

the Department of Insurance, having no jurisdiction over the said statute and rule chapters, had no alternative but to enter an order dismissing both petitions.

A copy of the order may be obtained by contacting: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604.

**DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-03, from Robert David Roy. The Department denied the Petition to repeal two department memoranda, contending that the issuance of these two memoranda constitutes an invalid exercise of delegated legislative authority.

A copy of the Order may be obtained from: Anthony W. Garcia, 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, Final Order DC 02-01 and DC 02-05, from Randall Prater. The Department denied the Petition to amend subsection 33-210.102(8), Florida Administrative Code, to specify that Florida Department of Corrections institutions will furnish return receipt requested postage, for qualifying mail, for those inmates who have insufficient funds to cover the cost of mailing those documents at the time the mail is submitted to the mailroom.

A copy of the Order may be obtained from: Anthony W. Garcia, 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, Final Order DC 02-02, from Daniel Knod. The Department denied the Petition to amend Rule 33-601.101, Florida Administrative Code, to permit inmates to be eligible to receive incentive gain time while on out to court status and the related charges are subsequently dismissed.

A copy of the Order may be obtained from: Anthony W. Garcia, 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 an order In Re: Petition for Declaratory Statement, Richard Marx, President, The Gardens at Palm Aire, Petitioner; Docket Number CD2001-054.

The petition was denied because petitioner did not correct the deficiencies in the petition and did not provide the documents requested to support the petition.

A copy of the order 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.

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, Lawrence R. Crosby, Vice President, Paradise Shores Apartment, Inc., Petitioner; Docket Number CD2001-053.

The petition was denied because petitioner seeks an interpretation of ambiguous contract terms not an application of a statute, rule, or order and because the division does not have jurisdiction to give the relief of reforming the declaration to change the ownership percentages.

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:**

Jon S. Kahlkopf vs. Department of State, Division of Licensing; Case No.: 02-0377RU

Columbia Hospital Corporation of South Broward, d/b/a Westside Regional Medical Center vs. Department of Health; Case No.: 02-0400RU

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

**NONE**