

By Senator Rouson

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1                   A bill to be entitled  
2       An act relating to the Pinellas County Construction  
3       Licensing Board; amending chapter 75-489, Laws of  
4       Florida, as amended; revising the composition of the  
5       Pinellas County Construction Licensing Board; revising  
6       the terms of the board members; providing for the  
7       election and terms of the chair and vice chair;  
8       authorizing the board to regulate local licensure and  
9       discipline local contractors; authorizing the board to  
10      employ personnel and incur expenses; providing that  
11      board staff are employees of Pinellas County;  
12      providing that the board is a dependent agency of the  
13      Board of County Commissioners of Pinellas County;  
14      authorizing the Board of County Commissioners to adopt  
15      rules; requiring the board to provide an annual report  
16      on finances and administrative activities; subjecting  
17      the board to periodic audits; requiring members of the  
18      board to file financial disclosure statements;  
19      specifying the board is eligible for state funding to  
20      support its operations during transition to the  
21      county; providing for dissolution upon approval at  
22      referendum; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26       Section 1. Subsections (1) and (3) of section 12 of part II  
27       of chapter 75-489, Laws of Florida, as amended by chapters 89-  
28       504, 93-387, and 2003-319, Laws of Florida, are amended, and  
29       subsections (13) through (16) are added to that section, to

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30 read:

31  
32 Section 12. Pinellas County Construction Licensing Board;  
33 organization; meetings, and powers.—

34 (1) The Pinellas County Construction Licensing Board is  
35 created, within the county of Pinellas, consisting of 15  
36 members, as follows:

37 (a) Eight members, each of whom practices as or, as  
38 appropriate, is primarily engaged in business as one the  
39 following: a licensed general contractor, a Florida registered  
40 architect, a licensed residential building contractor, a  
41 licensed electrical contractor or a licensed plumbing  
42 contractor, a mechanical contractor or a Class A air  
43 conditioning contractor, a licensed roofing contractor, a  
44 licensed sheet metal contractor, a licensed swimming pool,  
45 aluminum, or veneer specialty contractor;

46 (b) A fire marshal or a Pinellas County building official;

47 (c) Two consumer representatives not affiliated with the  
48 construction industry;

49 (d) A consumer protection representative from the Pinellas  
50 County government; and

51 (e) Three building officials, as follows:

52 1. A North county building official from one of the  
53 following municipalities: Clearwater, Tarpon Springs, Dunedin,  
54 Oldsmar, Safety Harbor, Belleair, Belleair Bluffs, or Largo;

55 2. A South county building official from one of the  
56 following municipalities: St. Petersburg, South Pasadena,  
57 Gulfport, Seminole, Kenneth City, or Pinellas Park; and

58 3. A Beach Community building official appointed from a

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59 list of three nominees from the Barrier Islands Governmental  
60 Council ~~twenty one (21) members, two (2) of whom are primarily~~  
61 ~~engaged in business as general contractors; two (2) of whom are~~  
62 ~~primarily engaged in business as building contractors, two (2)~~  
63 ~~of whom are primarily engaged in business as residential~~  
64 ~~contractors, one (1) who is a Florida registered architect doing~~  
65 ~~business in Pinellas County, one (1) who is an electrical~~  
66 ~~contractor, one (1) who is a plumbing contractor, one (1) who is~~  
67 ~~a mechanical contractor, one who is a roofing or sheet metal~~  
68 ~~contractor, one (1) who is a swimming pool, aluminum or veneer~~  
69 ~~specialty contractor, two (2) fire marshals, and the three (3)~~  
70 ~~building Directors of the following: City of St. Petersburg,~~  
71 ~~City of Clearwater and County of Pinellas, one (1) North county~~  
72 ~~building director from one of the following municipalities:~~  
73 ~~Tarpon Springs, Dunedin, Oldsmar, Safety Harbor, Belleair,~~  
74 ~~Belleair Bluffs, or Largo, one (1) South county building~~  
75 ~~director from one of the following municipalities: South~~  
76 ~~Pasadena, Gulfport, Seminole, Kenneth City, or Pinellas Park,~~  
77 ~~one (1) Beach Community building director from one of the~~  
78 ~~following: the Town of Belleair Beach, the Town of Belleair~~  
79 ~~Shores, the City of Redington Beach, the City of North Redington~~  
80 ~~Beach, the City of Madeira Beach, the City of Indian Rocks~~  
81 ~~Beach, the Town of Indian Shores, the Town of Redington Shores,~~  
82 ~~the City of Treasure Island, and the City of St. Pete Beach, and~~  
83 ~~one (1) consumer member who is a resident and citizen of~~  
84 ~~Pinellas County and who is not and never has been a member or~~  
85 ~~practitioner of any of the trades or professions regulated by~~  
86 ~~the board or a member or practitioner of any closely related~~  
87 ~~trade or profession. All members of the board must ~~shall~~ be~~

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88 residents of Pinellas County and are appointed by the Chairman  
89 ~~of the~~ Board of County Commissioners.

90 (3)(a) A board member may not serve more than two  
91 consecutive terms of 2 years, but may be reappointed after a 2-  
92 year hiatus ~~Members of the board shall be selected as follows:~~  
93 ~~The three (3) building directors of the City of Clearwater, City~~  
94 ~~of St. Petersburg and the County of Pinellas; one (1) North~~  
95 ~~county building director and one (1) South County building~~  
96 ~~director selected by the Chairman of the Board of County~~  
97 ~~Commissioners from the municipalities listed in subsection (1);~~  
98 ~~one (1) Beach Community building director appointed from a list~~  
99 ~~of three (3) nominees submitted by The Barrier Island Government~~  
100 ~~Council; a Florida Registered Architect appointed from a list of~~  
101 ~~three recommended architects submitted by the American Institute~~  
102 ~~of Architects Florida Central Chapter, St. Petersburg and~~  
103 ~~Clearwater Sections; two (2) of whom are primarily engaged in~~  
104 ~~the business as general contractors from a list of five (5)~~  
105 ~~submitted by The Association of General Contractors of Mid-~~  
106 ~~Florida, Inc.; two (2) of whom are primarily engaged in the~~  
107 ~~business as Building Contractors from a list of five (5)~~  
108 ~~submitted by the Contractors and Builders Association of~~  
109 ~~Pinellas County; two (2) of whom are primarily engaged in the~~  
110 ~~business as residential building contractors from a list of five~~  
111 ~~(5) submitted by Contractors and Builders Association of~~  
112 ~~Pinellas County; one (1) who is an electrical contractor from a~~  
113 ~~list of five (5) supplied by the Electrical Council of Florida,~~  
114 ~~Pinellas County Chapter; one (1) who is a Plumbing contractor~~  
115 ~~from a list of five (5) supplied by the Pinellas Association of~~  
116 ~~Plumbing, Heating & Cooling Contractors, Inc.; two (2) of whom~~

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117 ~~are fire marshals, who shall be active members of the Tampa Bay~~  
118 ~~Area Fire Marshals Association, from a list of five (5) supplied~~  
119 ~~by said association, one (1) of whom shall serve an initial term~~  
120 ~~of three (3) years, the other to serve an initial term of two~~  
121 ~~(2) years, with successors to serve for a term of two (2) years~~  
122 ~~thereafter; one (1) who is a mechanical or Class A air~~  
123 ~~conditioning contractor from a list of (5) supplied by the~~  
124 ~~Refrigeration and Air Conditioning Contractors' Association~~  
125 ~~("RACCA"); one (1) roofing or sheet metal contractor and one (1)~~  
126 ~~swimming pool, aluminum or veneer specialty contractor selected~~  
127 ~~by the Chairman of the Board of County Commissioners; one~~  
128 ~~consumer member to be appointed by the Chairman of the Board of~~  
129 ~~County Commissioners in accordance with paragraph 2(a). The~~  
130 ~~building director members from the City of Clearwater, from the~~  
131 ~~City of St. Petersburg and Pinellas County, shall be permanent~~  
132 ~~members of the board. All other members shall serve terms of two~~  
133 ~~(2) years.~~

134 (b) The terms of the following members shall commence their  
135 terms in even-numbered years: the licensed general contractor,  
136 the Florida registered architect, the licensed residential one  
137 (1) general contractor, one (1) building contractor, the  
138 licensed or, one (1) residential building contractor, one (1)  
139 electrical or licensed plumbing contractor, a one (1) fire  
140 marshal, one (1) consumer representative, and the North county,  
141 South county, and Beach Community building officials. The terms  
142 of the following members shall commence their terms in odd-  
143 numbered years: the consumer protection representative from the  
144 Pinellas County government, the one (1) general contractor, one  
145 (1) building contractor, one (1) residential building

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146 ~~contractor, one (1) mechanical contractor or Class A air~~  
 147 ~~conditioning contractor, the one (1) plumbing contractor, one~~  
 148 ~~(1) fire marshal or the Pinellas County building official, the~~  
 149 ~~licensed one (1) roofing or sheet metal contractor, the one (1)~~  
 150 ~~swimming pool, aluminum, or veneer specialty contractor, the~~  
 151 ~~sheet metal contractor, a and one (1) consumer member, and the~~  
 152 ~~South county building official.~~

153 (c) As the terms of members expire, the ~~Chairman of the~~  
 154 Board of County Commissioners shall appoint a member to fill the  
 155 vacancy for a term of 2 ~~two (2)~~ years ~~in the same manner as that~~  
 156 ~~membership was originally filled. The architect, contractor,~~  
 157 ~~electrical, plumbing and mechanical members shall be selected~~  
 158 ~~from the county at large. The board shall elect from one of its~~  
 159 ~~members a chair to serve as chairman and a vice chair one of its~~  
 160 ~~members to serve as vice chairman, for terms of up to 2 years a~~  
 161 ~~term to be set by the board. All terms of office expire on~~  
 162 September 30 of the last year of the term. Vacancies in the  
 163 membership occurring prior to the end of a member's term for any  
 164 cause shall be filled by Pinellas County ~~appointment in the same~~  
 165 ~~manner as that membership was originally filled.~~

166 (13) The board shall regulate local licensure and  
 167 discipline local contractors, and is authorized to employ  
 168 personnel and incur expense as necessary to perform its duties  
 169 and enforce this section. Board staff are employees of Pinellas  
 170 County, and Pinellas County is responsible for all costs  
 171 associated therewith. The board is a dependent agency of the  
 172 Board of County Commissioners. The Board of County Commissioners  
 173 may adopt rules to implement this act and may remove any member  
 174 of the board for cause.

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175       (14) (a) The board shall submit to all local governments in  
176 Pinellas County, and make available to the public, a complete  
177 report on finances and administrative activities of the board as  
178 of the end of each fiscal year.

179       (b) The board is subject to periodic audits performed by a  
180 certified auditor chosen by the Board of County Commissioners.

181       (15) Each member of the board who is not otherwise required  
182 to file a financial disclosure statement pursuant to s. 8, Art.  
183 II of the State Constitution or s. 112.314 must file an annual  
184 disclosure of financial interests pursuant to s. 112.3145.

185       (16) The board is eligible for state funding for 3 years  
186 after the effective date of this act to support its operations  
187 as it transitions to Pinellas County.

188       (17) Notwithstanding any law to the contrary, if the  
189 qualified electors of Pinellas County voting in a referendum  
190 approve the transfer of all authority of the board to the Board  
191 of Commissioners of Pinellas County, the board shall stand  
192 dissolved as of the effective date of the referendum.

193       Section 2. This act shall take effect upon becoming a law.