

EXECUTIVE SUMMARY
ELECTRICAL CONTRACTORS' LICENSING BOARD

I. General Information

Meeting Dates: November 18-19, 2010
Meeting Type: General Business Meeting
Department of Business and Professional Regulation
1940 North Monroe Street
Tallahassee, FL

Members Present: Mr. Brian Flaherty, Chair
Mr. Kenneth Hoffmann, Vice-Chair
Mr. Noel Thomas
Mr. Roger Langer
Mr. Robert Bramlett
Mr. Clarence Tibbs
Mr. Pierre Bellemare
Mr. Paul Sandefer
Mr. Reagan Huff

Members Absent: None

Other Attendees: Secretary Charlie Liem
Ms. Juanita Chastain, Executive Director
Ms. Ruthanne Christie, Government Analyst
Ms. LeChea Parson, Prosecuting Attorney
Ms. Deborah Loucks, Assistant Attorney General
Mr. G. W. Harrell, Executive Director, Construction Industry
Licensing Board
Mr. Alex Bosque, Bureau of Education and Testing
Ms. Fanny Fuentes-Sansores, Bureau of Education and
Testing
Mr. Jerry Wilson, Division of Regulation
Mr. Michael Green, Division of Regulation
Ms. Reina Moyeno, Bureau of Education and Testing
Mr. Andy Janecek, Bureau of Education and Testing
Other interested parties

II. Major Issues/Actions

- Secretary Liem addressed the board and thanked them for their service.
- The board reviewed a request for declaratory statement from Ms. Deirdre Blair and voted that Ms. Blair needs to be licensed to monitor the web cam as discussed in her petition.
- The board reviewed a request for declaratory statement from Cypress Communications requesting an opinion on whether directional drilling was within the scope of a specialty low voltage and utility line licenses. The board agreed that directional drilling was within the scope.
- Mr. Steve Dale, Executive Director, National Low Voltage Contractors' Association (NLVCA), presented the department a plaque recognizing the outstanding service of Ms. Ruthanne Christie and Ms. Reina Moyeno.
- Ms. Parson, prosecuting attorney, presented twelve disciplinary cases to the board. Six hearings pursuant to s.120.57(2), FS, were acted upon; and six motions for waivers were heard and acted upon.

- The board voted to continue to prosecute year-old cases.
- The board voted to accept the probation report.
- The board reviewed 41 additional business applications.
- The board reviewed 40 initial licensure applications.
- The board approved the minutes of the September 2010 meeting.
- The board discussed solar contracting and expressed their concerns about solar contractors licensed under the Construction Industry Licensing Board conducting the electrical portion of photovoltaic solar contracting. The board commented that the scope of practice of a solar contractor under the Construction Industry Licensing Board may need clarification. Mr. Harrell suggested that an affected party could request a declaratory statement from the Construction Industry Licensing Board.
- The board reviewed and approved the evaluation of the Bureau of Education and Testing that the state of Delaware's Electrical Contractor examination is not substantially equivalent to the Florida Unlimited Electrical Contractor examination.
- The board voted to reinstate the null and void licenses of eight licensees. The licenses will be reinstated to inactive status.
- The board held ten hearings not involving disputed issues of material fact. Nine denials were reversed and applications approved, and one application was tabled.
- Ms. Loucks gave the rules report. The board withdrew Rule 61G6-5.0061, FAC. The board approved the following rules for publishing:
 - Rule 61G6-5.002, FAC, Application for Certification by Examination. The rule change was made to incorporate appropriate form numbers and to update the rule due to the change that applicants now take the examination first. The rule change also provides the application to be on a form provided by the department.
 - Rule 61G6-7.001, FAC, Specialty Electrical Contractors, FAC, changes made to the rule to clarify the scope of work for limited energy system specialty. It also deletes the reference to the National Electrical Code in the rule as the reference is stated in the statute.
 - Rule 61G6-8.002, FAC, Fees. This rule change allows for the collection of a fee of \$100 to add an additional county to an existing registration.
 - Rule 61G6-10.0065, FAC, Reinstatement of Null and Void License. This rule change allows for the application for an individual applying to reinstate a null and void license. The reinstated license will be reinstated to inactive status.
 - Rule 61G6-12.001, FAC, Requirements for burglar alarm system agent training course. This rule change provides the application to be on a form provided by the department.
 - Rule 61G6-12.002, FAC, Requirements for the alarm system agent training courses. This rule change provides the application to be on a form provided by the department.
- The board voted that a Statement of Estimated Regulatory Costs (SERC) was not necessary on any of the above rules.
- Ms. Loucks explained the implementation of House Bill 1565 which changes the rulemaking law procedures when a rule has an adverse impact. Ms. Loucks commented that if a rule has an adverse impact of more than a certain dollar amount the rule must go before the Legislature for approval. New forms will be developed in the near future to implement the change.
- Ms. Parson gave the prosecuting attorney report.
- Ms. Chastain gave the first quarter financial report and informed the board they were no longer in a deficit due to the August 2010 renewal and fee assessment.

- Mr. Wilson provided a copy of the Division of Regulation's enforcement report. He and Mr. Michael Green gave an overview of the Division's regulatory initiatives.
- Mr. Bosque and Ms. Fanny Fuentes-Sansores discussed the examination process. They provided the board with the examination performance summary.
- The board approved the ratification lists of the continuing education committee, examination application review, additional business application review, application review and the ratification list of applications processed by department staff. The list will be attached to the minutes of the meeting and incorporated by reference.

III. Legislation/Rule Promulgation

- Ms. Loucks to notice Rules 61G6-5.002, FAC; 61G6-7.001, FAC; 61G6-8.001, FAC; 61G6-10.0065, FAC; 61G6-12.001, FAC; and 61G6-12.002, FAC.

IV. Action Required

- Final orders to be prepared by Ms. Loucks and Ms. Parson.
- The following board meeting has been scheduled:
January 19-21, 2011, Fernandina Beach, FL

Juanita Chastain
Executive Director