

## **EXECUTIVE SUMMARY**

### **Construction Industry Licensing Board**

#### **General Information**

Meeting type: General Board Meeting

Meeting dates: August 8 – 10, 2007, Four Season Resort Palm Beach, Palm Beach, Florida

Board members present: Raymond Holloway, Chair, Barry Kalmanson, Vice Chair, Peggy Bailey, Joan M. Brown, Lee-En Chung, Lorie Clark, Paul Del Vecchio, Carl E. Engelmeier, James Flaherty, Michelle Kane, Mark Pietanza, Jacqueline Watts, Edward M. Weller, Don Wilford

Board members absent: Joe Cook, Robert Stewart (excused)

Board counsel: Diane Guillemette, Daniel Biggins

Department Staff: April Hammonds, Jeffrey Kelly, G.W. Harrell, Andy D. Janecek, Amanda Abbott, Marc Drexler, Valeria Singleton

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

- ❖ Representatives from the swimming pool industry addressed the board regarding the January 1, 2008, deadline for completing the swimming pool specialty contractors practical examination, pursuant to Rule 61G4-16.0021, Florida Administrative Code. Ms. Watts motioned to extend the deadline for one year, with written examination development to commence within 10 months. The motion passed unanimously. The board also cautioned the industry and stated that they would not approve a subsequent extension in the future.
- ❖ The board considered a petition for declaratory statement filed by Wayne Eseltine regarding what type of work constitutes the need for a plumbing contractor's license. The petition asks if a person engaging in the business of changing out plumbing fixtures and cleaning clogged drains has to be licensed as a plumbing contractor. The board answered in the affirmative, advising that the work outlined in the petition requires a plumbing contractor's license.

#### **Legislation/Rule Promulgation**

- ❖ The Ad Hoc/Financial Misconduct Committee discussed the process for implementing electronic fingerprinting for applicants. The committee suggested that the board avoid developing a formal rule regarding criminal history. Instead, the committee suggested that the department should continue utilizing the internal guidelines that were approved by the board at the July meeting. In addition, the committee suggested that Rule 61G4-15.006, FAC, be further discussed at the Rules Hearing Workshop to be held in September, as some members of the public have voiced concerns over the proposed financial responsibility guidelines. The Ad Hoc

- Committee will now review licensing requirements pursuant to s.489.111, F.S. and Rule 61G4-15.001, FAC. These provisions will be added to the September ad hoc report in an effort to help clarify some of the requirements for licensure, including experience qualifications and endorsement.
- ❖ The Rules Committee directed staff and counsel to begin developing language for Rule 61G4-12.021, FAC, defining the committee structures at each board meeting. Additionally, the Rules Committee directed counsel to redirect payment of financially responsible officer bonds to the board instead of the recovery fund, as currently provided in Rule 61G4-15.0021, FAC.
  - ❖ The Rules Committee also approved the development of new language for each of the specialty contractor license types, in an effort to streamline the language currently used.
  - ❖ The Rules Committee further reviewed Rule 61G4-18.001, FAC, regarding the classification of “business practices” and “laws and rules” continuing education. The new rule will become effective prior to the 2008 renewal period and will require one hour of laws and rules credit.

### **Action Required**

- ❖ Diane Guillemette and Daniel Biggins, board counsel, will file the appropriate rule notices and draft orders as discussed above. Board staff will work with board counsel to review committee structures and will begin developing the appropriate rule language.

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G.W. Harrell  
Executive Director  
August 13, 2007