

American Institute of Architects, with regards to plan review and inspection services performed by engineers and architects pursuant to the provisions of Section 553.791, Florida Statutes, and section 104.3.2, Florida Building Code, Building Volume. It has been assigned the number DCA02-DEC-370.

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 REVENUE

NOTICE IS HEREBY GIVEN THAT the Florida Department of Revenue has issued a Declaratory Statement to the Miami Herald Publishing Company regarding the application of Section 212.05(h)(1), Florida Statutes, and Rule 12A-1.045(1), Florida Administrative Code, to determine whether the charge for newspaper delivery by an independent carrier is subject to sales tax and local option sales surtax. The Declaratory Statement concludes that the Miami Herald is not required to collect sales tax on the charge for newspaper delivery by independent carriers, if 1) at the time of the initial subscription or subsequent renewal, the subscriber is informed of the carrier delivery charge and mail delivery charge, 2) at the time of the initial subscription or subsequent renewal, the subscriber is informed that the delivery charge can be avoided by an election to either pick-up the newspapers at a distribution center or to receive the newspapers by mail, and 3) the carrier delivery charge is separately stated on the invoice.

A copy of the Declaratory Statement may be obtained by contacting: Judy Langston, Agency Clerk, Office of General Counsel, Florida Department of Revenue, P. O. Box 6668, Tallahassee, FL 32314-6668.

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, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Castillo Grand Residences, Petitioner, on December 13, 2002.

Petitioner requests a declaratory statement as to whether an escrow agent may release interest earned on deposits to the developer for use in construction prior to closing under Section 718.202, Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number CD2002-064, 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.

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 32399-2202.

DEPARTMENT OF HEALTH

The Dietetics and Nutrition Council hereby gives notice that it has issued a Final Order on the Petition for Declaratory Judgment filed on behalf of Arlene L. Kasner. The Notice of Petition for Declaratory Statement was published on November 27, 2002 in Vol. 28, No. 48 of the Florida Administrative Weekly. The Council considered the Petition at its meeting held on December 6, 2002, by telephone conference call. The Council's Final Order, filed December 19, 2002, grants the Petition for Declaratory Statement. However, the Council finds that Petitioner, who is licensed as a nutrition counselor but not as a dietitian/nutritionist, may not review the program of, consult with, or approve program changes for an unlicensed person pursuant to Section 468.505(1)(j), Florida Statutes.

A copy of the Council's Final Order may be obtained by contacting: Dietetics and Nutrition Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3253.

**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:

NONE

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