

EXECUTIVE SUMMARY

Construction Industry Licensing Board

General Information

Meeting type: General Board Meeting

Meeting dates: June 9-11, 2004, The Biltmore Hotel, Coral Gables, FL

Board members: Edward M. Weller, Chair, Michelle B. Kane, Vice-Chair, Lee-En Chung, Elizabeth Karcher, Barry Kalmanson, Paul Del Vecchio, John J. Cox, Jaqueline Watts, Joan M. Brown, Michael Blankenship, John B. Smith, Raymond Holloway, Mark Pietanza, Carl E. Engelmeier

Board members absent: Robert A. Lang (Excused absence. However, attended

Additional Entity Committee and Final Action)

Board Counsel: Diane Guillemette

Department Staff: Tim Vaccaro, Stacey Merchant, Ruthanne Christie, Patrick Creehan, Adrienne Rodgers, Valeria Singleton

Major Issues/Actions

- The board requested that the Office of General Counsel coordinate with Investigations to verify that licensees who are issued Notices of Non-Compliance are taking corrective action. If licensee do not take corrective action, the board requests that disciplinary cases be opened.
- The Continuing Education/Exams/Public Awareness Committee inquired as to whether or not the application materials reviewed by the committee indicate if an applicant's course was previously denied, and whether the materials explain any modifications or corrective action taken by the applicant. The Executive Director will follow up on this issue and report his findings to the committee at the July meeting.
- The Executive Committee issued three scope-of-work opinions: 1) The committee clarified that an unlicensed entity may not contract to perform work that requires subcontracting to a licensee. Conversely, the committee indicated that a licensed contractor could subcontract a project, including permitting, to a contractor properly licensed in the same field; 2) The committee indicated that no license was required for cleaning, painting, and weld repairing of water storage tanks; and 3) The committee indicated that a license was not required for installation of non-electric channel letters on the façade of a building. However, the committee did indicate that licensure may be required for installation of non-electric signs and billboards, if the work included a structural component, as defined in s. 489.105(15), F.S.
- During General Session, the board re-considered the issue of lightweight insulating concrete, which it originally considered during its January 2004 meeting. The board considered comments from Miami-Dade County and the Florida Roof Deck Association. The board reaffirmed its position that lightweight insulating concrete, when used for insulation, is non-structural and, as such, does not require a license for installation.

Legislation/Rule Promulgation

- The Rules Committee discussed revisions to Rule 61G4-17-001, F.A.C., Normal Penalty Ranges. The board wishes to amend the rule to reflect higher penalties. The committee has instructed board counsel and the department's prosecutor to consult on this matter and bring recommendations back to the committee.
- The Rules Committee considered an amendment to Rule 61G4-18.004, F.A.C., to require that continuing education providers submit certain information for approval of interactive distance learning courses, including evidence of interactivity, monitoring methods, and availability of instructors for answering questions and providing support to students. Board counsel will provide the committee a finalized draft during the July meeting. Board counsel also reported that notice of proposed amendments to Rule

61G4-18.007, F.A.C., has been published in the Florida Administrative Weekly. The amendments require that, for interactive distance learning courses, continuing education providers maintain access logs that include total time accumulated by the student. The information must demonstrate that course hours are consistent with actual hours taken to complete the course, and must include the course completion date and time.

Action Required

- Tim Vaccaro, Executive Director, will coordinate with department staff to address issues raised during the meeting.
- Diane Guillemette, board counsel, will draft letters setting forth the board opinions rendered during Executive Committee and will also follow up on the board's directions regarding rulemaking.

Timothy Vaccaro
Executive Director