

EXECUTIVE SUMMARY

Construction Industry Licensing Board

General Information

Meeting type: General Board Meeting

Meeting dates: January 11-13, 2006, Hilton Hotel, Ocala, FL

Board members: Joan M. Brown, Chair, Paul Del Vecchio, Vice Chair, Edward M. Weller, Barry Kalmanson, Lee-En Chung, Thomas Thornton, Robert Stewart, Don Wilford, Carl E. Engelmeier, Jacqueline Watts, Raymond Holloway, Doris O. "Peggy" Bailey, Jim Flaherty

Board members absent: Michelle B. Kane, Mark Pietanza (Excused absences)

Board Counsel: Diane Guillemette

Department Staff: Tim Vaccaro, Stacey Merchant, Andrew Janecek, Patrick Creehan, Adrienne Rodgers, Valeria Singleton

Other Attendees: Josefina Tamayo, DBPR General Counsel

Norman Mugford, Chair, Electrical Contractors' Licensing Board

Major Issues/Actions

- General Counsel Josefina Tamayo introduced herself to the board during Final Action and pledged the department's continued support. The board greeted the General Counsel with enthusiasm.
- ECLB Chair Norman Mugford addressed the board during General Session. Mr. Mugford suggested that the CILB and ECLB schedule their November meetings together to enable a joint board meeting. Mr. Mugford also expressed concern regarding recent court rulings finding that neither the CILB nor the ECLB has specific statutory authority to deny licensure to convicted felons who lack their civil rights. Mr. Mugford indicated that his board would be pursuing legislation to address that issue.
- The Board Chair expressed concern that the Florida Homeowners' Construction Industry Recovery Fund Statutes exclude recovery for consumers injured by roofing contractors. She asked whether the department would consider action to address the issue. Recovery Fund Counsel indicated that the department has expressed interest in exploring options to aid victims of future hurricanes and will consider such. She also reported that DBPR's Division of Professions and Regulation was taking steps to develop a DBPR education program to make senior citizens aware of the complaints and recovery fund processes.
- The board considered a petition for declaratory statement filed by Gregory T. Lang as to whether a contractor's license is required for testing, adjusting, and balancing of air-conditioning and heating systems. The board determined that a Class A or B air-conditioning license or a mechanical contractor's license would be required for such work.

Legislation/Rule Promulgation

- Board Counsel reviewed Senate Bill 6B regarding lobbyist reporting requirements and gifts. Board Counsel instructed the board members not to accept anything of value from lobbying groups or entities that hire lobbyists pending further guidelines being developed by Legislative staff and the Commission on Ethics. Board Counsel also provided a refresher course on the Sunshine law.
- Board Counsel reported that the voluntary specialty swimming pool contractor rule, 61G4-15.032, F.A.C., became effective on January 3, 2006. The rule requires written examination for licensure, along with a practical-exam option until January 1, 2008. She reported that she would be filing notices of adoption for the exam rules, 61G4-16.002 and 61G4-16.003, F.A.C., following the January meeting.

Action Required

- Diane Guillemette, Board Counsel, will draft a Final Order addressing Gregory T. Lang's Petition for Declaratory Statement and will file the aforementioned notices of rule adoption. Board staff will coordinate with ECLB staff to schedule a joint CILB/ECLB meeting for November. Executive Director, Tim Vaccaro, is coordinating with department staff to finalize the technical and transactional processes required for implementation of swimming pool specialty licensure.