

## **EXECUTIVE SUMMARY**

### **Construction Industry Licensing Board**

#### **General Information**

**Meeting Type:** General Board Meeting

**Meeting Dates:** July 12, 13, 14, 2006, Four Seasons Resort, Palm Beach, FL

**Board Members:** Joan Brown, Chair, Paul Del Vecchio, Vice Chair, Barry Kalmanson, Lee-En Chung, Robert Stewart, Don Wilford, Jacqueline Watts, Raymond Holloway, Mark Pietanza, Doris O. "Peggy" Bailey, Jim Flaherty, Carl E. Engelmeier, Joseph Cook, Thomas Thornton (Thursday only), Lorie Clark (Thursday only)

**Board Members Absent:** Michelle Kane, Edward Weller, Thomas Thornton (absent Friday), Lorie Clark (absent Friday), Excused

**Board Counsel:** Diane Guillemette

**Department Staff:** G.W. Harrell, Stacey Merchant, Andrew Janecek, Patrick Creehan, Adrienne Rodgers, Valeria Singleton, Tim Vaccaro

**Other Attendees:** None

#### **Major Issues/Actions**

- The board clarified their response to a Petition for Declaratory Statement received from Osmoste Utilities Services, Inc. The board indicated that individuals or companies contracting with public utilities are not exempt from licensure requirements pursuant to s.489.103(5), Florida Statutes. The exemption found at s.489.103(5), Florida Statutes applies only to the employees of public utilities performing work that is incidental to their business.
- G.W. Harrell, Executive Director, requested that the board consider extending the time allowed for passing all portions of the examination from one year to two years. There have been increased problems in this regard given the impact of the last two hurricane seasons on examination scheduling and availability. The board decided to refer this matter to the Rules Committee for possible amendment of Rule 61G4-16.009(1)(b)2, F.A.C.

- Barry Kalmanson, Board Member, expressed concerns regarding the affidavits of experience that are provided by applicants with their applications and wanted to know if all of the applications could be presented to the board for review at their monthly meeting. Some of the affidavits do not reflect the four years of required experience for certified licensure. Board staff indicated that this is an issue that could be addressed with the application processing unit and it was not necessary to present all of the applications to the board.
- Mr. Paul Del Vecchio, Board Chair, announced the formation of an ad hoc committee to review issues associated with financial misconduct by contractors. Mr. Del Vecchio appointed Mr. Mark Pietanza, Ms. Doris “Peggy” Bailey, and Mr. Barry Kalmanson to the ad hoc committee.

### **Rule Promulgation**

- The board discussed revisions to the affidavit of experience incorporated in DBPR Form 4359. Suggestions were made by the board to clarify the form. Staff was instructed to make revisions and present the revised form to the board for review.
- The board considered language provided by Diane Guillemette, Board Counsel, for the development of a rule for guidelines on null and void reinstatement. Ms. Guillemette also provided the board with a draft letter to the Joint Administrative Procedures Committee (JAPC) regarding the Board’s inability to respond to an earlier JAPC concern regarding a null and void reinstatement form. The department has sole authority over forms pursuant to Section 455.213(1), Florida Statutes. The board approved the draft letter.
- The board also approved a grade report form for the swimming pool practical examination. The JAPC had expressed concerns regarding a form number and date for the form.

### **Action Required**

- Board staff will meet with members of the Central Intake Unit to discuss verification of work experience affidavits and ensure a process is in place to review those affidavits accurately.
- Diane Guillemette will forward the letter regarding the null and void reinstatement form to the JAPC.

G.W. Harrell  
Executive Director  
Construction Industry Licensing Board