

**BOARD OF EMPLOYEE LEASING COMPANIES
RULES WORKSHOP MEETING MINUTES
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0767**

**FEBRUARY 19, 2008
12:00 p.m. EST**

I. CALL TO ORDER

The meeting was called to order at approximately 1:15 p.m. EST by Ms. Celeste Dockery, Board Chair.

II. ROLL CALL

MEMBERS PRESENT

Celeste D. Dockery, Chair
Ryan S. Moore, Vice Chair
Kelly Lanza
Gayla Parks
Marjorie Seltzer
Deborah Segal

MEMBERS ABSENT

STAFF PRESENT

Rick Morrison, Executive Director, DBPR
Krista B. Woodard, Government Analyst II, DBPR
Garnett Chisenhall, Board Counsel, Office of Attorney General
Eric Hurst, Assistant General Counsel, DBPR

OTHERS PRESENT

Michael Miller, Kunkel, Miller & Hament, P.A. and FAPEO
Timothy Tack, Kunkel, Miller & Hament, P.A.
Tim Tucker
Chandra Patton
Cesar Martinez
Karl Mohr
Jennifer Robinson
Abram Finkelstein
Dan McHenry
Lisa Jernigan
Mike Moran
B. Cemons
Richard Law
Micahel Corley
Donald Moore
A. Balink
Debra Hetzer
Holley Dixon
Johnathan Taylor
Jack Rowell
Kathy Lively

The meeting was opened with a roll call and a quorum was established.

III. THE PLEDGE OF ALLEGIANCE

Mr. Morrison led all in the Pledge of Allegiance.

IV. RULE 61G7-5.005, FLORIDA ADMINISTRATIVE CODE

➤ **Correspondence from Richard Law, CPA**

Mr. Law was present and advised the board that the reason he is asking the board to review the Rule is because there is some inconsistency with the Rule and the Statute regarding guaranties.

A lengthy discussion ensued and after discussion, the following motion was made:

MOTION: Ms. Seltzer moved to remove the language “tangible accounting net worth from the title and subsection (1) of Section 61G7-5.005, FAC, change the language of subsection (3) to read, “... *to offset any deficiency in tangible accounting net worth regarding an applicant, accounting net worth, or net working capital regarding a licensed employee leasing company...*”, and to make any grammatical corrections as needed.

SECOND: Ms. Dockery seconded the motion and it passed with Mr. Moore opposing.

V. RULE 61G7-5.0031, FLORIDA ADMINISTRATIVE CODE

VI. RULE 61G7-5.0032. FLORIDA ADMINISTRATIVE CODE

Mr. Chisenhall advised that the reason these two rules were listed on the agenda was because recently there has been discussion about financial statement, and the board wanted Mr. Law to appear to answer questions posed by the board or audience members about the two rules.

Mr. Miller stated many of the questions about the rules involve positive financial statements, combined financial statements, reviewed financial statements, what entities can be included, and what entities must be included under FIN 46. He stated there were others present that would like to comment on the rules.

Following a lengthy discussion, Mr. Law along with other CPAs present agreed to discuss possible solutions to the questions posed and present the board with possible draft language to the rules at a future meeting.

VII. RULE 61G7-10.002, FLORIDA ADMINISTRATIVE CODE

➤ **Application for Certificate of Approval for Change of Ownership**

MOTION: Mr. Moore moved for Mr. Chisenhall to review the statutes and rules regarding the approval for change of ownership to make sure that what is asked for in the them is what is asked for in the application, specifically requiring the submission of a new workers' compensation certificate of insurance with the application.

SECTION: Ms. Segal seconded the motion and it passed unanimously.

VIII. RULE 61G7-10.0014, FLORIDA ADMINSTRATIVE CODE

➤ DBPR EL-4522 – Annual Compliance Form

Mr. Chisenhall presented two (2) possible draft language proposals to the board to address the requested changes to Rule 61G7-10.0014, FAC that would incorporate Form DBPR EL 4522 Annual Compliance Form.

After discussion, the following motions were made:

MOTION: Ms. Lanza moved to remove section 3(b)(3) from Rule 61G7-10.0014, Florida Administrative Code.

SECOND: Ms. Dockery seconded the motion and it passed with Mr. Moore and Ms. Segal opposing.

MOTION: Ms. Dockery moved to approve scenario #2 as the new proposed language for Rule 61G7-10.0014, FAC along with a change to the title of the form to be entitled "Quarterly Compliance Form", and for Mr. Chisenhall to proceed with the rule changes.

SECOND: Ms. Segal seconded the motion and it passed with Mr. Moore opposing.

XIV. ADJOURNMENT

MOTION: Mr. Moore moved to adjourn.

SECOND: Ms. Dockery seconded the motion and it passed unanimously.

The meeting adjourned at 5:47 p.m.