

EXECUTIVE SUMMARY

Construction Industry Licensing Board

General Information

Meeting type: General Board Meeting

Meeting dates: July 14-16, 2004, Ritz-Carlton Hotel, Sarasota, FL

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

Board members absent: Edward M. Weller (Excused absence)

Board Counsel: Diane Guillemette

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

Major Issues/Actions

- The Construction Industry Recovery Fund (CIRF) Committee considered a revised notice for the newly created Florida Homeowners' Construction Recovery Fund, which replaced the CIRF pursuant to Senate Bill 2132, approved during the 2004 Legislative Session. The committee requested that the Rules Committee consider the notice at the next CILB meeting for inclusion in CILB rules. Board counsel and Recovery Fund counsel are coordinating this effort.
- The board discussed the continuing education provider seminar being presented by the board office on September 8 in Orlando. The seminar was scheduled to coincide with the board's monthly meeting. CILB rules require that CE providers attend a board-sponsored training seminar at least once per provider renewal cycle. The Continuing Education/Exams/Public Awareness Committee has offered to appear on the agenda to discuss applicant requirements for course approval.
- The board will be meeting with the Building Code Administrators and Inspectors Board during the August CILB meeting in Key West. The CILB provided its Executive Director a list of issues for potential consideration at the meeting, including licensure and disciplinary verification by building departments, and discussion of services available to local government on the CILB website.
- The Executive Committee issued three scope-of-work opinions: 1) In response to a request from Polk County, the committee clarified that Florida Statutes do not authorize Division II contractors to hire labor from temp agencies to perform construction-specific duties. The board also clarified that a Division II contractor who provides proof that a temp agency carries workers' compensation and liability insurance on its labor force is not relieved from providing proof of his or her own workers' compensation and liability insurance coverage as required by ch. 489, F.S. 2) The committee indicated that either a plumbing, mechanical, air-conditioning or underground utility and excavation license would be required for tapping active lines, depending upon the nature of the project, and 3) The committee indicated that the scope of a specialty structure license does not include wood-frame sunrooms.

Legislation/Rule Promulgation

- The board voted to pursue a rule amendment to specify that continuing education subjects must relate to the subject matter contained on the state certification examination.
- The board voted to appeal a Division of Administrative Hearings final order, which invalidated certain provisions of Rule 61G4-15.001, F.A.C., relating to net worth. The board also voted to pursue alternative means of verifying financial stability of licensure applicants, including bonding requirements. The board requested that future speakers be scheduled to educate the board on bonding and information included in applicant credit reports.

Action Required

- Tim Vaccaro, Executive Director, will coordinate with department staff to address issues raised during the meeting, and will draft a response to Polk County's request for clarification regarding Division II contractors.
- Diane Guillemette, board counsel, will draft letters setting forth the other board opinions rendered during Executive Committee and will follow up on the board's directions regarding rulemaking.