

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN THAT on September 26, 2002, the Department of Agriculture and Consumer Services received a Petition for Declaratory Statement from Howard Hochman, Attorney for Florida Pest Control and Chemical Company. The petition seeks the Department's opinion regarding whether certain fungi occasionally referred to as toxic molds must be identified and reported on Form 1145, Wood Destroying Organism Inspection Reports, when there is visual evidence of the molds on or in the structure being inspected and, further, whether fungi or mold not known to cause physical destruction or breaking down of wood must be reported on Form 1145 when visually observable by the inspector.

A copy of the Petition for Declaratory Statement may be obtained by writing: Mr. Harry Bosman, Agency Clerk, Department of Agriculture and Consumer Services, 407 South Calhoun Street, Room 509, Mayo Building, Tallahassee, FL 32399.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a request for Declaratory Statement on September 26, 2002, from Centex Homes, with regards to whether application of Holcim One Coat Stucco System to wood frame construction for the second floor of the 3068 model proposed in Manatee County, Florida and its compliance with section 2504.2, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-259.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on October 2, 2002, from Herminio Enrique, Miami-Dade County, General Services Administration regarding whether section 104.1.7 of the Florida Building Code allows local governments to add occupancies which may obtain annual facility permits per the intent of the Code and the Florida Statutes. It has been assigned the number DCA02-DEC-265.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on October 3, 2002, the Department of Health, Board of Physical Therapy Practice received a Petition for Declaratory Statement from All Children's Hospital, Inc., Physical Therapy Services. The Petition seeks the agency's opinion as to the applicability of Section 486.021(11), Florida Statutes, and how this along with other statutory provisions affect Petitioner's ability to allow its employees to accept referrals from advanced registered nurse practitioners or physician assistants.

The Petition will be considered by the Board at its November 1, 2002, meeting in Miami, Florida.

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.

**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:

Roseanne E. Gould, Cassandra Kennedy and Hubert A. McNeely vs. Hillsborough County School Board; Case No.: 02-3793RX; Board Rule No.: 3.03

Peace River Citrus Products, Inc. vs. Department of Citrus; Case No.: 02-3648RE; Rule Nos.: 20ER02-1, 20ER02-2, 20ER02-3

Florida League of Cities, Inc., City of Casselberry, City of Deerfield Beach, City of Greenacres, City of Kissimmee and City of New Port Richey vs. Department of Management Services, Division of Retirement; Case No.: 02-3610RU

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