

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

RULE TITLES:	RULE NOS.:
Code of Conduct	12-3.011
Disciplinary Procedures and Standards	12-3.012

PURPOSE AND EFFECT: The proposed creation of Rules 12-3.011 and 12-3.012, F.A.C., is necessary to comply with the Final Order entered by the Division of Administrative Hearings on July 9, 1998, in *Victor Novoa, et. al. v. Department of Revenue*, (DOAH Case #98-1763), in which an Administrative Law Judge determined that specific provisions within an Agency's internal Disciplinary Standards and Code of Conduct must be adopted in rule form in compliance with section 120.54, Florida Statutes.

The effect of creating Rule 12-3.011, F.A.C., is to establish policies of conduct with which all employees of the Department must comply. The effect of creating Rule 12-3.012, F.A.C., is to establish disciplinary standards, and to provide procedures for addressing violations of these disciplinary standards established in this Rule and the policies of conduct established in Rule 12-3.012, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is to discuss the development of these proposed new rules, and to consider suggested revisions offered by the general public or other interested persons.

SPECIFIC AUTHORITY: 120.54, 120.536 FS., *Victor Novoa, et. al. v. Department of Revenue*, (DOAH Case #98-1763).

LAW IMPLEMENTED: 110.227 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 2:00 p.m., February 16, 1999

PLACE: Room 435, Conference Room, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Copies of the agenda for the rule development workshop may be obtained by contacting the person listed below.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program is asked to advise the Department at least five (5) calendar days before the program by contacting the person listed below. If you are hearing or speech-impaired, please contact the Department's TDD by calling 1(800)DOR-TDD1 (1(800)367-8331).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: William Fritchman, Intradepartment Projects Administrator, Department of Revenue, P. O. Box 6668, Tallahassee, Florida 32314-6668, telephone (850)488-4328

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-3.011 Code of Conduct.

All employees of the Florida Department of Revenue shall comply with the policies of the Department's Code of Conduct, issued as Policy Statement #1141-2, which is hereby incorporated by reference in this rule.

Specific Authority 120.54, 120.536 FS., *Victor Novoa, et. al. v. Department of Revenue*, (DOAH Case #98-1763). Law Implemented 110.227 FS. History--New

12-3.012 Disciplinary Procedures and Standards.

(1) All employees of the Florida Department of Revenue shall comply with the Department's disciplinary standards, issued as Policy Statement #1141-9, which is hereby incorporated by reference in this rule.

(2) The disciplinary procedures issued by the Florida Department of Revenue as Policy Statement #1141-9, which is hereby incorporated by reference in this rule, shall be applied by the Department to violations of the Code of Conduct and the Disciplinary Procedures and Standards.

Specific Authority 120.54, 120.536 FS., *Victor Novoa, et. al. v. Department of Revenue*, (DOAH Case #98-1763). Law Implemented 110.227 FS. History--New

GAME AND FRESH WATER FISH COMMISSION

RULE TITLE:	RULE NO.:
Permits for Hunting or Other Recreational Use on Type I Wildlife Management Areas	39-9.004

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development is to establish permit costs, quotas, and other provisions for hunting and other recreational use on Type I Wildlife Management Areas (WMA), Type II WMAs and Wildlife and Environmental Areas.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule includes Wildlife Management Area Permits and Recreational User Permits.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

WORKSHOPS ON THE PROPOSED RULES WILL BE HELD IN CONJUNCTION WITH THE COMMISSION'S WORKSHOPS AND PUBLIC MEETINGS AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATES: 1:30 p.m. on the following dates: January 15, 1999, March 12, 1999, May 14, 1999, July 16, 1999, September 17, 1999, and November 19, 1999

PLACE: Specific location to be announced

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Tim Breault, Division of Wildlife, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE AND CAN BE OBTAINED FROM: James V. Antista, General Counsel, Game and Fresh Water Fish Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Andrena Knicely at (850)487-1406. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Procedural	40D-1
RULE TITLES:	RULE NOS.:
Variances from Water Well Construction Rules (Chapter 40D-3, F.A.C.)	40D-1.1001
Variances from Water Shortage Rules (Chapter 40D-21, F.A.C.)	40D-1.1002
Emergency Authorization of Permits for Activities Regulated Under Part IV of Chapter 373, F.S.	40D-1.1021
Emergency Authorization for Well-Construction Permits	40D-1.1022
Emergency Authorization for Works of the District Permits	40D-1.1023

PURPOSE AND EFFECT: To revise certain of the District’s Exceptions to the Uniform Rules of Procedure in response to comments provided by the Joint Administrative Procedures Committee, and to correct an error regarding authorization of Rule 40D-1.1002, F.A.C., by the Administration Commission.

SUBJECT AREA TO BE ADDRESSED: The District’s exceptions to the Uniform Rules of Procedure.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.309, 373.326, 373.342 FS., 61-691, Laws of Florida.

LAW IMPLEMENTED: 373.084, 373.085, 373.103, 373.175, 373.246, 373.303, 373.306, 373.308, 373.309, 373.313, 373.316, 373.326, 373.342, 373.439 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen E. West, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Water Use Regulation	40E

PURPOSE AND EFFECT: The purpose and effect of the rule development is to modify and update the District’s Water Use Rules to reflect legislative changes, policy changes and implementation of Regional Water Supply Plan.

SUBJECT AREAS TO BE ADDRESSED: Amend the following Chapters in Fl. Admin. Code: Chapters 40E-0, 40E-1, 40E-2, 40E-3, 40E-5, 40E-8, 40E-20, 40E-21, 40E-22, 40E-23, and the Basis of Review for Water Use Permits. The following topics will be addressed:

Group 1 – Competition; Minimum Flows & Levels for Lake Okeechobee, Everglades, Biscayne Aquifer; 40E-21, FAC Water Shortage Plan; Level of Certainty; Reservation of Water Process.

Group 2 – Dewatering; Wellfield Operational Plans; Aquifer Storage and Recovery; Well Construction; Inefficient Withdrawal Facilities.

Group 3 – Water Resource Caution Areas; Reduced Threshold Areas; Reuse; General Permit Thresholds; Permit Duration; Basin Expiration Dates; 40E-22, FAC Water Shortage; Model Usage in Permit Applications.

Group 4 – Salt Water Intrusion; the Resource Harm Criteria; Wetland Protection Criteria; Regional Water Availability; Local Sources First; Pump Usage of the Florida Aquifer system in the Upper East Coast region.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171, 373.246, 373.216 FS.

LAW IMPLEMENTED: 373.016, 373.042, 373.0421, 373.103, 373.106, 373.116, 373.118, 373.175, 373.1961, 373.219, 373.223, 373.226, 373.229, 373.233, 373.236, 373.239, 373.246, 373.250, 373.302-342 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 5:00 p.m., February 18, 1999

PLACE: City of Stuart Commission Chambers, 121 Southwest Flagler Avenue, Stuart, FL 34994

AGENDA: Group 1 – 10:00 a.m. – 11:30 a.m.; Group 2 – 11:30 a.m. – 1:00 p.m.; Group 3 – 2:00 p.m. – 3:30 p.m.; Group 4 – 3:30 p.m. – 5:00 p.m.

TIME AND DATE: 10:00 a.m. – 5:00 p.m, February 19, 1999

PLACE: Lee County Extension Service, 3406 Palm Beach Blvd., Ft. Myers, FL 33916

AGENDA: Group 1 – 10:00 a.m. – 11:30 a.m.; Group 2 – 11:30 a.m. – 1:00 p.m.; Group 3 – 2:00 p.m. – 3:30 p.m.; Group 4 – 3:30 p.m. – 5:00 p.m.

TIME AND DATE: 10:00 a.m. – 5:00 p.m., February 23, 1999
 PLACE: South Florida Water Management District, 3301 Gun Club Road, Storch Conference Room, West Palm Beach, FL 33406

AGENDA: Group 1 – 10:00 a.m. – 11:30 a.m.; Group 2 – 11:30 a.m. – 1:00 p.m.; Group 3 – 2:00 p.m. – 3:30 p.m.; Group 4 – 3:30 p.m. – 5:00 p.m.

TIME AND DATE: 10:00 a.m. – 5:00 p.m., February 24, 1999
 PLACE: Gwen Margolis Community Center, 1590 Northeast 123rd Street, North Miami Beach, FL 33163

AGENDA: Group 1 – 10:00 a.m. – 11:30 a.m.; Group 2 – 11:30 a.m. – 1:00 p.m.; Group 3 – 2:00 p.m. – 3:30 p.m.; Group 4 – 3:30 p.m. – 5:00 p.m.

TIME AND DATE: 10:00 a.m. – 5:00 p.m., March 1, 1999
 PLACE: Kissimmee Civic Center, 201 East Daken Avenue, Kissimmee, FL 34741

AGENDA: Group 1 – 10:00 a.m. – 11:30 a.m.; Group 2 – 11:30 a.m. – 1:00 p.m.; Group 3 – 2:00 p.m. – 3:30 p.m.; Group 4 – 3:30 p.m. – 5:00 p.m.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jaci Weaver, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6313 or (561)682-6313 (internet: jsweave@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact Tony Burns, District Clerk, (561)682-6206, at least two business days in advance to make appropriate arrangements.

DEPARTMENT OF THE LOTTERY

RULE TITLES: FLORIDA LOTTO Jackpot Pool
 RULE NOS.: 53-28.006

FLORIDA LOTTO Payment Options 53-28.007

PURPOSE AND EFFECT: The Department proposes to promulgate a rule to amend rule section 53-28.006 F.A.C and create a new rule section that sets forth the specifics of the two (2) FLORIDA LOTTO Jackpot prize payment options, “Cash Option” and “Annual Payment.”

SUBJECT AREA TO BE ADDRESSED: FLORIDA LOTTO Payment Options.

SPECIFIC AUTHORITY: 24.105(10)(e), 24.109(1) FS.

LAW IMPLEMENTED: 24.105(10)(e) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diane D. Schmidt, Florida Lottery, Office of the General Counsel, Capitol Complex, Tallahassee, Florida 32399-4011

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-28.006 FLORIDA LOTTO Jackpot Pool.

(1) No change.

(2) If the cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in twenty (20) annual installments for each winning ticket, the Lottery shall pay the Jackpot winner or winners in twenty (20) annual payments.

Specific Authority 24.115(1) FS. Law Implemented 24.105(10)(e) FS. History—New 11-22-93, Amended _____.

53-28.007 FLORIDA LOTTO Payment Options.

(1) Effective for draw dates on and after October 24, 1998, players can choose one (1) of two (2) payment options for receiving their portion of the FLORIDA LOTTO Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(2) Jackpot winners have sixty (60) days after the winning draw date to choose between the two payment options. Once the jackpot winner signs the Winner Claim Form (DOL-173) and exercises the winner’s chosen option, the election of that option shall be final. In order to select Cash Option, the winner must claim his or her prize within sixty (60) days after the winning draw date; otherwise, the Annual Payment option will be applied.

(3) Cash Option prizes will be paid in one lump sum cash payment. The jackpot winner who chooses the Cash Option for payment will receive his or her portion of the amount in the jackpot pool that is available immediately for investment.

(4) The jackpot winner whose ticket, including an advance play ticket, was purchased prior to November 15, 1998, shall be paid in twenty (20) annual payments if:

(a) the Jackpot winner elects the Annual Payment Option;

(b) the Jackpot winner does not make an election within sixty (60) days after the winning draw date as provided in subsection (2); and

(c) the cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in twenty (20) annual installments for each winning ticket.

(5) The jackpot winner whose ticket, including an advance play ticket, was purchased on November 15, 1998, or thereafter shall be paid in 30 (thirty) annual payments if:

(a) the Jackpot winner elects the Annual Payment Option;

(b) the Jackpot winner does not make an election within sixty (60) days after the winning draw date as provided in subsection (2); and

(c) the cash available in the Jackpot pool is sufficient to yield at least a total of one million dollars in thirty (30) annual installments for each winning ticket.

(6) Federal income taxes will be applied and withheld from the prize amount at the time payment is made pursuant to applicable Internal Revenue Code and Regulations.

(7) Any interest or earnings accrued on a Florida Lotto Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

Specific Authority 24.105(10)(e) FS. Law Implemented 24.105(10)(e) FS. History—New _____.

DEPARTMENT OF THE LOTTERY

RULE TITLE: FANTASY 5 Drawings

RULE NO.: 53-29.002

PURPOSE AND EFFECT: The rule amends the description of the FANTASY 5 draw machine.

SUBJECT AREA TO BE ADDRESSED: The term “display tubes” as set forth in 53-29.002(8) is changed to “ball display tray.”

SPECIFIC AUTHORITY: 24.105(10)(d) FS.

LAW IMPLEMENTED: 24.105(10)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Diane D. Schmidt, Office of the General Counsel, Florida Lottery, 250 Marriott Drive, Tallahassee, FL 32301, (850)487-7724

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

53-29.002 FANTASY 5 Drawings.

(1) through (7) No change.

(8) Five (5) of the twenty-six (26) balls are drawn by vacuum action into the ball display tray ~~display tubes~~. The numbers shown on the five (5) balls, after certification by the Draw Manager and the certified public accounting firm, are the official winning numbers for the drawing.

(9) through (12) No change.

Specific Authority 24.105(10)(d) FS. Law Implemented 24.105(10)(d) FS. History—New 11-22-93, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE TITLE: Determination of Opening for Licensed State Pilots or Certificated Deputy Pilot

RULE NO.: 61G14-11.001

PURPOSE AND EFFECT: This rule provision will prohibit a person from simultaneously becoming a certified deputy or licensed pilot in more than one port except in cases of cross licensing or in combined ports. This rule is necessary in order for the Board to carry out its duty of determining the need for deputies and pilots based on supply and demand.

SUBJECT AREA TO BE ADDRESSED: Determination of Opening for Licensed State Pilots or Certificated Deputy Pilot. SPECIFIC AUTHORITY: 310.185 FS.

LAW IMPLEMENTED: 310.061, 310.081(1),(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John P. Currie, Executive Director, Board of Pilot Commissioners, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G14-11.001 Determination of Opening for Licensed State Pilots or Certificated Deputy Pilot.

(1) No change.

(2) Other than in instances of cross licensing as permitted by §310.061, Florida Statutes, the licensing of a pilot to serve in more than one port, prevents the board from adequately performing its duty under §310.061, Florida Statutes, to assess the need for additional pilots in any of the ports to which such pilot is licensed. Therefore, other than in instances of cross licensing as permitted by §310.061, Florida Statutes, no person shall be eligible to become a certified deputy pilot or licensed state pilot in any Florida port so long as that person remains a licensed pilot in any other Florida port. This prohibition shall not apply where all ports for which certification or licensure is sought have been combined with each other for the purpose of licensing.

(3)(2) No change.

(4)(3) No change.

Specific Authority 310.185 FS. Law Implemented 310.061, 310.081(1),(2) FS. History—New 3-21-76, Formerly 21SS-5.06, Amended 1-19-77, 12-7-78, 1-10-80, Formerly 21SS-5.09, Amended 5-11-87, 11-28-90, Formerly 21SS-5.009, 21SS-11.001, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Examination and Licensure

RULE NO.: 61G18-11.002

PURPOSE AND EFFECT: The Board proposes to develop a rule amendment to address the new licensure which shall be given in November, 2000.

SUBJECT AREA TO BE ADDRESSED: Examination for licensure.

SPECIFIC AUTHORITY: 474.206, 474.2065, 474.207, 455.217 FS.

LAW IMPLEMENTED: 455.217, 474.2065, 474.207 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., February 22, 1999

PLACE: Room 324, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32302

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Currie, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-11.002 Examination and Licensure.

(1) through (2) No change.

(3) There are three examinations. Two examinations have been developed by the National Board Examination Committee: The first, a written examination; the second, a clinical competency test. The third examination concerns laws and rules related to the practice of veterinary medicine. The context of the third test shall include the following subjects: The Veterinary Medical Practice Act, Chapter 474, F.S.; Chapter 455, F.S., relating to the Department of Business and Professional Regulation; Chapter 61G18, F.A.C., the rules promulgated by the Board of Veterinary Medicine; Chapters 465, 499, 585, 828 and 893, F.S.; and the most recent revision of the "Physician's Manual," an informational outline of the Controlled Substances Act of 1970, published by the Drug Enforcement Administration of the United States Department of Justice.

(4) Effective on November 1, 2000, there shall be two examinations. The first examination will be the North American Veterinary Licensure Examination (NAVLE) developed by the National Board Examination Committee. The second examination concerns the laws and rules related to the practice of veterinary medicine. In order to obtain licensure, the candidate must receive a passing score on each portion of the examination based on the laws and rules in effect at the time the application is being acted upon ~~was received~~. A candidate who fails to achieve a passing score on any part of the examination will only be required to retake the parts failed so long as those scores remain valid.

(5) through (6) No change.

(7) A passing score on the veterinary Laws and Rules examination law portion shall be a score of seventy percent (70%) or better. All questions shall be weighted equally, and percentages shall be rounded off to whole numbers. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be dropped. To be valid, a passing score on the veterinary law portion of the examination must have been achieved on an examination taken within the two year period prior to the date of the administration of the first examination offered in Florida subsequent to the filing of the application for licensure.

(8) No change.

Specific Authority 474.206, 474.2065, 474.207, 455.217 FS. Law Implemented 455.217, 474.2065, 474.207 FS. History—New 11-14-79, Amended 5-11-80, 7-9-80, 5-4-81, 12-10-81, 12-5-82, 5-15-83, 11-5-84, 5-7-85, 11-5-85, Formerly 21X-11.02, Amended 3-1-88, 11-24-88, 4-3-89, 4-13-92, 3-30-93, 7-13-93, Formerly 21X-11.002, Amended 7-4-94, 3-20-95, 3-29-95, 5-1-95, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Examination and Reexamination Fees

RULE NO.: 61G18-12.002

PURPOSE AND EFFECT: The Board proposes the development of a rule to address examination fees for laws and rules and fees for examinations given by professional testing services.

SUBJECT AREA TO BE ADDRESSED: Examination fees.

SPECIFIC AUTHORITY: 474.206, 474.207(2)(a), 474.2065, 455.217, 455.219 FS.

LAW IMPLEMENTED: 474.207(2), 474.2065, 455.217(2), 455.219 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., February 22, 1999

PLACE: Room 324, Collins Building, 107 West Gaines Street, Tallahassee, Florida 32302

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Currie, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G18-12.002 Examination and Reexamination Fees.

(1) Any time a person applies to take or retake any or all portions of the national examination, as set forth below, that person must submit an application on forms provided by the department, an application fee of \$100.00, and an examination fee for each portion of the examination to be taken.

(2) For those applicants taking the Laws and Rules examination written portion of the Veterinary Medical Practice Act, when the examination is not conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, the examination fee shall be \$165.00 payable to the department. When the examination is conducted by a professional testing service pursuant to Section 455.2171, Florida Statutes, the examination fee shall be \$145.00 payable to the Department plus \$19.50 payable to the testing service the examination fee shall be \$165.00. When conducted by a professional testing service, applicants retaking the Laws and Rules examination shall only pay the fee payable to the testing service.

(3) through (4) No change.

(5) For those applicants taking the North American Veterinary Licensure Examination (NAVLE) on or after November of 2000, the examination fee shall be the actual per applicant cost to the department for purchase of that examination.

(6)(5) No change.

Specific Authority 474.206, 474.207(2)(a), 474.2065, 455.217, 455.219 FS. Law Implemented 474.207(2), 474.2065, 455.217(2), 455.219 FS. History—New 11-14-79, Amended 5-11-80, 4-6-81, 9-1-82, 12-5-82, 10-17-85, Formerly 21X-12.02, Amended 3-15-87, 11-2-88, 1-29-92, Formerly 21X-12.002, Amended 5-16-94, 7-4-95, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Standards for Assembled Financial Statements
RULE NO.: 61H1-20.0053

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to submit the word “fraud” in place of “irregularities.”

SUBJECT AREA TO BE ADDRESSED: Standards for Assembled Financial Statements.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.302, 473.322 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-20.0053 Standards for Assembled Financial Statements.

A Certified Public Accountant holding an active license may offer to perform or perform services involving assembled financial statements so long as the Certified Public Accountant complies with the standards for assembled financial statements, which are as follows:

(1) Understanding with the Entity – The Certified Public Accountant shall establish a written understanding with the entity regarding the services to be performed. This written understanding shall include a description of the nature and limitations of the services to be performed. The understanding shall also provide:

(a) that the engagement cannot be relied upon to disclose errors, fraud irregularities, or illegal acts; and

(b) disclose whether or not the entity preparing the financial statement is or is not licensed by the Florida Board of Accountancy. An example engagement letter is provided for illustrative purposes:

(Appropriate Salutation)

This letter is to confirm our understanding of the terms and objectives of our engagement to provide accounting services during (date), the output of which will be in the form of (monthly/quarterly/other frequency) assembled financial statements.

- We will perform the following services (selected illustrations):
- Assist you in recording transactions on a (monthly/quarterly/other frequency) basis.
- Prepare a trial balance from your accounts and journals.
- Assemble that information in the form of financial statements.
- Provide comments of a business advisory nature.

- We do not undertake to, and will not, provide any opinion or form of assurance on the financial statements we assemble in connection with these services and, accordingly, we do not undertake to make inquiries or perform other procedures to verify, corroborate, or review information supplied by you. In addition, those statements may (will) contain departures from generally accepted accounting principles or an other comprehensive basis of accounting.

Our engagement to assemble financial statements cannot be relied upon to disclose errors, ~~fraud~~ irregularities, or illegal acts, including ~~fraud~~ or defalcations that may exist. These assembled financial statements are prepared by an entity that is (is not) licensed by the Florida Board of Accountancy. Our fees for these services....

We shall be pleased to discuss this letter with you at any time.

If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to us.

Sincerely yours,

(Signature of certified public accountant)

Accepted and agreed to:
XYZ Company

President

Date

(2) through (12) No change.

Specific Authority 473.304, 473.315 FS. Law Implemented 473.302, 473.322 FS ss. 1, 12, Ch. 98-340, Laws of Florida. History-New 10-28-98, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: _____ RULE NO.:

Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs) 61H1-26.002

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to be in compliance with the underlying statutes by specifying that Letters of Credit may be used in lieu of the minimum capitalization or liability insurance requirement.

SUBJECT AREA TO BE ADDRESSED: Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs).

SPECIFIC AUTHORITY: 473.304, 473.309 FS.

LAW IMPLEMENTED: 473.309 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-26.002 Minimum Capitalization or Adequate Public Liability Insurance for Public Accounting Corporations, Limited Liability Companies (LLCs) and Partnerships (LLPs). A public accounting corporation, LLC, or LLP shall not engage in the practice of public accounting in this state unless:

(1) No change.

(2) it has an irrevocable letter of credit which meets the following criteria:

(a) the responsibility for repayment of any sums disbursed under the letter of credit is not an obligation of the CPA firm, its owners, or any entity affiliated with the CPA firm;

(b) the letter of credit contains an "evergreen clause," which automatically renews the letter of credit unless the issuer of the letter of credit notifies the CPA firm and the Board within sixty (60) days of the decision not to renew; and

(c) the letter of credit is issued by a financial institution authorized to do so under applicable state or federal banking laws.

(3)(2) No change.

(4)(3) No change.

Specific Authority 473.304, 473.309 FS. Law Implemented 473.309 FS. History-New 12-4-79, Formerly 21A-26.02, Amended 10-20-86, Formerly 21A-26.002, Amended 11-30-93, 5-23-94, 6-10-96, 10-6-96, 12-30-97, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: _____ RULE NO.:

Experience for Licensure by Endorsement 61H1-29.003

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to require documentation of acceptable Peer Review Reports covering the years being used to evidence the experience from all applicants for Licensure for Endorsement who wish to use the five years of experience in lieu of the "fifth year."

SUBJECT AREA TO BE ADDRESSED: Experience for Licensure by Endorsement.

SPECIFIC AUTHORITY: 473.304, 473.308 FS.

LAW IMPLEMENTED: 473.308 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-29.003 Experience for Licensure by Endorsement.

Experience used to meet the requirements of Section 473.308(4), F.S., must include five years experience in the practice of public accounting as a Certified Public Accountant ~~certified public accountant~~ or chartered accountant. In addition, the applicant must have practiced at least two years of the last three years immediately preceding application for licensure. The applicant must submit acceptable Peer Review Reports (including the Letter of Comment) covering the years being used to evidence the experience. The Peer Review must have been performed by a state regulatory agency, the American Institute of Certified Public Accountants, or any full service association of certified public accounting firms whose plans of administration have been approved by the Board. The applicant shall, during those three years, complete continuing education in public accountancy at least equivalent to that required in Florida during that period.

Specific Authority 473.304, 473.308 FS. Law Implemented 473.308 FS. History—New 4-24-88, Amended 6-12-88, Formerly 21A-29.003, Amended 2-12-98,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:

Continuing Professional Education 61H1-33.003

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amended in order to update the current rule’s language defining acceptable subjects for Continuing Professional Education.

SUBJECT AREA TO BE ADDRESSED: Continuing Professional Education.

SPECIFIC AUTHORITY: 473.304, 473.312 FS.

LAW IMPLEMENTED: 473.312 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:

Notice to Public by Non-Licensed Persons 61H1-34.002

PURPOSE AND EFFECT: Under the authority of the Board, the proposed rule is being amending in order to be in compliance with the underlying statute and in order to establish requirements for persons licensed in another state.

SUBJECT AREA TO BE ADDRESSED: Notice to Public by Non-Licensed Persons.

SPECIFIC AUTHORITY: 473.304, 473.309 FS.

LAW IMPLEMENTED: 473.309 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha P. Willis, Executive Director, Board of Accountancy, 2610 Northwest 43rd Street, Suite 1-A, Gainesville, Florida 32606
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Examinations 64B-1

RULE TITLE: RULE NO.:

Physician Assistant Examination for

Graduates of Foreign Medical Schools 64B-1.015

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to establish the content and scoring of the physician assistant examination for graduates of foreign medical schools.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the content and scoring of the physician assistant examination for graduates of foreign medical schools.

SPECIFIC AUTHORITY: 458.347(7)(b)3. FS.

LAW IMPLEMENTED: 458.347(7)(b)3. FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., February 15, 1999

PLACE: Northwood Centre, Secretary's Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Anne Marie Frazee, Attorney, Department of Health, General Counsel's Office, 2020 Capital Circle, S. E., Bin #A02, Tallahassee, Florida 32399-1703

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B-1.015 Physician Assistant Examination for Graduates of Foreign Medical Schools.

(1) The physician assistant examination for graduates of foreign medical schools shall consist of the following parts:

(a) a general written examination containing 325 questions; and,

(b) a specialty primary care multiple-choice written examination containing 150 questions; and/or,

(c) a specialty surgery multiple-choice written examination containing 150 questions.

(2) In order to be eligible for licensure, the candidate must pass:

(a) the general written examination; and,

(b) either the specialty surgery or primary care written examination.

(3) The minimum passing scores for the examination shall be:

(a) a standardized score of 600 for the general written examination;

(b) a standardized score of 600 for the specialty surgery written examination; and,

(c) ~~(b)~~ a standardized score of 600 for the specialty primary care written examination.

(4) The general written examination shall assess candidate knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled in performing. The examination questions may be drawn from the entire range of physician assistant activities, including, but not limited to, the content area listed below:

(a) Endocrine System

- 1. General Skills 2-4%
- 2. Primary Care 3-5%

- 3. Surgical Skills 1-3%
- (b) Pediatric
 - 1. General Skills 6-8%
 - 2. Primary Care 5-10%
 - 3. Surgical Skills 1-3%
- (c) Nutritional /Metabolism
 - 1. General Skills 1-3%
 - 2. Primary Care 2-4%
 - 3. Surgical Skills 1-2%
- (d) Blood and Blood-forming Hematology
 - 1. General Skills 2-4%
 - 2. Primary Care 3-5%
 - 3. Surgical Skills 1-3%
- (e) Head and Neck
 - 1. General Skills 1-3%
 - 2. Primary Care 2-4%
 - 3. Surgical Skills 2-4%
- (f) Eyes
 - 1. General Skills 1-3%
 - 2. Primary Care 2-3%
 - 3. Surgical Skills 1-3%
- (g) Ears
 - 1. General Skills 1-3%
 - 2. Primary Care 1-3%
 - 3. Surgical Skills 1-3%
- (h) Mental Health
 - 1. General Skills 1-2%
 - 2. Primary Care 1-3%
 - 3. Surgical Skills 0-1%
- (i) Nervous System and Sense Organs
 - 1. General Skills 2-4%
 - 2. Primary Care 3-5%
 - 3. Surgical Skills 4-6%
- (j) Circulatory System
 - 1. General Skills 3-5%
 - 2. Primary Care 4-6%
 - 3. Surgical Skills 8-10%
- (k) Respiratory System
 - 1. General Skills 4-6%
 - 2. Primary Care 4-6%
 - 3. Surgical Skills 3-5%
- (l) Digestive System
 - 1. General Skills 3-5%
 - 2. Primary Care 4-6%
 - 3. Surgical Skills 8-10%
- (m) Genitourinary System
 - 1. General Skills 2-4%
 - 2. Primary Care 2-4%
 - 3. Surgical Skills 4-6%

<u>(n) Gynecology and Pregnancy</u>	
1. General Skills	3-5%
2. Primary Care	4-6%
3. Surgical Skills	5-7%
<u>(o) Skin and Subcutaneous Tissue</u>	
1. General Skills	2-3%
2. Primary Care	2-3%
3. Surgical Skills	2-4%
<u>(p) Musculoskeletal System and Connective Tissue</u>	
1. General Skills	2-4%
2. Primary Care	2-4%
3. Surgical Skills	6-8%
<u>(q) Infectious Diseases</u>	
1. General Skills	10-12%
2. Primary Care	10-20%
3. Surgical Skills	8-10%
<u>(r) Trauma/Emergency</u>	
1. General Skills	4-6%
2. Primary Care	6-8%
3. Surgical Skills	12-15%
<u>(s) Preventative Disease Section</u>	
1. General Skills	1-2%
2. Primary Care	1-2%
3. Surgical Skills	0-1%
<u>(t) Pharmacology</u>	
1. General Skills	5-7%
2. Primary Care	6-10%
3. Surgical Skills	6-10%
<u>(u) Scope of Practice</u>	
1. General Skills	1-3%
2. Primary Care	0%
3. Surgical Skills	0%
<u>(v) Practice Competencies</u>	
1. General Skills	20-22%
2. Primary Care	0%
3. Surgical Skills	0%

(5) The specialty written examination shall assess candidates' knowledge, and skill in applying knowledge, related to health care functions that physician assistants should be skilled performing such as those noted above in paragraphs 64B-1.015(1)(a)-(v), F.A.C., as applied to patient care situations relevant to the appropriate specialty area.

(6) Examination fees shall be \$620 for candidates who want to take the general and one specialty examination and \$700 for candidates who want to take the general and both specialty examinations.

Specific Authority 458.347(7)(b)3. FS. Law Implemented 458.347(7)(b)3. FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Examination for Licensure

RULE NO.: 64B18-11.002

PURPOSE AND EFFECT: The Board proposes an amendment to the rule to specify the examinations for licensure in Florida.

SUBJECT AREA TO BE ADDRESSED: Clarification of the examination requirements in Florida.

SPECIFIC AUTHORITY: 455.574, 461.005 FS.

LAW IMPLEMENTED: 455.574(1)(b) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine/MQA, 2020 Capital Circle, S. E., Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-11.002 Examination for Licensure.

~~(1) The Board adopts the nNational eExaminations administered under the auspices of the National Board of Podiatric Medical Examiners, including Part I, Part II, known as and the PMLexis Examination, as the examination for licensure in Florida, provided that the applicant for licensure has taken and passed the PMLexis that Eexamination after August of 1996.~~

~~(2) Applicants approved and scheduled for examination as of the effective date of this rule may choose either to take the examination administered by the Board in August of 1996 or the PMLexis examination after August of 1996. If, however, the applicant chooses to take the PMLexis examination instead of the Board's examination in August of 1996, but fails to pass it, that applicant will be required thereafter, to take and pass the PMLexis examination after August of 1996 because there will be no administration of the Board's examination after August of 1996.~~

Specific Authority 455.574, 455.217, ~~455.2173(1)(e)~~, 461.005 FS. Law Implemented ~~455.574(1)(b), 455.217(1)(b), 455.2173(1)(e)~~ FS. History--New 1-29-80, Formerly 21T-11.02, Amended 10-14-86, 11-27-89, 6-19-90, 10-9-90, 4-1-91, Formerly 21T-11.002, 61F12-11.002, Amended 1-1-96, 7-9-96, Formerly 59Z-11.002, Amended _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Community Colleges

RULE TITLE: Committees
 RULE NO.: 6H-1.015

PURPOSE AND EFFECT: The purpose is to amend the committee structure of the State Board of Community Colleges. The effect is to increase the administrative efficiency of board operations.

SUMMARY: The rule amendment will reduce the number of standing committees from five to two and combine functions. This will promote greater efficiency at SBCC meetings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 240.309(1), 240.311(6) FS.

LAW IMPLEMENTED: 240.309(1), 240.311 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 8:30 a.m., March 5, 1999

PLACE: Department of Education, Turlington Building, 325 W. Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sydney H. McKenzie III, General Counsel, State Board of Community Colleges, Division of Community Colleges, 325 West Gaines St., Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6H-1.015 Committees.

(1) Standing Committees.

(a) The Program, Economic Development, Equity, and Policy Planning Committee considers, evaluates, and recommends actions regarding community college instructional and support programs, monitors and reviews the master plan, oversees strategic planning, reviews and monitors the accountability process and products, ~~and~~ guides economic development policy; ~~monitors, evaluates, and recommends regarding equal access and equal opportunity; develops and recommends overall policy relating to the organization and function of the Division, legislative policy, and compensation of Division staff; and develops and oversees the delivery of instructional programs for trustees and coordinates the production and dissemination of information about the college system throughout the state.~~

(b) The Finance Committee oversees the review of community college budget procedures, financial procedures, legislative audit reports, management information systems, facility expansion, and college personnel issues.

~~(c) The Equal Access and Equal Opportunity Committee monitors, evaluates, and recommends regarding equal access and equal opportunity.~~

~~(d) The Policies and Procedures Committee develops and recommends overall policy relating to the organization and function of the Division, legislative policy, and compensation of Division staff.~~

~~(e) The Trustee and Public Information Committee develops and oversees the delivery of instructional programs for trustees and coordinates the production and dissemination of information about the college system throughout the state.~~

(2) A special task force of the State Board of Community Colleges is the Council of Presidents, consisting of the presidents of the community colleges. The Council advises the Board on matters relating to the operation of the community colleges.

(3) Ad hoc committees may be appointed. Chairmen and all voting members of ad hoc committees shall be appointed from the membership of the State Board of Community Colleges.

(4) Membership on standing committees is limited to members of the State Board of Community Colleges. Except for the Council of Presidents, members and chairmen of committees are appointed by the chairman of the State Board of Community Colleges subject to ratification by the Board. Should the position of chairman be vacant or should the chairman be incapacitated, the vice chairman shall make appointments.

Specific Authority 240.309(1), ~~240.311(6)~~ FS. Law Implemented ~~120.53(1), 240.309(1), 240.311(6)~~ FS. History—New 2-27-84, Amended 1-7-85, Formerly 6H-1.15, Amended 3-9-87, 7-4-88, 3-8-89, 7-19-94, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE TITLE: Qualified Individuals
 RULE NO.: 19B-8.001

PURPOSE AND EFFECT: This rule change will revise the Board's rules to provide that a grandparent who is a purchaser of an advance payment contract may request the transfer of the contract to an eligible substitute beneficiary who is the grandchild of the purchaser.

SUMMARY: This rule change provides that a grandparent who is the purchaser of an advance purchase contract may change the beneficiary of the contract to another person who is the grandchild of the purchaser.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None prepared.