caro's Request for Training, OGC Case No. 2000/01-0001. The Abeyance is for a period of 45 days with the option to extend the stay for an additional 30 days.

A copy of the Notice of Abeyance may be obtained by writing: Veronica Moss, Agency Clerk, Agency for Workforce Innovation, Office of General Counsel, The Atkins Building, Suite 300, 1320 Executive Center Drive, Tallahassee, Florida 32399-2250.

# 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: Hialeah Hospital vs. Agency for Health Care Administration; Case No.: 01-0795RU

Ester Lee Johnson vs. Department of Environmental Protection; Case No.: 01-0948RU

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

Section X Announcements and Objection Reports of the Joint Administrative Procedures Committee

### NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

#### **DEPARTMENT OF EDUCATION**

#### INVITATION TO BID

Sealed bids shall be received by the Florida State University Purchasing Department until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Purchasing Department Suite A1400, University Center Florida State University Tallahassee, FL 32306-1055

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the Purchasing Agent identified in the bid number.

K 4238-5 Waterproofing Project Bldg. B and C, Panama City Campus Plans and Specifications: Campus Design Section Florida State University

#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida A & M University, on behalf of the State of Florida, Board of Regents announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project and Location: College of Law Building, Florida A & M University, Orlando, Florida.

This project consists of designing a 160,385 square foot academic space for the College of Law Building. The building will house administration, classrooms, library, study, trial and moot court rooms. The Florida A & M University Law School site is bounded by Hughey Avenue, Washington Street, Beggs Avenue and Robinson Street adjacent to Interstate Four (I-4) in Downtown Orlando. The site consists of approximately 3.77 acres and is located across the street from the Zora Neal Hurston State Building on the west and Federal Court House and the south.

The estimated construction budget is \$22,474,985. The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services.

10:00 a.m. (CST), Thursday, May

2:30 p.m., Thursday, May 24, 2001

Roofing Repair Project for Bldg. B

10:00 a.m. (CST), Thursday, May

2:45 p.m., Thursday, May 24, 2001 Suite A1400, University Center

Suite A1400, University Center

Tallahassee, FL

(850)644-6801

Building "A" Lobby Panama City Campus

Florida State University

Purchasing Department

Florida State University

**Campus Design Section** 

Florida State University

Building "A" Lobby

Panama City Campus

Florida State University

Purchasing Department

Florida State University

Tallahassee, FL (850)644-6801

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and C, Panama City Campus

3,2001

Mandatory Site Visit:

Public Bid Opening:

Plans and Specifications:

Mandatory Site Visit:

Public Bid Opening:

**Bid Documents:** 

**Bid Documents:** 

K 4239-5