

EXECUTIVE SUMMARY

Electrical Contractors Licensing Board

Meeting Type: General Business/Committee Meeting
Meeting Date: July 21-22, 2004
Meeting Loc: Tampa

Board Members: Clarence Tibbs (Chair), Pierre Bellemare, Jeffrey M. Kiner (Vice Chair), Roger Langer, Norman H. Mugford, Kimberly A. Deberry, Lewis Roberts, Paul Sandefer, Rae Small, Donald C. Penner

Members Absent: Arnaldo L. Abreu

Department Staff: Gail Scott-Hill, (Prosecuting Attorney)
Drew Winters, (Prosecuting Attorney)
John Knap, (Executive Director)
Greg Spence, (Government Analyst)

Other Attendees: Mary Ellen Clark, (Board Counsel)

Major Issues/Actions

- The Board considered 39 applications for examination, 18 for additional business entities, 10 transfers, 1 business entity, 2 endorsements, 1 certification of registered license, and 1 registration.
- The Continuing Education Committee processed 79 CE courses submitted for approval by providers.
- Probable Cause Panel considered 5 administrative complaints and 13 closing orders, 1 cursory review.
- Board heard 5 disciplinary cases.
- Discussion of City of Boca Raton ordinance Sec. 7-38, requiring that fire alarms be installed by UL certified contractors. It is the Board's opinion that such ordinance conflicts with the State's regulatory provisions in that it requires a certification above that required by Chapter 489, Part II. A licensee damaged by the ordinance will have to bring suit to challenge its legality per Board Counsel. A committee was formed to arrange a meeting with the State Fire Marshall, and the Alarm Association of Florida is working on the problem with members.
- Discussion of proposed performance standards for the ECLB presented by the Department to measure the efficiency of the Board and the Department. Minor changes suggested by the Board will be incorporated and the performance report format will be presented at the September meeting.
- Review of the March 31 third quarter financial reports for the ECLB operating and unlicensed activity accounts reflecting the beginning of the current renewal period.

- Report on results of ongoing workers compensation and liability insurance audit of licensees to verify compliance. 1,586 total licenses audited, to date: violations 177, cases opened 148, citations issued 29, cases sent to legal 45.
- Board reviewed the exam summaries provided by the Bureau of Education and Testing including exam pass/fail statistics for the 3/2/04 to 4/2/04 period. The Examination Committee revisited the March 9, 2004 Examination Summary, 131 Candidates sat for the March 9, 2004 exam; 68 candidates, or 51.9% received a passing score; 48.1% of candidates failed the exam.
- Unlicensed Activity – A detailed enforcement/unlicensed activity report was presented to the Board from OGC and Division of Professions and Regulation. 47 ECLB unlicensed activity cases currently open in OGC unlicensed section.
- Prosecuting Attorney Report – 80 ECLB cases currently open, 24 set for probable cause. 13 cases 1 year old or older.
- Board reviewed the letter drafted by Gail Scott-Hill to Building Officials outlining the scope of work of Limited Energy Systems Specialty contractors and the licensure requirements for individuals engaged in this area of contracting. Board approved the draft with corrections.
- Annual elections were held; Mr. Jeffrey M. Kiner of Sarasota was elected as Chairman and Mr. Norman Mugford of Palm Coast was elected as Vice-Chairman.

Legislation/Rule Promulgation

- A report by Mr. Mugford regarding Florida Attorney General Advisory Legal Opinion. #AGO 2004-28 It is the opinion of the Attorney General that sections 281.301 and 119.071, Florida Statutes, preclude public disclosure of the name and address of applicants for security system permits, of persons cited for violations of alarm ordinances, or of individuals who are the subject of reports of dispatches of law enforcement for verified or false alarms.
- Board reviewed and approved rule changes required to implement the conversion of the ECLB Business Exam to computer-based testing. Final review and approval set for September meeting.

Rules report presented by Board Counsel. Rule changes currently in process:

- 61G6-5.005 Financial Responsibility; Definitions, Grounds for Denial, effective 6/8/04.
- 61G6-5.006(1) Certification of additional new business entity or transfer, withdrawn JAPC letter.
- 61G6-9.004(6) Continuing Education Requirements, noticed 6/25/04.
- 61G6-9.005 Registration of course providers, published 4/9/04.
- 61G6-9.006 Approving of Continuing Education Courses, published 4/9/04.

- 61G6-12.0016 Continuing Education Requirements for Burglar Alarm System Identification Card, published 7/2/04.
- 61G6-12.0016 Continuing Education Requirements for Burglar Alarm System Agents, published 7/2/04.

John T. Knap
Executive Director
August 9, 2004

Next Meeting: Pensacola, September 16-17, 2004