

EXECUTIVE SUMMARY

Construction Industry Licensing Board

General Information

Meeting type: General Board Meeting

Meeting dates: February 9-11, 2005, Casa Monica Hotel, St. Augustine, FL

Board members: Michelle B. Kane, Chair, Joan M. Brown, Vice-Chair, Barry Kalmanson, Lee-En Chung, Thomas Thornton, Jacqueline Watts, Michael Blankenship, Raymond Holloway, Mark Pietanza, Carl E. Engelmeier, John J. Cox, Doris O. "Peggy" Bailey.

Board members absent: Robert Stewart (Excused absence)

Board Counsel: Diane Guillemette

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

Major Issues/Actions

- The board considered a request for opinion regarding whether or not a well contractor licensed under ch. 373, F.S., may bid a project that includes work governed under ch. 489, F.S. The board declined to issue an opinion, indicating that the appropriate vehicle for consideration would be a petition for declaratory statement.
- The Chair requested that Legal staff prepare an instruction packet for new members who participate on Probable Cause Panel.
- The board instructed the Executive Director to consult with the Executive Director of the Electrical Contractors Licensing Board on scheduling a joint meeting of the two boards. Section 489.107(6), F.S., requires the two boards to meet twice annually.

Legislation/Rule Promulgation

- The Rules Committee considered the repeal of Rule 61G4-15.030, F.A.C., pertaining to grandfathering of registered contractors. The committee requested that the rule be scheduled for repeal on July 1, 2005. Pursuant to s. 489.118, F.S., the deadline for applications was November 1, 2004. The board has requested that any deficient applications pending as of the June 2005 meeting, be scheduled for approval or denial at that time.
- The Rules Committee discussed methods for ensuring that licensees who take continuing education courses through distance learning complete the number of scheduled course hours. Some members have previously expressed concern regarding potential abuses. Industry representatives spoke at the meeting and indicated that they have implemented software changes to ensure participation. The committee instructed the Executive Director to contact other boards to determine whether abuses are widespread and to determine if there are any particular Internet courses that merit consideration as "model courses."
- The Rules Committee voted to amend Rule 61G4-18.004, F.A.C., to expand the grounds for denying continuing education (CE) courses to include courses that constitute sales presentations. The Continuing Education Committee has expressed concern that certain proposed CE courses are actually designed to sell brand-specific products and, as such, do not have educational merit. Board Counsel will present the draft amendment to the full board in March.
- The board voted to amend Rule 61G4-18.001, F.A.C., to include one hour of building code advanced module coursework, as required by s. 489.115, F.S., and to specify examples of subject matter areas for workplace safety, workers' compensation, and business practices courses.
- The United Pools and Spa Association requested that the board consider rulemaking to develop voluntary specialty licensure for individuals who perform specialty services in the swimming pool industry. Categories would include structural shell, piping equipment and decking, and finish work. The board voted to go forward with further consideration of rulemaking in March.

Action Required

- Diane Guillemette, board counsel, will provide draft rule amendments for March, as directed by the board.
- Patrick Creehan, Chief Prosecuting Attorney, will prepare a PCP instruction packet for new members.
- Tim Vaccaro, Executive Director, will consult with the ECLB Executive Director regarding potential CILB/ECLB meetings, and will contact other boards regarding their Internet CE courses.