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1 A bill to be entitled

2 An act relating to the Pinellas County Construction
3 Licensing Board, Pinellas County; amending ch. 75-489,
4 Laws of Florida, as amended; revising the membership
5 of the Pinellas County Construction Licensing Board;
6 revising requirements for selection of members of the
7 board; revising term requirements for such members and
8 the chair and vice chair; providing an application
9 process; requiring each board member to file a certain
10 annual statement of financial interests; requiring the
11 board to provide an annual independent financial audit
12 to the board of county commissioners and each
13 municipal government in Pinellas County; providing
14 that the board is subject to an audit by the Division
15 of Inspector General contained within the Office of
16 the Clerk of Circuit Court of Pinellas County at the
17 request of the board of county commissioners; deleting
18 the requirement that certain funds received by the
19 board from fees which remain uncommitted and
20 unexpended at the end of each biennium be paid into
21 the county general revenue fund; providing that staff
22 shall be employees of and compensated by the board of
23 county commissioners; providing an effective date.

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

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26
27 Section 1. Subsections (1), (2), and (3) of section 12 of
28 chapter 75-489, Laws of Florida, as amended by chapters 89-504,
29 93-387, and 2003-319, Laws of Florida, are amended, and
30 subsections (4) and (5) are added to that section to read:

31 Section 12. PINELLAS COUNTY CONSTRUCTION LICENSING BOARD:
32 ORGANIZATION: MEETINGS AND POWERS.—

33 (1)(a) The Pinellas County Construction Licensing Board is
34 created within the county of Pinellas, consisting of the
35 following nine (9) ~~twenty-one (21)~~ members:

36 1. Four (4) members licensed in any of the following
37 professions, with a maximum of one (1) member from any one of
38 sub-subparagraphs a.-j., each of whom must be:

39 a. ~~two (2) of whom are~~ Primarily engaged in business as a
40 general ~~contractor~~ contractors;

41 b. ~~two (2) of whom are~~ Primarily engaged in business as a
42 building ~~contractor~~ contractors;

43 c. ~~two (2) of whom are~~ Primarily engaged in business as a
44 residential ~~contractor~~ contractors;

45 d. A Florida-registered ~~one (1) who is~~ A Florida
46 ~~registered~~ architect doing business in Pinellas County;

47 e. ~~one (1) who is~~ An electrical contractor;

48 f. ~~one (1) who is~~ A plumbing contractor;

49 g. ~~one (1) who is~~ A mechanical contractor or a Class A air
50 conditioning contractor;

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51 h. ~~one who is~~ A roofing or sheet metal contractor; or
52 i. ~~one (1) who is~~ A swimming pool, aluminum, or veneer
53 specialty contractor; or
54 j. A ~~two (2) fire marshal. marshals,~~
55 2. The three (3) building officials ~~directors~~ of the
56 ~~following: City of St. Petersburg, the City of Clearwater, and~~
57 ~~the County of Pinellas. One (1) North county building director~~
58 ~~from one of the following municipalities: Tarpon Springs,~~
59 ~~Dunedin, Oldsmar, Safety Harbor, Belleair, Belleair Bluffs, or~~
60 ~~Largo, One (1) South county building director from one of the~~
61 ~~following municipalities: South Pasadena, Gulfport, Seminole,~~
62 ~~Kenneth City, or Pinellas Park, one (1) Beach Community building~~
63 ~~director from one of the following: the Town of Belleair Beach,~~
64 ~~the Town of Belleair Shores, the City of Redington Beach, the~~
65 ~~City of North Redington Beach, the City of Madeira Beach, the~~
66 ~~City of Indian Rocks Beach, the Town of Indian Shores, the Town~~
67 ~~of Redington Shores, the City of Treasure Island, and the City~~
68 ~~of St. Pete Beach,~~
69 3. Two (2) ~~and One (1) consumer members member who are~~
70 residents ~~is a resident and citizen~~ of Pinellas County and who
71 are ~~is not and never have has been members or practitioners a~~
72 ~~member or practitioner~~ of any of the trades or professions
73 regulated by the board or members or practitioners ~~a member or~~
74 ~~practitioner~~ of any closely related trade or profession.
75 (b) All members of the board must ~~shall~~ be residents of

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Pinellas County and appointed by the ~~Chairman of the~~ Board of County Commissioners.

(2)(a) To be eligible for membership in ~~appointment to~~ the first board appointed after the effective date of this act, each member, other than the building officials ~~buildings director~~, the architect, and the consumer members, ~~must member, shall~~ personally hold an unexpired certified license issued by the City of St. Petersburg, ~~or~~ the City of Clearwater, ~~or~~ the County of Pinellas, ~~or~~ the State of Florida at the time of appointment; be actively engaged in their respective businesses and have been so engaged for a period of at least 5 ~~five~~ consecutive years before the date of appointment; and be a ~~citizen and~~ resident of the county.

(b) Each member of the board, other than the building officials ~~directors~~, the architect and the consumer members ~~member~~, succeeding the original appointees must ~~shall~~ possess the qualifications prescribed in paragraph ~~(2)~~(a).

~~(3) Members of the board shall be selected as follows:~~

~~The three (3) building directors of the City of Clearwater, City of St. Petersburg and the County of Pinellas; one (1) North county building director and one (1) South county building director selected by the Chairman of the Board of County Commissioners from the municipalities listed in subsection (1); one (1) Beach Community building director appointed from a list~~

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101 ~~of three (3) nominees submitted by The Barrier Island~~
102 ~~Governmental Council; a Florida registered architect appointed~~
103 ~~from a list of three recommended architects submitted by the~~
104 ~~American Institute of Architects Florida Central Chapter, St.~~
105 ~~Petersburg and Clearwater Sections; two (2) of whom are~~
106 ~~primarily engaged in business as general contractors from a list~~
107 ~~of five (5) submitted by the Associated General Contractors of~~
108 ~~Mid-Florida, Inc.; two (2) of whom are primarily engaged in~~
109 ~~business as Building Contractors from a list of five (5)~~
110 ~~submitted by the Contractors and Builders Association of~~
111 ~~Pinellas County; two (2) of whom are primarily engaged in the~~
112 ~~business as residential building contractors from a list of five~~
113 ~~(5) submitted by the Contractors and Builders Association of~~
114 ~~Pinellas County; one (1) who is An electrical contractor from a~~
115 ~~list of five (5) supplied by the Electrical Council of Florida,~~
116 ~~Pinellas County Chapter; one (1) who is a Plumbing contractor~~
117 ~~from a list of five (5) supplied by the Pinellas Association of~~
118 ~~Plumbing Heating Cooling Contractors, Inc.; two (2) of whom are~~
119 ~~fire marshals, who shall be active members of the Tampa Bay Area~~
120 ~~Fire Marshals Association, from a list of five (5) supplied by~~
121 ~~said association, one (1) of whom shall serve an initial term of~~
122 ~~three (3) years, the other to serve an initial term of two (2)~~
123 ~~years, with successors to serve for a term of two (2) years~~
124 ~~thereafter; one (1) who is a mechanical or Class A air~~
125 ~~conditioning contractor from a list of five (5), supplied by the~~

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126 ~~Refrigeration and Air Conditioning Contractors' Association~~
127 ~~("RACCA"); one (1) roofing or sheet metal contractor and one (1)~~
128 ~~swimming pool, aluminum, or veneer specialty contractor selected~~
129 ~~by the Chairman of the Board of County Commissioners; one~~
130 ~~consumer member to be appointed by the Chairman of the Board of~~
131 ~~County Commissioners in accordance with paragraph 2(a). The~~
132 ~~building official director~~ members from the City of Clearwater,
133 ~~from the City of St. Petersburg, and Pinellas County,~~ shall be
134 permanent members of the board. Half of the remaining members
135 initially appointed after the effective date of this act shall
136 serve terms of 2 years and the other half shall serve terms of 4
137 years, with such appointments made at the discretion of the
138 Board of County Commissioners of Pinellas County. All other
139 ~~members shall serve terms of two (2) years. The following~~
140 ~~members shall commence their terms in even-numbered years: the~~
141 ~~Florida registered architect, one (1) general contractor, one~~
142 ~~(1) building contractor or, one (1) residential building~~
143 ~~contractor, one (1) electrical contractor, one (1) fire marshal,~~
144 ~~the North county, South county, and Beach Community building~~
145 ~~directors. The following members shall commence their terms in~~
146 ~~odd-numbered years: one (1) general contractor, one (1) building~~
147 ~~contractor, one (1) residential building contractor, one (1)~~
148 ~~mechanical contractor, one (1) plumbing contractor, one (1) fire~~
149 ~~marshal, one (1) roofing or sheet metal contractor, one (1)~~
150 ~~swimming pool, aluminum or veneer specialty contractor, and one~~

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151 ~~(1) consumer member.~~ As the terms of initial members appointed
152 after the effective date of this act expire, the ~~Chairman of the~~
153 Board of County Commissioners of Pinellas County shall appoint
154 all members ~~a member~~ to terms ~~fill the vacancy for a term of 4~~
155 ~~two (2) years~~ in the same manner as the original appointment.
156 Individuals seeking appointment to the board shall complete an
157 application form that solicits information as to the applicant's
158 relevant experience, areas of expertise, and potential conflicts
159 of interest. The application shall be reviewed by the county
160 attorney and the Board of County Commissioners of Pinellas
161 County prior to consideration for appointment ~~that membership~~
162 ~~was originally filled.~~ An appointed member may not serve more
163 than two consecutive terms; however, such persons may be
164 reappointed if they have not been in office for 3 consecutive
165 years ~~The architect, contractor, electrical, plumbing and~~
166 ~~mechanical members shall be selected from the county at large.~~
167 The board shall elect from its members a chair and vice chair
168 for a term of no longer than 2 years each ~~one of its members to~~
169 ~~serve as chairman and one of its members to serve as vice-~~
170 ~~chairman, for a term to be set by the board.~~ A chair shall serve
171 no more than 4 consecutive years. All terms of office expire on
172 September 30 of the last year of the term. Vacancies in the
173 membership occurring prior to the end of a member's term for any
174 cause shall be filled by appointment in the same manner as the
175 original appointment ~~that membership was originally filled.~~

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176 (4) The board may regulate local licensure and handle the
177 discipline of local contractors and is authorized to employ
178 personnel and incur expense as necessary to perform its duties
179 and enforce this section. Staff shall be employees of the board
180 of county commissioners, and the board is responsible for all
181 costs associated therewith. The board is a dependent agency of
182 the board of county commissioners. The board of county
183 commissioners may adopt additional rules and regulations not
184 contained within this act. Pinellas County has the countywide
185 authority to safeguard the life, health, property, and public
186 welfare of Pinellas County residents through the regulation,
187 oversight, and enforcement of construction and home improvement
188 within Pinellas County.

189 (5) The county attorney or his or her designee shall
190 attend all board meetings to advise the board in developing,
191 implementing, and adhering to written policies and procedures
192 and internal controls to ensure that the board is fully
193 complying with all of its statutory duties, including, but not
194 limited to, its responsibility to monitor construction activity
195 in Pinellas County and respond to administrative complaints from
196 citizens against licensed contractors.

197 Section 2. Section 14 of chapter 75-489, Laws of Florida,
198 as amended by chapter 89-504, Laws of Florida, is amended to
199 read:
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201 Section 14. BOARD JURISDICTION AND DUTIES; FINANCIAL
202 REQUIREMENTS.—

203 (1) Except as herein provided, the board shall have
204 concurrent jurisdiction with municipal examining boards.

205 (2) The board shall have the duty to promulgate rules and
206 regulations governing the registration and certification of
207 those engaging in countywide contracting and shall provide for
208 the examination of those so engaged.

209 (3) The board shall have the duty to promulgate rules and
210 regulations governing the countywide certification of journeymen
211 and shall provide for the examination of those so engaged.

212 (4) The board shall have the authority to employ persons
213 to enforce the provisions of Section 23(1) of this part.

214 (5) The board shall have the duty to promulgate rules and
215 regulations for the administration of a citation program and
216 training of investigators in accordance with s. 489.127(3)(j),
217 Florida Statutes.

218 (6) Each board member has the duty to file an annual
219 statement of financial interests pursuant to s. 112.3145,
220 Florida Statutes.

221 (7) The board has the duty to provide an annual
222 independent financial audit to the Board of County Commissioners
223 of Pinellas County and each municipal government in Pinellas
224 County. The annual audit shall include a detailed summary of the
225 board's efforts to monitor construction activity in Pinellas

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226 County and its response and processing of administrative
227 complaints from citizens against licensed contractors.

228 (8) The board is subject to an audit by the Division of
229 Inspector General contained within the Office of the Clerk of
230 Circuit Court of Pinellas County at the request of the Pinellas
231 County Board of County Commissioners.

232 Section 3. Section 21 of chapter 75-489, Laws of Florida,
233 as amended by chapter 89-504, Laws of Florida, is amended to
234 read:

235 Section 21. FEES.—

236 ~~(1)~~ The board is authorized to establish reasonable fees
237 for certification, registration, examination, Board of
238 Adjustment and Appeals hearings, annual renewal fees, and such
239 other fees deemed necessary to accomplish the purpose of this
240 act.

241 ~~(2) Any funds received by the board from fees which remain~~
242 ~~uncommitted and unexpended at the end of each biennium shall be~~
243 ~~paid into the county general revenue fund.~~

244 Section 4. This act shall take effect upon becoming a law.