MINUTES
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

TELEPHONE CONFERENCE CALL
November 22, 2004
2:00 P.M. Eastern Time

Toll Free 800.416.4254 or Direct 850.922.2903

Call to Order
Mr. Bullock called the meeting to order at 2:05 p.m.

Board Members Present:
Ellis Bullock, Chair
Rick Gonzalez, Vice-Chair
Neil Hall
Stephen Schreiber
Mary Jane Grigsby
Sharon Del Bianco
Joyce Shore
Kenneth Horstmyer
Garrick Gustafson
Roymi Membiela

Board Members Absent:
Miguel Rodriguez

Others Present:

Juanita Chastain, Executive Director
Mary Ellen Clark, Board Counsel
David Minacci, Prosecuting Attorney
Les Smith, Investigator
Trent Manausa
Emory Johnson
Terri Estes, Government Analyst
Jan Pagano, Indian River Community College
Nancy Bredemyer
Renee Gaddis
Randy Zaic
Heather Tozzi, Florida AIA
Ruby Groobman
Leigh Ann Monek
Mike Nelson
Jerry Hicks

Ms. Pagano, with Indian River Community College, requested that she be able to address the statutory rewrite issues because she had classes and would not be able to stay on the conference call. She commented that she had an opportunity to meet with other Community Colleges to review the interior design education language discussed at the October board meeting. She commented that they were opposed to the elimination of the Community Colleges as an option for meeting the educational requirements for examination and licensure. She commented that this was an attack on the Community Colleges. She commented that they were willing to work with IDAF at the October meeting because they understood that NCIDQ would be requiring a 4-year degree or 120 credit hours to be eligible for examination. She commented that she now understands that is not the case and they would allow an individual with a 2 year degree to sit for the NCIDQ examination. She requested that the board leave the language as it currently reads in the statutes. She commented that if the language did not remain they would fight the board on the issue.

Mr. Bullock thanked Ms. Pagano for her input and the board would update her on the outcome of the meeting. Ms. Del Bianco commented that her understanding was that NCIDQ required a 3-year minimum education.

Application Review

Interior Design Endorsement
Renee Gaddis
Ms. Gaddis was present. Ms. Grigsby presented the file and commented that Ms. Gaddis did not have a degree in interior design but in apparel and merchandising. She commented that Mr. Butler performed an equivalency review and recommended denial. Ms. Gaddis commented that she understood that her Bachelor's degree was in a related field and some of her courses included interior design.

Ms. Gaddis commented that she passed the NCIDQ on the first attempt, worked under a licensed designer from Collins and Dupont for over 5 years, and currently had 2 assistants with 11 clients and would bring in over $4 million. She commented that going back to school for 2 years at a FIDER accredited school was not feasible. She requested that someone else re-review her education.

Ms. Grigsby commented that they could not license Ms. Gaddis based on the statute and they could not waive the statute. Ms. Del Bianco commented that she was not prohibited from practicing interior decoration for residential work but she could not do commercial work.

Ms. Gaddis commented that there was no way around the requirement or fighting the requirement. Ms. Grigsby replied no and apologized. An unidentified individual commented that was not entirely true and the board was rendering legal advice and they should not be doing so.

Mr. Bullock asked that the unidentified person to please state his name for the record. The unidentified person asked who Mr. Bullock was. Mr. Bullock responded that he was the Chair of the board and requested that the gentleman please identify himself. He responded the he was an

applicant. Mr. Schreiber commented that he thought it was Mr. Spung. Mr. Spung identified himself and stated with all due respect that the board should not be rendering legal advice.

The meeting was called back to order. Ms. Clark commented that only individuals recognized by the Chair were entitled to speak and all individuals should identify themselves by name when they speak and be recognized by the board. She commented that the board was not giving legal advice but rendering a decision on an application that would backed up by an order. She commented that it appeared that the board was going to deny the application based on the fact that the applicant has not met the educational requirements pursuant to Section 481.209(2) and 481.213(3)(a), F.S.

Ms. Del Bianco commented that Ms. Gaddis could withdraw her application to avoid having a denial on her record.

Ms. Gaddis requested to withdraw her application.

Interior Design Business
Leigh Design & Decoration, Inc.
Ms. Monek was present. Ms. Grigsby presented the file and commented that the applicant was incorporated in 1999. She referred the board to a letter where the company explains that the need for a certificate of authorization was brought to their attention at an ASID meeting.

Ms. Monek commented that she held an interior designer's license and was informed that if she changed from a sole proprietorship to a corporation then she needed a certificate of authorization. She commented that once the need of a certificate of authorization was brought to her attention then she immediately filed for the certificate. She commented that she was the sole owner and had no employees. She commented that the application process had taken some time and she was waiting for the license to begin working. She commented that she had not kept up with the regulations and wanted to come into compliance.

MOTION: Mr. Gustafson moved to approve the application with a $1,000 fine since she applied on her own to come into compliance.

Ms. Grigsby commented that she would like the motion amended to be a $500 fine since she brought the matter to the board when she realized she was not in compliance.

SECOND: Mr. Horstmyer seconded the motion.

Ms. Clark commented for clarification that the board was reducing the standard fine due to the fact this was a small firm. Ms. Grigsby replied in the positive.

Ms. Membiela joined the meeting at 2:20 p.m.

The question was called and it passed unanimously.

SoJo Design, LLC
Ms. Groobman was present. Mr. Minacci commented that this case was pulled from the last meeting's consent agenda because of a pending disciplinary case. He commented that a settlement stipulation was entered and resolved the concerns listed in the administrative complaint. He commented that the stipulation would be presented at the January board meeting. He commented that the case had been resolved.

Ms. Clark advised the board that they would need to vote to either approve or deny the application presented in the agenda packet. She commented that they would not have to impose penalties because they were resolved with the disciplinary matter.

MOTION: Mr. Gustafson moved to approve the application as presented.

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

Architecture Business Name Change
Zeidler Partnership, Inc.
Mr. Nelson was present. Mr. Hicks presented the file and commented that the firm changed the name of the firm August 1, 2003 with several projects listed and completed under the new business name. He commented that he felt the board should review for a fine.

Mr. Nelson commented that he was not aware of any projects completed under the new name.

MOTION: Ms. Grigsby moved to approve the application.

SECOND: Mr. Gustafson seconded the motion.

Mr. Gustafson asked Mr. Nelson if they solicited for business under the new business name. Mr. Nelson replied in the positive. Ms. Del Bianco commented that even though they changed the business name with the Department of State that they could not operate under the new name until their certificate of authorization application was also approved.

Mr. Nelson commented that they were trying to rectify the situation and they had not officially done business in the new name just finishing business under the old name.

The question was called and it passed unanimously.

Architect Endorsement
Paul Spung
Mr. Spung was present. Mr. Bullock commented that there was an addendum item for review with this application. Ms. Chastain commented that the addendum item was Ohio's statute. She commented that Mr. Hicks had not had an opportunity to review the application. She commented that Mr. Spung graduated from the Ohio State University with a Bachelor's of Science in Architecture. She commented that Ohio State Universities School of Architecture was a NAAB accredited school but it was the Master's Degree that was the approved program. She

commented that the board office had numerous conversations with Mr. Spung and that he had asked that his application go before the board for review.

Ms. Chastain commented that Mr. Spung was currently licensed in Ohio but according to Florida's statutes he did not have the required or necessary degree or education for licensure. Mr. Schreiber commented that the school would not be accredited it would be the Master's degree program that would be accredited. Ms. Chastain agreed. Mr. Schreiber commented that Ohio State University had a Masters Degree program that was accredited. He commented that there was a letter from the Chair of the Department that was misleading regarding the education. Ms. Estes referred the board to page 125 of their agenda packet. Mr. Schreiber read from the letter, "The architecture program at The Ohio State University has been continuously accredited since 1953". He commented that statement may be true but it was not the B.S. degree in Architecture that was accredited.

Ms. Estes commented that she contacted the school and it was verified that the accredited program was the pre-professional degree, which was the four plus two. Ms. Clark commented that the application was made under Chapter 481.213(3)(b), F.S., which states, "holds a valid license to practice architecture or interior design issued by another jurisdiction of the United States if the criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued. Provided, however, that an applicant who has been licensed for use of the title interior design rather than license to practice interior design shall not qualify hereunder". She commented that she had reviewed the laws in effect in Ohio at the time Mr. Spung applied for licensure there was a provision in Section 4703.07(c) that allowed for an applicant to substitute 2 years of practical or equivalent experience for each year of professional education. She commented that it asked for the 5 year professional degree but it had an additional provision that allowed there to be a substitution and that is what happened in this case.

Ms. Clark commented that her legal opinion was that the laws in effect in Ohio at the time he applied were not substantially equivalent. She commented that his application was not complete in that he had not supplied his social security number as required by Section 455.213(1), F.S. She commented that those were the statutory grounds on which she believed the application should be denied.

MOTION: Mr. Schreiber moved to deny based on the grounds that counsel explained.

SECOND: Mr. Gustafson seconded the motion.

Mr. Spung requested that the board forgive him for commenting earlier during the meeting. He commented that he was not informed of the decorum or format of the meeting. He commented that he felt ambushed by a lot of people and strangers. He commented that he was not sure who he was talking to or who was talking at any one time. He commented that they were familiar with the procedures and he was unsettled by the manner when he had not been properly informed on how the meeting was to be conducted and he was to conduct himself. He requested that the board forgive him for commenting earlier and he did not mean to offend the board or other

participants. He commented that the letter he received did not include instructions as to how the meeting was to take place, it only gave the time and telephone number to call.

Mr. Bullock offered that Mr. Spung could withdraw his application and apply later to appear before the board in person at the next regular meeting. He commented that the board has telephone conference calls to respond to the many applications. He commented that he could attend the next meeting and put faces and voices together if that was his wish. The board advised that the next meeting would be held in Winter Park.

Mr. Spung commented that he would be happy to attend the meeting in Winter Park if he was informed of where the meeting would be and instructed on how he was to conduct himself. Mr. Schreiber commented that Roberts rule of the boardroom would be helpful. Mr. Spung commented that those were not shared with him.

Mr. Bullock asked Ms. Clark if the application should be held in abeyance or should he reapply. Ms. Clark commented that she would not think he would want to withdraw because that would require a new application fee. She commented that he could ask that the application be continued to the January meeting with the proviso that he would waive the 90 days requirement found in Section 120.60, F.S.

Mr. Bullock asked Mr. Spung if he understood his options. Mr. Spung replied in the negative. Ms. Clark commented that Section 120.60, provides that applications will be acted on or denied within 90 days of having been deemed complete. She commented that the board would entertain a request for continuance if he would like to have the matter tabled and brought back before the board at the January meeting. She continued by stating that he would have to release the board from its statutory duty to act within 90 days in order to grant the request.

Mr. Spung asked the board what the proceedings would be if he decided not to meet. He commented that this was confusing and he did not understand why he was not briefed on the procedures so he could make an intelligent and informed decision instead of on the spot. He commented this seemed to be ambushing in nature for him to make a decision that was important to him. He commented that his initial impression would be to defer some time to understand exactly what it is the board was offering him so he could make an intelligent decision.

Ms. Clark commented that his choices today were that the board was prepared to act on his application with a current motion to deny or if he would prefer to be at a face to face meeting he could ask that the board table his application and bring it forth at the January meeting. She commented that only difference is that meeting would be held in person. She commented that in order to do that he would have to waive his rights that are provided in Section 120.60, which are provided to every applicant for license in the state of Florida that requires those granting applications to do so within 90 days of having the application deemed complete. She commented that the board would run out of time. Mr. Spung asked if he would have to appeal. Ms. Clark replied in the negative and requested that she be able to complete her explanation. Mr. Spung asked that if the board denied him today would he have to appeal it. Ms. Clark replied in the positive.

Mr. Spung commented that he had not been informed as to what that procedure was. Ms. Clark commented that was what a Notice of Intent to Deny was, which give him all of the information in the board's written order. Mr. Spung asked where that was. Ms. Clark commented that would be provided after the board takes action. She commented that once they voted she would begin drafting the order, prior to that no order is entered. Mr. Spung asked who Ms. Clark was. Ms. Clark replied that she was Mary Ellen Clark, Assistant Attorney General, and the boards counsel.

Mr. Bullock asked what Mr. Spung's wishes were. Mr. Spung replied that his wishes were to have a better understanding of what his options were. He commented that he wanted to address the social security issue, which he addressed in a lengthy letter. He commented that the board was under Federal obligation, which superceded any governmental agency. He commented that he explained that in the letter and asked if the board read the letter. Mr. Bullock replied he read the letter.

Ms. Clark commented that she read the letter and she disagreed with his interpretation. She commented that she was giving her legal advice to the board that his application was incomplete without the social security number. Mr. Schreiber commented that even with the social security number it would not address the accredited degree issue. Ms. Grigsby commented that he did not meet the educational requirements.

Mr. Spung requested that the board take one issue at a time since it was his application he needed to review each issue one at a time to understand. He commented that it was clear in the Privacy Act, which he stated, and whether the Attorney General with the state of Florida disagreed with the Federal law was not relevant.

Ms. Grigsby asked Mr. Spung is he was an attorney. Mr. Spung replied that was not relevant. Mr. Bullock commented that he felt the board had clearly explained to him that his education did not meet the educational standards when he received his degree that were in force in Florida at that time. He commented that was the rules and statutes that the board reviews and works under. Mr. Spung commented that he understood that.

Mr. Bullock commented that the board had extended the courtesy to him to meet with them in person if he wished. He commented that if he did not wish that then the board would vote no the motion on the floor, which was to deny his application.

Mr. Spung commented that he would meet in January. Ms. Clark commented for clarification that she understood that he was waiving the 90-day requirements pursuant to Chapter 120.60. Mr. Spung replied that no one had informed him of those requirements. Mr. Bullock and Ms. Grigsby commented that he was just informed. Mr. Spung commented that he objected to being ambushed of the rules and procedures that he was to make a decision on without being properly informed by the board of the board's administration. He requested that the board forgive him for his impassioned plea but he could not make a decision nor would the board expect him to make decisions as an architect based on little or no information ahead of time. He commented that he had been an architect for 10 years in another state.

Mr. Spung commented that the board's tactics flabbergasted him. He commented that the board reviewed applications all the time and he did not. He commented that he was appealing to some level of compassion. He commented that he did not understand why he was not sent information on how the meeting was conducted and what his options were going to be. He commented that the board received his application 7 days prior to today and he wanted to know why a conference could not have taken place at that time so he could be informed that his application was going to be denied.

Mr. Schreiber suggested that the board hold the vote until the end of the meeting to allow Mr. Spung an opportunity to think about his options. He commented that earlier in the meeting during another application review Mr. Spung mentioned a group called the profession of law, which is a group that assists people that are not familiar with the law. He commented that they understood Mr. Spung was not a lawyer but it may be helpful to contact a lawyer to understand the proceedings. Mr. Spung commented that he had not been informed of the proceeding and that was what he was objecting too. He commented that he did not need a lawyer to understand the law. He commented that he appreciated the suggestion and he could consult with an attorney but he wanted to be informed of the proceedings.

Mr. Bullock called the meeting back to order. He commented that they had given him an opportunity and they understood he did not want to accept those. Mr. Spung asked what opportunity he was referring to because he had asked three times. Mr. Gonzalez requested that the question be called.

Mr. Bullock called the question and it passed unanimously. Ms. Del Bianco confirmed for Mr. Spung that his application had been denied.

Mr. Spung commented that he had asked for the January meeting. He commented that if he was going to be bullied then he would have to take this up in an administrative law manner. Mr. Bullock commented that was his purgative.

Mr. Spung commented that he would like to request a transcript or minutes of the meeting. Ms. Estes confirmed that she would provide and that he had her direct telephone number. Mr. Spung commented that he did not understand why he was being treated with such hostility. Numerous people were talking and portions inaudible.

Mr. Spung requested the information for the upcoming meeting in January. Ms. Bullock requested that he contact Ms. Estes for that information.

Charles Bennett

Mr. Bennett was present. Mr. Hick presented the file and commented that Mr. Bennett had a B.S. in Architecture studies, which was a 4 plus 2 program from the University of Illinois. He commented that he calculated 142 semester hours and was license 4/11/90. He commented that Florida's statute required 160 hours. Mr. Schreiber commented that he did not have an accredited degree.

Ms. Clark commented that he applied under the endorsement statute and that the laws and rules that were in effect in Illinois at that time, Section 1150.10(a)(2), which discusses the 4-year degree. She commented that they were not substantially equivalent to those in Florida.

MOTION: Mr. Gustasfon moved to deny.

Mr. Bennett commented that he provided reference letters, continuing education, was a member of AIA and he had been practicing architecture since 1990. He commented that practical experience was beneficial in addition to the education. Mr. Bennett commented that he had numerous years of experience and his expertise would exceed the expectations of the state of Florida. He commented that he understood the educational requirements but felt his experience would go beyond that requirement and requested that the board look beyond the education.

Mr. Bullock commented that he appreciated and understood where he was coming from but the board did not have the option to do what he was requesting because they had a mandatory 5 year degree and he did not meet that requirement. Mr. Schreiber commented that it was a mandatory NAAB degree.

Mr. Bennett commented that he applied in July and had provided additional information to complete his file and appreciated the board reviewing his application today. He commented that he was applying to NCARB and asked if he met their requirements would that supercede Florida's educational requirement. He commented that he was licensed in June 1989. Ms. Clark commented that him receiving an NCARB cover would not help him be licensed in this state. She commented that Florida law allowed for the NCARB method but it stated that if he received his license in his original state after 1984 then he must meet the educational requirements.

Mr. Bennett commented that going back to school for the additional education would not be feasible. Ms. Clark commented that would be his only choice to be licensed in Florida. Mr. Bennett asked if there was any way to appeal. Ms. Clark replied that he could appeal but it would be based on whether there was a miss-application of law and she did not feel that there was. She commented that he could obtain an attorney and exercise his appellate rights. She advised that to avoid a denial on his record he could request to withdraw his application.

Mr. Bennett requested to consult with his firm and advise them later in the meeting.

MOTION: Mr. Schreiber moved to table the motion until later in the meeting.

SECOND: Mr. Gustafson seconded the motion and it passed unanimously.

Joseph Lang

Mr. Lang was not present. Mr. Hick presented the file and commented that he was licensed 6/20/97 and received an ECE evaluation. He commented that he was 29 credits deficient for Florida's requirement under Rule 61G1-13.003, FAC. Mr. Schreiber commented that the credits were a mute point because it was not a NAAB degree. Ms. Clark replied in the positive and referred the board to the endorsement procedure, which he applied Chapter 481.213(3)(c), F.S. She commented that it read, "has passed prescribed licensure examination and holds a valid

certificate issued by NCARB. For the purposes of this paragraph any applicant licensed in another state or jurisdiction after June 1984 must also hold a degree in architecture pursuant to Chapter 481.209(1)(b)". She commented that was the NAAB degree requirement and he was not entitled to licensure by endorsement as he had applied.

MOTION: Mr. Gustasfon moved to deny.

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

Randal Zaic
Mr. Zaic was present. Mr. Hicks presented the file and commented that Mr. Zaic graduated from the Georgia Institute of Technology and had completed all course work but not the Master's degree thesis. He commented NCARB reflected that he received 5 educational credits. He commented that his initial licensure was 11/6/86.

Ms. Clark commented that he was applying under endorsement under NCARB. Mr. Zaic commented that he did not complete the Masters degree without his thesis and was not sure what method he had applied. Ms. Clark commented that his application reflected that he applied by NCARB endorsement. Mr. Zaic commented that his marketing person helped him fill out the application. He commented that he was hoping the intent of the law would be something they would be comfortable with him having the educational experience without the thesis. Ms. Clark commented that he would have to have the degree. She commented that his lack of education would hold him up on all avenues for endorsement.

Mr. Zaic requested to withdraw his application.

Mr. Schreiber commented for clarification that the board required a NAAB degree after 1970. Ms. Clark commented that by endorsement, the only place that the dates were specified were under NCARB. She referred and read for him to Chapter 481.213(3)(c), F.S. She reviewed for Mr. Schreiber the requirements for state endorsement, which reviews the laws that were in effect at that time. Ms. Clark commented that Florida has required a 5-year degree since approximately 1969.

Discussion
Statutory Rewrite
Mr. Manausa commented that they should not focus on word smithing because every change would be scrutinized by the Legislature. He commented that it would be changed more when it was forwarded to the Legislature. He commented that he and Mr. Minacci met with Florida AIA and he would provide those comments as the board moved through the draft. The board reviewed the language noted in red.

481.201
The board decided to delete the word design noted in red.

481.203

Paragraph 3. Ms. Del Bianco had added the language in red “or licensed architect” to be consistent with the definition of interior design. Ms. Del Bianco commented that if the board wanted to remove it from this paragraph then it should be removed from the interior design definition. Ms. Young commented that the jurisdictions of the U.S. and Canada the term-licensed architect is not actually used because they are referred to as registered. She commented that license certified and registered are terms that are applicable to interior designers. She commented that it was not necessary to add because the term was not used for architects.

Mr. Manausa commented that he would not add additional words if not necessary. The board requested that he delete “or licensed architect”.

Paragraph 5. Ms. Del Bianco commented that they refer to partnership through out the document and she was trying to be consistent. Mr. Manausa commented that it was noted at the end of the paragraph. The board determined to add “partnership” to the 4 line noted in red.

Paragraph 6. Mr. Manausa commented that AIA questioned the language on the second line “hereinafter described”. The board determined to delete, “hereinafter described”. Ms. Del Bianco asked if there was any legal reason to be wary of that language. There was no response to her question.

Mr. Manausa commented that on line 6, AIA requested that the board add after the services referred to include “but are not limited to” planning, etc. The board agreed to add.

Page 3, paragraph 7
Mr. Minacci suggested that the language read Responsible “Supervising” Control because in the statute it read the same. Mr. Gustafson commented for clarification supervising or supervisory. Mr. Minacci replied supervising as noted in the statute. He commented that would make is consistent with the statute.

Mr. Manausa commented that he was looking for the ability to add responsible supervising control by rule and asked Ms. Clark if language should be added to define the term by rule. Ms. Clark responded that Ms. Printy identified that there was nothing that required a license professional in each office. Mr. Minacci and Mr. Manausa confirmed her statement. Ms. Clark commented that they should include language that would require responsible supervising control required a licensed professional in each office where the work was conducted. Mr. Manausa asked if they could add language that the board may further define by rule the requirements of supervisory control. Ms. Clark replied that if they do not specifically identify a licensed professional in each office Ms. Printy would continue to argue that they do not have statutory authority.

Ms. Del Bianco commented that the item should be its own section. Mr. Manausa commented that they defined it by rule and Ms. Printy advised they did not have authority by rule. He commented that they were trying to define it by statute. Mr. Gustafson commented that they should take from the rule and put in the statute. Mr. Manausa replied that it was three pages in the rule. Ms. Young suggested that they shorten the language and say “provide a standard of care in or outside of an office” and define by rule. She commented to provide a scenario in the statute but not the details and define those by rule not in statute.

Mr. Minacci referred the board to page 20 of the statutory rewrite that it required that every qualified office for the practice of architecture must have a Florida licensed architect full time in that office and in responsible supervisory control of a project. He commented that the same language was in the rewrite for interior designers. He commented that it was further spelled out in the rules. He commented that he thought the language was fine as is.

Ms. Del Bianco commented that he was referring to language in 481.219, which was for certificates of authorization. She asked Mr. Minacci if it was a sole proprietor practicing in his or her own name with no certificate of authorization. Ms. Young commented that it could be a sole practitioner with employees. Mr. Minacci did not respond. Mr. Manausa commented that the catch was if he was a sole proprietor and had three offices how would he provide responsible supervisory control to all of the offices. He commented that he could then be facilitating unlicensed activity in two offices and that is what they were trying to remedy. He commented that the language covered for partnerships and corporations but not sole proprietors.

Mr. Minacci recommended that they add the language from page 20, paragraph d to the definitions and use the language "every office" instead of "in that office" for the practice of architecture and interior design. The board determined to remove the word "qualified" from the language of page 20, paragraph and add to page 3, paragraph 7.

Page 3, paragraph 8
Ms. Del Bianco commented that the definition for interior design was fine and consistent with NCIDQ but shorter. Mr. Manausa commented that AIA recommended on page 4, line 6, that the word "power" be removed. He commented that the reason was that there was more to what an electrical engineer would do and it should not be in the definition.

Ms. Young commented that she located electrical outlets for every job that she does to make sure they have the power for lighten, etc. Mr. Manausa commented that was not a power plan but an outlet plan. Ms. Young suggested that they change the language from "power and communication plans" to "electrical outlets". Ms. Del Bianco concurred and commented that she located outlets for data as well as power. Mr. Manausa recommended that that stay away from electrical. The board discussed and determined to change the language from "power and communications plan" to "; outlet, switching, and communications plans".

Page 4, paragraph 9
The board determined to add the word "or".

Page 4, paragraph 10
The board determined to change the definition to "Nonstructural elements" plural and change the word "means" to "are". Mr. Johnson recommended striking everything after the first sentence. The board agreed.

Page 4, paragraph 11
Mr. Horstmyer commented that he did not know what a reflected ceiling plan was. Ms. Del Bianco explained.

Mr. Gustafson left the meeting at 3:30 p.m.

Page 5, no comments.

481.205
Page 6, paragraph 1
Ms. Del Bianco commented that she requested that “services” be deleted to be consistent throughout the document. She commented that an individual was not engaged in the practice of interior design services but engaged in the practice of interior design. She commented that if it was going to hold up the statutes then to leave it in. Mr. Manausa commented that they should leave. The board determined to leave the word “services” in the language.

481.207
Mr. Manausa commented that AIA would not support a change in the fees. He commented that they did not want the board to have the ability to raise the fees over $200. He commented that they wanted to leave the current language as is. Ms. Del Bianco commented that she was okay with changing the language for interior designers to $200. She commented that Florida’s renewal fees were low.

Ms. Young verified that they were discussing the language for renewal only and not the examination fees. Mr. Manausa confirmed.

Mr. Minacci commented that AIA would not go for any amount over $200. Ms. Del Bianco commented that they could change interior designers from $500 to $200 to be consistent. Mr. Manausa commented that AIA would like the renewal amount to be a blanket amount of $200 for both architects and interior designers. Ms. Del Bianco commented that the board could raise their fees when AIA raises their annual fees.

Ms. Young commented that her concern was that they would have to open the statute or bill each time they wanted to raise the fees due to the economy, etc. Mr. Manausa commented that AIA would not support the package unless these changes were made. He commented that they did not have many comments regarding the rewrite language. Ms. Young commented that they could go with the language AIA recommended and when the board gets pressure about the fees then they would have petition and participate in the reopening of the statute. Mr. Manausa confirmed and thought it would be workable.

Mr. Johnson confirmed for clarification that the language would read, “The biennial renewal fee for architects and interior designers may not exceed $200. The board agreed.

Ms. Del Bianco asked about the examination and reexamination language being for architects and interior designers. Mr. Johnson replied that NCARB did not use the term “reexamination”.

Ms. Del Bianco commented that they do not have the certificate of authorization fees and they were not included in the section. Mr. Minacci commented that they determined that it was a separate application and it was included in the certificate of authorization section. He commented

that the language read, “The board, by rule, may establish separate fees for architects and interior designers, to be paid for applications, examination, reexamination, licensing and renewal, delinquency, reinstatement, and record making and record keeping. He commented that the certificate of authorization was covered under rule.

Mr. Manausa referred the board to the end of the paragraph on page 7, which read “Fees shall be based on department estimates of revenue, etc.” and recommended striking the word “department”. The board agreed.

Mr. Bennett called in and requested that his application be withdrawn. Ms. Clark requested that he submit that request in writing. Mr. Bennett agreed to provide.

481.209
Page 8, paragraph 1
Mr. Manausa commented that they added language was “or provides proof of passage of the licensure examination” to allow for individuals that had taken the examination in another state but had not been licensed. The board agreed.

Page 8, paragraph 1(b)
Ms. Del Bianco asked Mr. Schreiber to explain the language “not later than two years after termination of applicant’s enrollment”. Mr. Schreiber responded that was NCARB model language that was for newly accredited programs that require two classes of graduates prior to receiving NAAB accreditation. He commented that there would be two classes of graduates that technically would not have a NAAB degree. Ms. Del Bianco commented that this was the loop hole language. Mr. Schreiber replied in the positive.

Page 8, paragraph 1(b)(2)
Mr. Manausa commented that he would prefer to see that language in a rule because EESA was no longer providing that evaluation. Mr. Schreiber commented that he would like to see the board obtain an equivalency report that states that an individual was approved by meeting the Florida education requirements and the clause would be applicable to foreign degree individuals. Mr. Manausa commented that they could describe in the rule how to obtain that equivalency.

Mr. Schreiber suggested the following language for the first sentence of 481.209(1)(b)(2), obtain an “education” evaluation report stating that he/she has met the “Florida” education requirement. He commented that they could further define by rule. The board determined that should remedy the limbo applicants.

Page 9
Ms. Del Bianco asked if the board was going to approve applicants to sit for the NCIDQ. Ms. Grigsby replied that the board currently approves applicants to sit for the NCIDQ. Ms. Young commented that for the past 4 years the department has choose not to approve applicants for exam and put the burden on NCIDQ even though the statute says there were to approve. Ms. Grigsby commented that she reviews and approves applicants for examination. Ms. Young commented that NCIDQ had received many applications by virtue of by passing Florida. She

commented that it was not true before that and if an individual wished to be licensed in Florida then they would apply to Florida but that had not happened for over 4 years.

Ms. Estes commented that there was an examination application available for individuals to apply to Florida and be approved eligible to sit for NCIDQ examination. She commented that the board reviews the application for education, experience and once approved the board notifies NCIDQ with the candidate's information. She commented that it was the applicant's option to apply to Florida first or apply to NCIDQ first. Ms. Grigsby concurred.

Ms. Young commented that from an NCIDQ position that the language required is that Florida must approve the applicant to be eligible to sit for examination. She commented that NCIDQ would refuse the applicant unless they apply to Florida first based on the language. She commented that NCIDQ does not know if they apply to Florida first. She commented that prior to Ms. Estes being on board staff the position was that the applicant should apply to NCIDQ first because the department was too busy to process applications. She commented that after the applicant took the test then they would apply to Florida and go from there.

Ms. Estes commented that if an applicant contacts the board office they are advised to review the statutes and rules first and apply to Florida first because they may not meet the state's requirements. She commented that they are encouraged to apply to Florida first to make sure they are eligible for licensure before going to NCIDQ. Ms. Young commented that NCIDQ's application reflects that their application does not preclude the applicant from the jurisdiction requirements.

Ms. Grigsby asked why NCIDQ would turn people away because the individual may just want to be a decorator and be a professional member of ASID to residential design, which does not require licensure. Ms. Young replied that Texas statutes preclude NCIDQ from accepting anyone that is applying for licensure in Texas and NCIDQ cannot determine that just from the application. She commented that NCIDQ instructs the applicant to contact the state where they wish to be licensed. She commented NCIDQ's application states that they do not take responsibility if the individual is not eligible for licensure and that they must contact the state to determine licensure eligibility.

Ms. Young commented that the issue was the language was "the department shall approve all applications" then NCIDQ would not accept an application unless it comes for the department. She commented that it had been written like that since 1990 just not applied. She commented that if the board wanted to leave the language as it was then Florida should enforce it and NCIDQ would not accept individuals unless they applied through the department.

Ms. Chastain commented that the language read, "to take the licensure exam or provides proof of passage". She commented that would allow the applicant to apply to NCIDQ or Florida. Ms. Young commented that the NCIDQ's attorneys have reviewed the language and if the member boards language states the department shall approve all applications then NCIDQ would instruct the applicants to contact the department. She commented that it depends on the applicant's intent and NCIDQ would eventually test the applicant but NCIDQ instructs the applicant to contact

the member board to verify they licensure requirements. She commented that NCIDQ could not refuse an applicant that had a Texas or Florida address.

Ms. Grigsby asked why the word “or” provides proof of passage negate the requirement. Ms. Young commented that she was referring to the initial application. She asked the board if they were going to leave the language as it was written from 1990 or change it to allow for either avenue. She commented that if it has to go through the department then it should go through the department first. Ms. Del Bianco commented that the advantage of going through the office first was the board would not get applicants that say “I have taken and passed the NCIDQ, why can’t I get licensed?” She commented that it would eliminate some of those applicants if they were required to apply through Florida first.

Mr. Johnson commented that one of the issues to consider would be whether there would be a cost to the department for the requirement to apply to Florida first. Ms. Del Bianco commented that the department reviews all of them regardless whether they apply to NCIDQ first or the department first. Ms. Del Bianco commented that she was fine with the way the language was currently. She commented that the department would need to make sure they are doing the process that way. She confirmed that she was fine with the way the language read as red lined to date. The board agreed to approve the language as noted in red. Ms. Young commented that that the third line should read, “The department shall approve to take the NCIDQ examination a person”. The board agreed.

Page 9, paragraph 481.209(1)(c)
Mr. Manausa commented that AIA and Mr. Schreiber would like to leave the language, as it is currently written, which was “Has completed prior to examination 1 year of IDP, the internship experience required by s.481.211(1).”

Page 9, paragraph 481.209(2)(b)(1)
Ms. Del Bianco commented that the language should include “or board approved equivalent”. She recommended adding a second paragraph to add similar language as architects to obtain an educational evaluation report that the applicant has met the Florida educational requirements. She commented that if the board was going to change the educational requirements then someone else besides the board should perform the equivalency evaluation. She commented that responsibility should be on the applicant to obtain that equivalency evaluation.

Ms. Del Bianco commented that paragraph 2 should read, “obtain and educational evaluation report stating that he/she has met the Florida educational requirements”.

Page 10, paragraph 2
Ms. Del Bianco commented that IDAF and the Community Colleges proposed language at the October meeting and now the Community Colleges are opposed to the language because NCIDQ would continue to test individuals that graduate from a 2 year program. Ms. Young commented that NCIDQ would continue to test individuals that graduate from a 2-year program at this time. She commented that NCIDQ was doing additional research, since their requirement was to identify persons that are minimally competent to protect the health, safety, and welfare of the public. She commented that NCIDQ was looking at the propensity for persons to pass

examinations to prove minimum competency that have varying levels of education. She commented that they have begun the research and should be finished the beginning of the spring.

Ms. Young commented that Nevada had a practice act that required a Bachelors degree. Ms. Del Bianco commented that the issue began from FIDER no longer accrediting 2-year degree programs not NCIDQ refusing to accept applicants with 2-year degree programs. She commented that NCIDQ would have to allow other states to catch-up with the new education requirement. Ms. Young commented that FIDER accredits programs to produce competent individuals NCIDQ's mission was to produce minimal competent individuals as directed by jurisdiction requirements. She commented that FIDER's research reflected to be competent in the practice than an individual needed more than a 40/60 credit hour education. She commented that NCIDQ could not evaluate the education but the outcome of the examination. She commented that the examination was psychometrically entirely weighted for health, safety, and welfare.

Ms. Young commented that NCIDQ was doing additional research to identify and track the changes. She commented that in North America 28% percent of the jurisdictions had greater requirements than Florida. Ms. Del Bianco commented that she would be happy with a FIDER equivalent bachelor's degree. She commented that she thought that was the direction the board agreed to take.

Ms. Del Bianco commented that based on how the language read on page 9, 481.209(2)(c)(1) the board would only accept a bachelor's degree in interior design with experience and asked if that was what the board wanted to do. Mr. Bullock commented that he felt that was what the board wanted to do. Ms. Grigsby commented that Ms. Del Bianco was looking for clarification on whether an individual with another degree say home economics went back to school and obtained a Master's degree in interior design, would the board accept that degree.

Mr. Bullock commented that an individual that did not have an architecture degree could go back to school and receive a Master's degree in 2-years. Mr. Schreiber confirmed and commented that it would require 3 ½ years to receive the degree.

Mr. Johnson commented that his position was clearly stated that he agreed with the board to move forward with the education requirement but the board should continue to involve the Community Colleges during the rewrite. He commented that if the board did not include them then they could possibly lose the support of the entire rewrite package.

Ms. Young commented that the board could matriculate from one level to another. The board confirmed that was how it was written. Ms. Young asked the board if they were leaving in the 60/90 language. Mr. Johnson commented that his concern was what expense would AIA and interior designers go to get this language through the session against the second most powerful lobbying group.

Ms. Young asked what the date was for the bachelor's degree requirement to go into effect. Ms. Del Bianco replied whenever it passed this session or next. Ms. Young asked how long the 60/90 would be effective. Ms. Del Bianco replied October 1, 2008, which was the date the Community Colleges picked. Ms. Young commented for clarification that the board would only accept a

bachelor's degree after 2008 unless the person had been pre-enrolled in a program that was acceptable prior to 2008.

Ms. Young suggested that the board extend the years to allow more time to upgrade the programs. Ms. Del Bianco commented that she stated that at the October board meeting and recommended 2010. Ms. Young commented that the board was eliminating their programs. Ms. Del Bianco commented that the Community Colleges were okay with the language at the October meeting and today was the first time the board had heard otherwise. She commented that they found out that NCIDQ would continue to test their graduates and now they oppose the suggested language from the October meeting.

Ms. Grigsby commented that the board needed to decide to leave the rewrite language as it was or take it out. Ms. Del Bianco commented that the board should go forward. Mr. Manausa commented that if the board wanted the rewrite to fail then leave the new language in. Ms. Grigsby commented for clarification that to avoid having the statutory rewrite fail or not be fought by the Community Colleges then they needed to go back to the original statutory language.

Mr. Manausa commented that the board should go back to the original language for the moment or go back to the Community Colleges to create new language that they would agree with. He commented that the reality was until the agreed with the language then the board would not get any of the rewrite through. Mr. Bullock commented that they should get the rewrite language through now and come back a year later to make additional corrections. The interior designers did not agree because they did not want to leave the profession in limbo and reopen the practice act.

Ms. Grigsby commented that they should go back to the original language and try to work out a compromise with the Community Colleges. Ms. Shore asked how soon that could happen because of the holidays. Ms. Young asked for clarification if they were discussing returning to the current language of the 2-year degree or the 60/90 language. The board confirmed the current language of the 2-year degree in interior design. Ms. Young commented the Community Colleges could do the 60/90 but could not step up to the Baccalaureate degree. She commented that the board should allow more time than 2008 to hit the 60/90.

Ms. Del Bianco defined for Mr. Horstmyer what "diverse" meant on page 10. Ms. Young commented that only doing one part of the practice of interior design did not meet the diverse experience requirement. She commented that the applicant must meet more than one part of the experience requirement to be diverse in the profession. Mr. Horstmyer commented that he did not understand why there were a specific number of hours. Ms. Del Bianco commented that she was asking clarification on that as well.

481.211
Page 11, paragraph 1
Mr. Manausa commented that AIA wanted to leave the language as, "the internship shall be for a period of 3 years". Mr. Schreiber commented that he did not have a problem with leaving the language as is. He commented that if the years changed then they would have to open the statutes to make those changes and thought they could define by rule. Mr. Manausa commented

that the language needed to be in the statutes. Mr. Schreiber commented that he did not have a problem with leaving the language as it was.

Mr. Horstmyer asked if “diversified” was an understood term. Mr. Bullock replied in the positive.

481.213(2)
Page 12, paragraph 2
Mr. Horstmyer commented that it should read, “an applicant”.

481.213(2)(b)(1)
Page 13
The board determined to add, “a person currently approved for NCIDQ certification”

481.213(2)(b)(2)
Page 13
The board confirmed that the last sentence was required.

481.213(4)(b)
Page 13
Mr. Manausa commented that they should remove “favorably”.

Ms. Pagano with Indian River Community College called back in to talk with the board regarding the interior design educational requirements. Ms. Del Bianco commented that Ms. Young was on the line regarding NCIDQ testing. She commented that the revision to the language was based on the FIDER accreditation requirements not NCIDQ’s requirements and eventually NCIDQ would raise the bar on the requirements. Ms. Pagano commented that the individuals that were at the October meeting met with all of the schools subsequent to that meeting and they are opposed to raising the requirements.

Ms. Pagano commented that they were insisting on keeping the current statutory language that allows a graduate from an interior design program 4-years or more with 2-years of diversified experience or a graduate of an interior design program of at least 2-years and has completed at least 4-years of diversified interior design experience. She commented that they wanted to keep the statute as it reads currently.

Ms. Young asked Ms. Pagano if they would be receptive to change the language to read credit hours instead of years plus the work experience. Ms. Pagano replied it would depend of the credit hours. Ms. Young commented that the minimum of 40 semester or 60 quarter, which was equivalent to 35 hours times 52 weeks. She commented that it would be an hour for hour translation but it does not refer to years or degrees and the outcome was a result of certificate, diploma or degree. Ms. Pagano asked if it would be similar to the NCIDQ language proposed in August. Ms. Young replied in the positive. Ms. Pagano commented that as long as the language did not require 120 hours and it was similar to what was currently offering, which encompassed the core requirements for interior design they would be amenable.

Ms. Young commented that she had talked with several Community Colleges and they were interested in extending and improving their programs to go to 60 semester hours as a minimum requirement. Ms. Pagano commented that she thought her program was 70 semester hours. She commented that she would like to see the proposed language and take it back before the schools.

Ms. Pagano read from the NCIDQ requirements, “persons completing programs leading to a certificate, degree, or diploma and no less than 60 semester or 90 quarter credit hours in interior design related course work must have completed the education program prior to commencement of any experience to be applicable to the NCIDQ requirements for exam candidacy”. She commented that the schools would be amenable to that requirement.

Ms. Pagano requested that a revised draft be submitted to her. The board thanked Ms. Pagano.

481.213(6)
Page 14
Mr. Horstmyer asked if the term “threshold building” was defined. The board confirmed that it was a known term.

481.2131
Page 14, paragraph 1
The board confirmed that language was fine the way it was presented.

Page 14, paragraph 2
Mr. Horstmyer questioned “time fixed”. He asked if the fees were based upon time or based on fixed.

Ms. Membiela left the meeting at 4:30 p.m.

Mr. Manausa commented that AIA proposed the following language for the first sentence of paragraph 2, “An architect practicing interior design or interior designer shall”.

The board identified themselves to verify quorum.

Ms. Young commented that AIA’s comments were discriminating and the whole thing was discriminating initially. She recommended that they remove the entire paragraph. Mr. Bullock disagreed. Mr. Manausa commented that architects and interior designers had different types of contract and regulations regarding the contracts. He commented that AIA wanted an architect practicing interior design then treat them the same as an interior designer. Mr. Bullock commented that the paragraph simply states such.

Ms. Young asked why they would not leave as an architect singular and interior designer instead of an architect practicing interior design because architects are allowed to practice interior design. Mr. Manausa replied that an architect did not have to practice interior design. Ms. Young commented that they don’t have to but were permitted too. Mr. Manausa commented that is what the language says, an architect practicing interior design.

Ms. Young asked if an architect doesn't sometimes offer on the bases of a fee percentage square footage or markup. Mr. Bullock replied that the language was simply for clarification and if AIA wanted it a particular way then the board should do it. Mr. Schreiber agreed. Mr. Manausa commented that architect was added to the statute and the AIA position was the language should read, "an architect practicing interior design". The board determined to add it everywhere in that paragraph. The board agreed.

Mr. Johnson commented that the word "architect" was added so both professions were treated equally. He asked the legal counsels to advise him if architects were required to give the same amount of information due to other state statutes in existence he did not have a problem with AIA's comment, however, if interior designers were the only ones that must give that information then he agrees with Ms. Young's comments. Ms. Del Bianco agreed with Mr. Johnson and Ms. Youngs comments.

Ms. Grigsby asked Mr. Manausa to explain what the problem was with architects being included in the paragraph. Mr. Manausa replied that the board added them to the paragraph and the choices were remove architects or add to architects "practicing as interior designers". He commented that AIA wanted to remove architects completely from the paragraph. Mr. Schreiber commented that removing architects works because an architect-practicing interior design essentially they are an interior designer.

Ms. Del Bianco commented that an architect administering a project as an architect only before entering the contract, should verbally or written clearly determine the scope and nature of the project. She commented that the architect should disclose to the client the manner in which all compensation is made and not accept any form of compensation from a supplier of goods and services, etc. She commented that the one part of the paragraph that she would make exception to was the second sentence was the markup issue. She commented that she would propose if anything would be to remove the word "markup".

Ms. Del Bianco commented that architects should be held to those standards and if it is clear in another part of the statutes then remove the word "architect". Mr. Schreiber commented that he thought it was an ethical code of standards that a professional would have a conflict of interest statement. Mr. Minacci commented that the rules had a conflict of interest section and a prohibition section regarding soliciting or accepting compensation from suppliers.

The board discussed the reason the language was put in the rules originally. Mr. Manausa commented that the language was implemented by the interior designers for the interior designers. Ms. Young disagreed. She commented that AIA should consider that not all persons practicing architecture are members of AIA. She commented that AIA holds a code of ethics and holds their members to that code. She commented that the issue deals with individuals beyond the membership of AIA or professional organizations. She commented that it was a disservice for AIA to want to eliminate the language. She commented that AIA's members are held to a high standard but again not all-practicing professionals are members of AIA.

Mr. Schreiber commented that they would be held to a standard by the rule. Ms. Young commented that Chapter 455 may cover this and perhaps the language in the rule was not

needed at all. She commented that the language was implemented by AIA request when title legislation was implemented in 1988 because of the lack of uniformity for fees and charges for interior designers. She commented that she participated in the workshop when the language was implemented to address the issue. She commented that there was not definition for retail. She commented that the language was created by a compromise between the interior designers and AIA.

Ms. Del Bianco suggested striking the entire paragraph. Ms. Grigsby opposed. She commented that she did not mind inserting the language AIA wanted but did not want the paragraph deleted.

Mr. Minacci commented that for architects the practice act states that an architect shall not commit misconduct of the practice of architecture. He commented that what the rule sets forth is different scenarios for what constitutes misconduct. Mr. Schreiber asked what Chapter he was referring. Mr. Minacci replied Chapter 455.304, F.S. Mr. Schreiber commented that he could not find that statute and he was looking on the web. Mr. Minacci commented that should be the full version.

Ms. Del Bianco asked Mr. Minacci if that Chapter allowed for interior designers to implement a rule. Mr. Minacci replied that he did not know what the language was in Chapter 455.203, F.S. Mr. Manausa commented that the language was currently in the statutes and if they removed it then it was cause problems with the legislature. He commented that they either needed to remove the word “architect” or add an architect “practicing interior design”.

Mr. Johnson commented that AIA had chosen not to divulge this information to the client. Ms. Young added to Mr. Johnson’s comments that this would not serve the public well if doesn’t go through with architect and interior designer. Mr. Manausa commented that this is current statutory language and the board added the word “architects” and AIA has said no. He commented that if the board wanted to lose the entire rewrite over the one word “architect” or the entire paragraph then leave it in. He commented that if they left it like it was AIA would not support the language or package.

The board discussed and determined to add to the paragraph, an architect “practicing interior design”. Ms. Del Bianco commented that she was not in favor but would agree to it.

Page 14, paragraph 2
Mr. Horstmyer commented that they delineated some possibilities but did not include “time” in the paragraph and asked if it was fixed or defined somewhere in the statutes. Mr. Manausa commented that they could put a period after fee. Mr. Horstmyer agreed and commented that they could add “agreed compensation”. Ms. Grigsby commented that she would be fine with agreed compensation but would not agree to placing a period after fees. She commented that an hourly fee would be a time compensation and would fall under fee. Mr. Bullock commented that they should leave as it was and move forward. The board agreed.

481.2141
Page 15
Mr. Manausa commented that AIA would not support construction administration services required by interior design. He commented that it was not negotiable. Mr. Minacci commented that Trent

argued the issue with AIA and made no leeway regarding the issue. Mr. Bullock asked what the problem was with the language and what they wanted for themselves and not the interior designers. Mr. Manausa replied that he could only express what they expressed to him and that was they did not believe there were any health, safety, and welfare issues regarding the construction administration phase of interior design.

Ms. Del Bianco commented for clarification that AIA did not believe that it was worth while to the interior designer to check whether or not fire retardant finishes specified were actually installed. Mr. Manausa replied that he did not say that. Ms. Del Bianco commented she understood he didn't say that she was making a point. Mr. Minacci commented that a fair way to characterize AIA's position is that it was going to take a lot of political clout to get the language through for architects and they do not think they have the clout to get the language through for interior designers.

Ms. Del Bianco asked if they could require it for architects but outline it for interior designers. She commented that she provided it on 100% of her contracts. Mr. Bullock commented that it was her option as well as the clients. Mr. Bullock commented that AIA opinion for architects is that is it not optional.

Ms. Del Bianco suggested that they leave it in as a requirement for architects and as a point of reference for interior designers that offer construction administration services. Mr. Manausa commented that he was not sure how to handle that in the rewrite. He commented that he thought they could get the construction, building code, developers, and insurance companies behind the language with architects then establish it later for interior designers.

Mr. Johnson commented that he disagreed. He commented if they only propose to preclude any interior designer from serving and owner in that same role because it says, an architect shall and only an architect can do that. Ms. Del Bianco suggested that they take a fall back position to get the document out and do the same thing with AIA. She requested that they should approach AIA and see if they would have objections to construction administration as a point of reference for interior designers but not a requirement.

Mr. Bullock commented that they should move forward with the way AIA wanted the language and address the language for interior designers later. Ms. Del Bianco commented that the board would move forward with the language as a requirement for architects and requested that Mr. Manausa contact AIA to see if interior designers could reference but not require.

Mr. Horstmyer commented that he did not understand the concept of "owner" or holder". He asked if the "holder" was the mortgagee and if so why do they not use the language that was common to the profession. Mr. Manausa commented that the language was from the model NCARB law.

Page 16
Mr. Horstmyer commented that his/her was more for editorial issues.

Mr. Horstmyer asked if “legal authority” was defined. Mr. Manausa commented that he was not aware of any other legal authorities besides the municipalities or building officials. He commented that he did not think it would hurt to put it in. Mr. Horstmyer commented that it was Mr. Manausa’s call.

481.215(1)
Page 17
Mr. Manausa commented that it should be a license, not a “qualified licensee”. The board determined to leave as license.

Page 18
Ms. Del Bianco requested to add a testing requirement for the laws and rules as a condition of licensure for new licensees. She commented that it could be for discipline. Mr. Manausa commented that he had written a test and would like to talk with Ms. Clark as to were it could be added in statute. He suggested language, “the board may require by rule a mandatory open book test on Chapter 481, Part I, F.S. and Rule 61G1, FAC as a prerequisite to licensure in the state of Florida”. He asked if it could be place under 481.209, F.S.

Ms. Clark asked if he created the language recently. Ms. Del Bianco commented that this was an issue Mr. Manausa has wanted for some time. Mr. Manausa commented that he would like to see an open book exam for all new licensees in the state on the Florida laws and rules. Ms. Clark commented that she was in favor of that requirement. Mr. Manausa commented that they were told previously that they did not have statutory authority to add in the rules so he was trying to implement in the statutory rewrite. He commented that they might need to place in the requirement in the examination and endorsement sections. Ms. Clark commented that if they wanted all new licensees to take the examination then they would need to put in each section.

Ms. Clark commented that he should use related administrative rule and not site Rule 61G1, FAC.

Ms. Chastain asked if AIA would support that addition. Mr. Manausa replied that he did not think they would object.

481.217
Page 18
Mr. Horstmyer commented that the language was duplicate of 481.215. Mr. Manausa commented that this section was inactive versus renewal.

481.219
Page 18
Ms. Del Bianco commented that her suggestions were clean up of the title and it should end after limited liability companies.

Page 20
Mr. Horstmyer commented that under 481.219(7)(c) the titles listed were only some of the titles appropriate for a corporate officer. He commented that if that was the case then they should use

e.g. and not i.e. He commented that he was suggesting that there were more official title than what is listed. Mr. Manausa commented that those titles listed were the only titles acceptable.

Ms. Estes commented that the board accepted managing members if duties were laid out in the articles of incorporation. Mr. Manausa replied not by statute they don't. Mr. Horstmyer asked if the board accepted CEO. Ms. Estes commented that the application allowed for other than president, vice-president, etc., which is allowed for limited liability and partnerships. Mr. Manausa commented that leaves it wide open to facilitate unlicensed activity and that is why there are specific articles of incorporation.

Ms. Estes commented that the Department of State, Division of Corporations does not allow certain companies to denote a president, vice-president, etc. as titles. Mr. Manausa commented that was titles currently in the statute.

Ms. Estes commented that she agreed with Mr. Horstmyer that the titles were examples. Mr. Manausa commented that if they left it as an example then the board was opening the requirements to anyone to qualify a company and have not interest in that company. Ms. Estes commented that she had a concern that they would not be able to license certain companies if that was going to be the language or requirement. She requested that they provide language by rule for those companies that cannot register with the titles president, vice-president, etc but only as an example of managing members.

Ms. Del Bianco commented that she would like to see a percentage of ownership requirement. Mr. Horstmyer commented that a principle officer could be a chairman. Mr. Manausa commented that they needed to list them all. Mr. Horstmyer commented that his point was that they were excluding titles.

Mr. Manausa commented that he never approved an application that did not list a president, vice-president, etc. because he made them go back and change their registration with the Department of State. Ms. Estes commented that she would concede so they could move forward.

Page 20, paragraph 11
Mr. Horstmyer commented that the word "responsibility" and "liable" were used synonymously and he did not think that they were. He commented that responsibility meant accountability and liable meant binding and were more litigious and not synonymous. Mr. Bullock asked Mr. Horstmyer how he would have it read. Mr. Horstmyer responded one or the other. He recommended using responsibility. Mr. Bullock asked Mr. Minacci or Ms. Clark for direction. Ms. Clark commented that she did not have a legal opinion for the use of either. Mr. Johnson recommended that the board leave the language alone because it was current language.

Page 20, paragraph e
Ms. Del Bianco confirmed that they were going to add the word "licensed" to that paragraph. The board agreed.

Page 21, paragraph 13
Mr. Bullock commented that they should leave it like it was.

481.221
Page 21, paragraph 1(a)
Mr. Bullock asked Mr. Manausa if there was a problem with changing the language to allow for an electronic seal. Ms. Del Bianco commented that paragraph c allowed the use of an electronic seal and was an alternative to the metal impression seal. The board determined to leave it alone.

Page 22
The board discussed the he/she issue and determined to leave it alone.

Page 23, paragraph 8
Mr. Bullock asked if there was a need to expand advertising. Ms. Grigsby replied that she did not feel that some businesses do not see their stationery as advertising. Mr. Horstmyer commented that the problem was delineating advertising and suggested using print media. Mr. Bullock commented that when you delineate specifically and they leave something out then they have a problem. Mr. Bullock commented that print media would be a good alternative. Mr. Manausa commented that they should leave alone because it was current statutory language.

Page 24, paragraph c
Mr. Minacci suggested that the language “directly or indirectly engage in the practice of architecture in the state” should be deleted because it was covered under another section and was duplicative. He requested that the last sentence should be removed. He commented that it should be deleted from paragraph d as well. The word “or” was removed from paragraph c.

Page 25, paragraph b
Mr. Horstmyer asked if “person” included corporations. Mr. Minacci replied that the section regarding certificates of authorization say that entities can be disciplined like individual. Mr. Horstmyer asked if “persons” would be limiting. Mr. Manausa replied in the negative. Mr. Minacci commented that the section included private associations and things of that nature. He commented that the section was brought in by AIA because they were thinking of bringing disciplinary actions because they were unhappy with the department’s performance and it was before privatization contract. He commented that it was existing language.

Page 24, paragraph d
Mr. Minacci commented that AIA would not support protecting the title “Contract Designer”. He commented that he thought it was because they did not understand the term Contract Designer. Ms. Grigsby commented that it was synonymous with Commercial Designer and was used in the field. The board determined to remove “Contract Designer”.

The board appointed Ms. Del Bianco to work with the Community Colleges to address the interior design education issue. Ms. Grigsby suggested removing the October 1, 2008 date and add the word “are” then discuss experience.

Mr. Manausa commented that he got the impression that the colleges would accept nothing less than the existing language. Ms. Del Bianco commented that she read verbatim the October 2, 2004 NCIDQ’s policy and procedures section 7.4.7B. She commented that requirement was

persons completing programs leading to a certificate, degree, or diploma with no less than 60 semester or 90 quarter credit hours in interior design related course work. She commented that her understanding was that was equivalent to a 3-year program. She commented that she asked Ms. Pagano if they would agree to the number of hours being listed instead of the number of years and she said yes. Ms. Del Bianco commented that they could require a 4-year or 3-year program based on hours not years and was okay with letting go of the 2-year program. She commented that she would get with Ms. Young and Ms. Pagano to move forward with finalizing the language.

Ms. Del Bianco commented that her question was whether they continue with the bachelor's program to require it to be an interior design program or just have the 60 or 90 hours in interior design related course work. She commented that they did not address the experience requirements for Master's or Doctorate degree. She commented that she would talk with IDAF regarding the requirement. She commented that they needed to define the number of hours of experience required for anything over and above a bachelor's degree. She commented that they needed to be consistent from education to experience regarding not using the titles of the degrees but hours.

The board delegated the authority to Ms. Del Bianco to work with the colleges.

Roll was called to verify quorum.

Ratification List (e-mailed/faxed)
MOTION: Ms. Del Bianco moved to approve the ratification list as presented.

SECOND: Mr. Horstmyer seconded the motion and it passed unanimously.

Rule 61G1-11.017
Ms. Clark commented that she received a letter from Ms. Printy and she responded to her with the language as presented in the package.

MOTION: Ms. Grigsby moved to approve as presented.

SECOND: Mr. Bullock seconded the motion and it passed unanimously.

New Business
No new business.

Old Business
No old business.

Future Board Meetings
January 11-12, 2005, Winter Park
April 6-7, 2005, Tallahassee
July 25-26, 2005, Marco Island with AIA Florida
Ms. Estes commented that she was working with AIA regarding the July meeting. Mr. Schreiber requested to have the meeting overlap to allow individuals to see how the board works.

Adjourn
The meeting adjourned at 5:37 p.m.