

**MINUTES FROM THE  
MAY 17, 18 & 19, 2006  
ELECTRICAL CONTRACTORS' LICENSING BOARD MEETING  
Ocala Hilton  
Ocala, FL**

The Board Meeting was called to order by Chairman Norman Mugford at 8:30 a.m.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

**ROLL CALL- Members Present**

Pierre A. Bellemare  
Robert Bramlett  
Kimberly A. DeBerry  
Jeffrey M. Kiner  
Norman R. Mugford, Chairman  
Donald C. Penner  
Lewis Roberts  
Paul W. Sandefer, Vice-Chairman  
Rae Small  
Clarence K. Tibbs  
Roger E. Langer

**OTHERS PRESENT**

Anthony Spivey, Executive Director  
Heather Cash, OPS - Government Analyst I  
Michelle Fanckhauser, Administrative Assistant II  
Reginald Dixon, Esq., Assistant Attorney General  
Drew F. Winters, Esq., Assistant General Counsel  
Court Reporter

The board approved the March 23-24, 2006 meeting minutes.

**Disciplinary Cases – Drew Winters, Assistant General Counsel**

**Robert Evans  
Evans Contracting  
4409 Harborview  
Tampa, FL 33611  
License Number: ER9175  
Case Number: 2004-037472  
Settlement Stipulation  
Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 2/7/2006 charging the respondent with violation of s. 489.533(1)(o), F.S. failing in any material respect to comply with the provisions of this part and the rules adopted pursuant thereto by failing to provide proof of continually maintaining workers' compensation insurance or the exemption. Respondent was not present, nor represented by counsel.

**MOTION:** Mr. Roberts made a motion to accept the stipulation imposing Voluntary Relinquishment of the respondent's license.

**SECOND:** Mr. Penner.  
Motion passed unanimously.

**Robert N. Heath**  
**1220 Durnford Place**  
**Pensacola, FL 32503**  
**License Number: ET528**  
**Case Number: 2004-037933**  
**Consent Agreement**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 2/15/2005 charging the respondent with violation of s. . 489.533(1)(o), F.S. failing in any material respect to comply with the provisions of this part and the rules adopted pursuant thereto by failing to provide proof of continually maintaining workers' compensation insurance or the exemption. Respondent was not present nor represented by counsel.

**MOTION:** Mr. Penner made a motion to accept the agreement imposing Voluntary Relinquishment of the respondent's license.

**SECOND:** Mr. Roberts.  
Motion passed unanimously.

**Donald J. Hinsberg**  
**d/b/a Alliance Fire & Safety**  
**11828 Winding Woods Way**  
**License Number: EF20000299**  
**Case Number: 2005-012682**  
**Hearing Pursuant 120.57(2), F.S.**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 4/3/2006 charging the respondent with violation of s. 489.533(1)(h), F.S. contracting with an inactive license. Respondent was present without counsel and sworn in by the court reporter.

**MOTION:** Ms. DeBerry made a motion to impose a fine of \$200.00 and costs of \$224.93.

**SECOND:** Mr. Bellemare.  
Motion passed unanimously.

**Raymond Amodio**  
**d/b/a Cypress Trace Security, Inc.**  
**12360 Wiles Road**  
**Coral Springs, FL 33076**  
**License Number: EF34**  
**Case Number: 2005-028953**  
**Hearing Pursuant 120.57(2), F.S.**  
**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 12/5/2005 charging the respondent with violation of s. 489.518(4), F.S., failing to obtain background check and fingerprint card for an alarm system agent, s. 489.518(1), F.S., failing to ensure an alarm system agent completed the required education.

**MOTION:** Mr. Kiner made a motion to accept the findings of fact and conclusions of law as stated in the Administrative Complaint.

**SECOND:** Ms. DeBerry.

Motion passed unanimously.

**MOTION:** Mr. Bellemare made a motion to impose a fine of \$2,500.00 and costs of \$180.09.

**SECOND:** Mr. Roberts.

Motion passed unanimously.

**Robert Sheck**

**2415 S. Babcock Street**

**Melbourne, FL 32901**

**License Number: EG152**

**Case Number: 2003-061330**

**Motion for Waiver of Rights and Final Order**

**Recused: Small, Sandefer, Tibbs**

An administrative complaint was filed on 6/15/2005 charging the respondent with violation of s. 489.533(1)(f), F.S., committing fraud or deceit, or negligence , incompetency or misconduct in the practice of electrical contracting. Respondent was neither present nor represented by counsel.

**MOTION:** Mr. Bellemare made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

**SECOND:** Mr. Bramlett.

Motion passed unanimously

**MOTION:** Mr. Bellemare made a motion to impose a fine of \$2500.00 costs of \$307.17 suspension of respondent's license for 1 year followed by 1 year of probation.

**SECOND:** Mr. Roberts.

Motion passed unanimously.

**Kenneth Holmes**

**4263 Losco Road, Apt. 1213**

**Jacksonville, FL 32257**

**License Number: EC1799**

**Case Number: 2004-033813**

**Motion for Waiver of Rights and Final Order**

**Recused: Sandefer, Tibbs**

An administrative complaint was filed on 8/15/2005 charging the respondent with

violation of s. 489.533(1)(m)(4), F.S., committing financial mismanagement or misconduct in the practice of contracting that causes financial harm to a customer and s. 489.533(1)(o) failing to comply with rule 61G6-5.012(1), F.A.C.  
Respondent was neither present nor represented by counsel.

**MOTION:** Ms. DeBerry made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

**SECOND:** Mr. Bramlett.

Motion passed unanimously

**MOTION:** Ms. Small made a motion to accept the findings of fact and conclusions of law as stated in the Administrative Complaint.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**MOTION:** Ms. Small made a motion to impose a fine of \$1500.00 costs of \$376.43, 1 year of probation and restitution.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

**James Hyde**

**37808 County Road 439**

**Eustis, FL 32736**

**License Number: ER 9552**

**Case Number: 2005-040987**

**Motion for Waiver of Rights and Final Order**

**Recused: Sandefer, Tibbs**

An administrative complaint was filed on 2/7/2006 charging the respondent with violation of s. 489.533(1)(a), F.S., by failing to comply with a final order of the Board.  
Respondent was neither present nor represented by counsel.

**MOTION:** Mr. Langer made a motion to find proper service of the administrative complaint and accept the Motion for Waiver of Rights and Final Order.

**SECOND:** Ms. DeBerry.

Motion passed unanimously

**MOTION:** Mr. Penner made a motion to impose a fine of \$1500.00 costs of \$296.98 and suspension of respondent's license until he appears before the board followed by 1 year of probation.

**SECOND:** Mr. Langer.

Motion passed unanimously.

### **APPLICATION REVIEW – Norman Mugford, Chairman**

Second Business Applications

The following applicants were present during this portion of the meeting:

Todd Wilkes; Jack Oliver; Michael Deese; Juan Mendez; Charles Secker; Sidney Schreidell; William Veno; Charles Starkey; Felix Martin; William Logan; Gregory Stevenson; Peter Grandinetti; Donald Hickey; Patrick Doran; Bruce Tierney;

Candelario Martinez; Darren Brown; Jesus Toca; Brian McClellan; Hashay Burch; Agustin Truyol.

The Court Reporter swore in, as a group, the applicants and those persons providing testimony on behalf of the applicant. During the review each applicant and their respective designees were interviewed in turn and answered general questions concerning the business entity they wished to qualify and direct questions concerning their understanding of their responsibilities and obligations as primary qualifying agent. Mr. Mugford asked of the second business applicants collectively as a group:

. *“Do you understand that you will be legally responsible for every job undertaken by this business?”*

. *Do you understand that you will be financially responsible for every job undertaken by this business?”*

. *Do you understand that you are required to approve the work done on every job undertaken by this business?”*

. *Do you understand that your license is dependent upon how seriously you take these responsibilities?”*

Each applicant answered affirmatively to each of the preceding questions.

## **HEARINGS NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT – Reginald Dixon, Assistant Attorney General**

### **Winston Clark**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26, 2006, the board denied the application on the grounds the application failed to demonstrate 5 years of experience as a registered contractor per s. 489.514(2)(c), F.S. The Notice of intent to Deny was filed on 2/21/2006. Mr. Clark timely submitted an election of rights form.

Mr. Clark was present and sworn in by the court reporter.

**MOTION:** Mr. Langer made a motion to uphold the denial.

**SECOND:** Mr. Bramlett.

Motion passed unanimously.

### **Johnny Pannell**

#### **Application Denial – Registration**

This matter originally came before the board on March 17, 2005, the board denied the application for failure to show having taken a substantially similar written exam per s. 489.514(2)(b) F.S. The Notice of intent to Deny was filed on 4/7/2005, an amended Notice of Intent to Deny was filed on 6/14/2005. Mr. Pannell timely submitted an election of rights form.

Mr. Pannell was not present nor represented by counsel.

**MOTION:** Mr. Penner made a motion to uphold the denial.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

### **Daniel Spratt**

#### **Application Denial – Alarm Contractor II Examination**

This matter originally came before the board on January 26-27, 2006, the board denied the application for failure to demonstrate the required experience per s. 489.511(2)(a)3 F.S. and 61G6-5.003(1)(a), F.A.C. Mr. Spratt timely submitted an election of rights form. Mr. Spratt was present and sworn in by the Court Reporter

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application the application.

**SECOND:** Motion was seconded.

The motion passed unanimously.

### **William C. Cornell**

#### **Application Denial – Transfer of Registered License**

This matter originally came before the board on January 26-27, 2006, the board denied the application due to a misleading name of the business per 455.227(1)(a)&(m), F.S. Mr. Cornell timely submitted an election of rights form. Mr. Cornell was not present nor represented by counsel.

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Ms. Small.

The motion passed unanimously.

### **Raymond T. Webb**

#### **Application Denial – Endorsement**

This matter originally came before the board on January 26-27, 2006, the board denied the application for failure to demonstrate having taken a substantially similar exam per s. 489.511(6)b), F.S. Mr. Webb timely submitted an Election of rights form.

Mr. Webb was not present nor represented by counsel.

**MOTION:** Mr. Bellemare mad a motion to uphold the denial.

**SECOND:** Mr. Sandefer.

The motion passed unanimously.

### **Stanley A. Courtney**

#### **Application Denial – Unlimited Electrical Contractor Examination**

This matter originally came before the board on January 26-27, 2006, the board denied the application failure to demonstrate the required experience per s. 489.511(2)(a)3 F.S. and 61G6-5.003(1)(a), F.A.C. Mr. Courtney timely submitted an Election of Rights form. Mr. Courtney was present and sworn in by the court reporter

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

### **Chad Wilkes**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Wilkes timely submitted an Election of Rights form. Mr. Wilkes was present and sworn in by the court reporter.

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Gene Rosenberg**

**Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Rosenberg timely submitted an Election of Rights form.

Mr. Rosenberg was not present nor represented by counsel.

**MOTION:** Mr. Sandefer made a motion to uphold the denial.

**SECOND:** Mr. Langer.

Motion passed unanimously.

**Fernando St. Clair Harris**

**Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Harris timely submitted an Election of Rights form.

Mr. Harris was not present nor represented by counsel.

**MOTION:** Mr. Sandefer made a motion to uphold the denial.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Reginald Letourneau**

**Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Letourneau timely submitted an Election of Rights form.

Mr. Letourneau was present and sworn in by the court reporter.

**MOTION:** Mr. Langer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**Raymond Lovell**

**Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Lovell timely submitted an Election of Rights form.

Mr. Lovell was present and sworn in by the court reporter.

**MOTION:** Mr. Penner made a motion to uphold the denial.

**SECOND:** Mr. Kiner.

Motion failed.

**MOTION:** Ms. Small made a motion continue the application to the July meeting and allow Mr. Lovell 2 weeks to provide remaining information to staff.

**SECOND:** Ms. DeBerry.

Motion passed with 2 opposed.

**Jesus Valido**

**Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Valido timely submitted an Election of Rights form.

Mr. Valido was not present nor represented by counsel.

**MOTION:** Mr. Sandefer made a motion to uphold the denial.

**SECOND:** Mr. Langer.

Motion passed unanimously.

### **Leon Mavromatis**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Mavromatis timely submitted an Election of Rights form.

Mr. Mavromatis was present and sworn in by the court reporter.

**MOTION:** Mr. Roberts made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed with 3 opposed.

### **John Leiber**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Lieber timely submitted an Election of Rights form.

Mr. Lieber was not present nor represented by counsel. Mr. Lieber submitted a written request to withdraw the application.

**MOTION:** Mr. Penner made a motion to allow the applicant to withdraw the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

### **Henry Vidal**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Vidal timely submitted an Election of Rights form.

Mr. Vidal was not present nor represented by counsel. The applicant called the on 5/19/2006 and requested a continuance.

**MOTION:** Mr. Sandefer made a motion to continue this matter to the next meeting.

**SECOND:** Mr. Bellemare.

Motion passed unanimously.

### **Richard Barron**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Barron timely submitted an Election of Rights form.

Mr. Barron was present and sworn in by the court reporter.

**MOTION:** Mr. Langer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.



### **Charles Breig**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Breig timely submitted an Election of Rights form.

Mr. Breig was present and sworn in by the court reporter.

**MOTION:** Mr. Langer made a motion to reverse the denial and approve the application contingent on the applicant providing the statement of bonding or irrevocable letter of credit within 15 days.

**SECOND:** Mr. Bellemare.

Motion passed 2 opposed.

### **Richard White**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. White timely submitted an Election of Rights form.

Mr. White was present and sworn in by the court reporter.

**MOTION:** Ms. Small made a motion to reverse the denial and approve the application.

**SECOND:** Ms. DeBerry.

Motion passed unanimously.

### **Robert Winthrop**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Winthrop timely submitted an Election of Rights form.

Mr. Winthrop was present and sworn in by the court reporter.

**MOTION:** Ms. Small made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

### **Ronnie Brown**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Brown timely submitted an Election of Rights form.

Mr. Brown was present and sworn in by the court reporter.

**MOTION:** Mr. Bellemare made a motion to reverse the denial and approve the application contingent on the applicant providing the statement of bonding or irrevocable letter of credit within 30 days.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

### **Fernando Tobares**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Tobares timely submitted an Election of Rights form.

Mr. Tobares was present and sworn in by the court reporter.

**MOTION:** Mr. Bellemare made a motion to uphold the denial.

**SECOND:** Mr. Langer.

Motion passed unanimously.

### **Bryon Hatton**

#### **Application Denial – Certification of Registered Contractor**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Hatton timely submitted an Election of Rights form.

Mr. Hatton was present and sworn in by the court reporter.

**MOTION:** Mr. Tibbs made a motion to reverse the denial and approve the application.

**SECOND:** Ms. Small.

Motion passed unanimously.

### **Christopher Vail Hughes**

#### **Application Denial – Unlimited Electrical Contractor Examination**

This matter originally came before the board on January 26-27, 2006, the board denied the application as incomplete per section 489.514(1), F.S. and rule 61G6-5.0035(1), F.A.C. Mr. Winthrop timely submitted an Election of Rights form.

Mr. Winthrop was present and sworn in by the court reporter.

**MOTION:** Ms. Small made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

### **David Morrow**

#### **Application Denial – Unlimited Electrical Contractor Examination**

This matter originally came before the board on January 26-27, 2006, the board denied the application for failure to demonstrate the required experience per s. 489.511(2)(a)3 F.S. and 61G6-5.003(1)(b), Mr. Morrow timely submitted an Election of Rights form. Mr. Morrow was present and sworn in by the court reporter.

**MOTION:** Mr. Langer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

### **George Bish**

#### **Application Denial – Endorsement**

This matter originally came before the board on March 23, 2006, the board denied the application for failure to demonstrate financial responsibility per s. 489.521(3)(a), F.S.

Mr. Bish timely submitted an Election of Rights form. Mr. Bish was present with counsel Corey Collins and was sworn in by the court reporter.

**MOTION:** Mr. Tibbs made a motion to reverse the denial.

**SECOND:** Mr. Roberts.

Motion passed unanimously.

### **David Burr**

#### **Application Denial – Endorsement**

This matter originally came before the board on March 23, 2006, the board denied the application for failure to demonstrate having taken a substantially similar exam per s. 489.511(6)(b), F.S. Mr. Burr timely submitted an Election of rights form.

Mr. Burr was present and sworn in by the court reporter.

**MOTION:** Mr. Tibbs made a motion to reverse the denial.

**SECOND:** Mr. Sandefer.

The motion passed unanimously.

### **James McClintick**

#### **Application Denial – Endorsement**

This matter originally came before the board on March 23, 2006, the board denied the application for failure for failure to demonstrate financial responsibility per s.

489.521(3)(a), F.S. Mr. McClintick timely submitted an Election of rights form.

Mr. McClintick was not present nor represented by counsel.

**MOTION:** Mr. Tibbs made a motion to reverse the denial.

**SECOND:** Mr. Sandefer.

The motion passed unanimously.

### **RECONSIDERATIONS – Reginald Dixon, Esq., Assistant Attorney General**

#### **Mark Burke**

Mr. Vetter was not present nor represented by counsel.

**MOTION:** Mr. Sandefer made a motion to reconsider the application and vacate the Notice of Intent to Deny.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

#### **Alvaro Chica**

##### **Application Denial – Sign Specialty Examination**

Mr. Chica was present and sworn in by the court reporter.

**MOTION:** Mr. Tibbs made a motion to approve the application

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

#### **Stan Beran**

##### **Application Denial – Certification of Registered Contractor**

**MOTION:** Mr. Sandefer made a motion to reverse the denial and approve the application.

**SECOND:** Mr. Bellemere.

Motion passed unanimously.

### **PROSECUTING ATTORNEY’S REPORT – Drew F. Winters, Esq., Assistant General Counsel**

Mr. Winters directed the Board’s attention to the details of the report which was distributed to the members. The report included the following case information as of March 20, 2006.

- 19 cases assigned to Legal after investigation
- 10 cases set for Probable Cause presentation
- 10 cases where an Administrative Complaint has been filed
- 0 case where Probable Cause was found
- 0 cases awaiting outside action
- 5 cases requesting a Formal Hearing
- 0 cases sent to consultant / expert
- 11 cases set for Board presentation

- 2 case referred to DOAH
- 2 cases awaiting Final Order
- 6 cases for settlement negotiations
- 5 case ready for default
- 0 cases for Stipulation or Request for Informal Hearing
- 0 cases requiring supplemental investigation
- 0 case pending informal hearing
- 70 total cases in Legal
- 23 cases a year old or more

### **UNLICENSED ACTIVITY REPORT – Drew F. Winters, Esq., Assistant General Counsel**

Mr. Winters directed the Board's attention to the details of the report which was distributed to the members. The report included the following case information as of March, 2006.

- 119 cases in OGC
- 4 cases awaiting further investigation / expert report
- 9 cases awaiting Probable Cause determination
- 7 cases Probable Cause Found
- 42 cases where an Administrative Complaint has been filed
- 7 cases requesting an Informal Hearing
- 6 cases requesting a Formal Hearing
- 15 cases for default / failed to respond to AC
- 23 cases hearing held; awaiting final order
- 3 cases referred to DOAH
- 0 reopened cases
- 0 cases on appeal

### **LEGISLATIVE REPORT – Norman R. Mugford**

The Board met on May 17, 2006 for the annual Legislative and Rules discussion. The Board's main topic of discussion was a proposal to create licensure requirements for Journeymen. The draft of the proposed language is provided below:

#### Draft -Proposed Journeymen Legislation

489.505 (29) "Journeyman Electrician" means an individual that works for a State Certified electrical contractor, has four years of verifiable work experience in the trade and has completed an apprenticeship program registered with the Department of Labor and Employment Security and demonstrates four years' practical experience in the electrical trade, to include 120V/240V/277V/480V single and three phase circuits and knowledge of switching devices, transformers, lighting devices, disconnect switches, etc. Electrical journeymen install, assemble, service, maintain and test electrical equipment, and wiring used in electrical systems in commercial, industrial and residential buildings and supervises apprentices, laborers, wiremen and other electrical or residential electrical journeymen.

A journeymen electrician must carry a board approved electrical journeymen identification card while performing assigned duties and display it upon request.

489.505 (30) "Residential Journeyman Electrician" means an individual that works for a State Registered or Certified electrical contractor, has two years of verifiable work experience in the trade and has attended an apprenticeship program registered with the Department of Labor and Employment Security or can demonstrate 5 continuous years of verifiable, on the job, practical experience in the residential electrical trade, to include 120V/208V/240V single phase and knowledge of switching devices, transformers, lighting devices, disconnect switches, etc. Residential journeymen install, assemble, service, maintain and test electrical equipment, and wiring used in electrical systems in residential buildings and supervise electrical apprentices, laborers, wiremen and other residential electrical journeymen.

A residential journeymen electrician must carry a board approved residential journeymen identification card while performing assigned duties and display it upon request.

The Board reviewed comment letters from the following individuals: Ken Cross and Tony Hernandez. The following individuals addressed the Board with their comments on the proposal: Mike Holt, Mike Holt Enterprises, Inc.; Mike Cauthen, Florida Association of Electrical Contractor's; Casey Landry, Electrical Counsel of Florida; Bob Neely, Alarm Association of Florida; Rick Watson, Florida Association of Electrical Contractors; Steve Pirolli, F.E.A.T. – Orlando; J.B. Clark, I.B.E.W.; Gary Crandon and Tim Quigley.

The Board decided to continue to pursue the proposal and discuss the issue at future meetings.

Mr. Mugford informed the board he would keep them updated on the status of HB 1351.

#### **RULES REPORT – Clarence K. Tibbs**

Mr. Tibbs directed the board's attention to the Rules Report for May 2006.

61G6-5.001 Definitions – Noticed for development, language approved by the Board.

61G6-5.006 Certification of Additional New Business Entity or Transfers – Noticed for development, language approved by the Board.

61G6-8.002 Special Assessment Fee - Noticed for development, language approved by the Board, proposed language published in the F.A.W. on 4/28/2006

61G6-9.004 Continuing Education Requirements for Renewal for Certificateholders and Registrants - Noticed for development, language approved by the Board.

61G6-10.002 Violations and Penalties – Noticed for development, language approved by the Board, proposed language published in the F.A.W. on 3/31/2006. Mr. Dixon provided the Board with a copy of the letter from William H. Harrold, Chief Attorney for the Joint Administrative Procedures Committee (J.A.P.C.) as well as modified language for the rule. The Board reviewed and accepted the changes proposed by Mr. Dixon in accordance with JAPC's concerns.

**MOTION:** Mr. Tibbs made to approve the rules report as submitted.

**SECOND:** Mr. Sandefer.

Motion passed unanimously.

#### **PROBATION COMMITTEE REPORT – Paul W. Sandefer**

Mr. Sandefer directed the board's attention to the May 2006 Probation Tracking List Mr. Sandefer stated that the report submitted by Kenneth Wayne Alderman, Case No.: 2004-058839.

**MOTION:** Ms. Sandefer made to approve the report of Kenneth Wayne Alderman as submitted.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

**UNLICENSED ACTIVITY (ULA) REPORT – Kimberly A. DeBerry**

No Report

**FINANCIAL BUDGET LIAISON REPORT – Clarence K. Tibbs**

No Report

**EXAMINATION REPORT – Clarence K. Tibbs**

Mr. Tibbs referred the Board to the March 2006 examination summary provided by the Bureau of Education and Testing.

**ENDORSEMENT REPORT – Jeffrey M. Kiner**

No Report

**RATIFICATION OF APPLICATIONS – Norman Mugford/Pierre Bellemare**

The ratification lists included the Continuing Education Committee results (Exhibit C), Examination Application Review results (Exhibit B), Additional Business Application Review results & Application Review results (Exhibit A). The lists will be attached to the minutes and are hereby incorporated by reference. (Lists are attached as exhibits A, B & C).

**MOTION:** Ms. Small made a motion to accept the list as presented with the changes.

**SECOND:** Mr. Tibbs.

Motion passed unanimously.

See Exhibit's A, B and C.

**OLD BUSINESS/ NEW BUSINESS**

Mr. Sandefer announced that he would not be at the July meeting. Mr. Penner will serve on the Probable Cause Panel beginning at the July meeting and will replace Mr. Sandefer on the committee for future meetings..

**BOARD COUNSEL'S REPORT – Reginald Dixon, Esq., Assistant Attorney General**

No report.

**EXECUTIVE DIRECTOR'S REPORT – Anthony B. Spivey**

Mr. Spivey directed the board's attention to the Enforcement Report which provides statistical information on incoming complaints, the ECLB monthly performance report which provides statistical information of calls, applications and complaints received by DBPR.

The Board discussed meeting dates for fiscal year 2006-2007 and agreed upon the following dates and locations:

July 20-21, 2006 – Ritz Carlton, Sarasota

September 21-22, 2006 – Miami or Ft. Lauderdale

November 16-17, 2006 – Tallahassee  
January 25-26, 2006 – St. Augustine  
March 22-23, 2006 – Key West  
May 16-18, 2006 (3 day meeting) - Daytona

**CHAIRPERSON'S COMMENTS – Norman Mugford**

The chairman thanked staff, Mr. Spivey, Mr. Dixon and Mr. Winters for their work and assistance.

**Adjournment.**