

Bill No. CS for SB 1064

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Mitchell moved the following amendment to amendment		
12	(054848):		
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14	Senate Amendment (with title amendment)		
15	On page 34, line 16, through		
16	page 36, line 7, delete those lines		
17			
18	and insert:		
19	Section 27. Subsection (26) of section 489.505,		
20	Florida Statutes, is amended to read:		
21	489.505 Definitions.--As used in this part:		
22	(26) "Personal emergency response system" means any		
23	device which is simply plugged into a telephone jack or		
24	electrical receptacle and which is designed to initiate a		
25	telephone call to a person who responds to, or has a		
26	responsibility to determine the proper response to, personal		
27	emergencies, <u>but does not include hard-wired or wireless alarm</u>		
28	<u>systems designed to detect intrusion or fire.</u>		
29	Section 28. Section 489.507, Florida Statutes, is		
30	amended to read:		
31	489.507 Electrical Contractors' Licensing Board.--		

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1 (1) There is created in the department the Electrical
2 Contractors' Licensing Board. The board shall consist of 11
3 members, 7 of whom shall be certified electrical contractors,
4 2 of whom shall be consumer members who are not, and have
5 never been, electrical contractors or members of any closely
6 related profession or occupation, and 2 of whom shall be
7 certified alarm system contractors I. Members shall be
8 appointed for 4-year terms.

9 (2) To be eligible to serve, each contractor member
10 must have been certified by the board to operate as a
11 contractor in the category with respect to which the member is
12 appointed, be actively engaged in the construction business,
13 and have been so engaged for a period of not less than 5
14 consecutive years before the date of appointment. Each
15 appointee must be a citizen and resident of the state.

16 (3) The board has authority to adopt rules pursuant to
17 ss. 120.536(1) and 120.54 to implement the provisions of this
18 part.

19 (4) It is the intent of the Legislature that the board
20 promulgate no rules and take no action to require that
21 applicants for certification as alarm system contractors serve
22 any type of apprenticeship before being allowed to sit for the
23 certification examination.

24 (5) Any proposed board rule which has not been
25 modified to remove proposed committee objections of the
26 Administrative Procedures Committee must receive approval from
27 the department prior to filing the rule with the Department of
28 State for final adoption. The department may repeal any rule
29 enacted by the board which has taken effect without having met
30 proposed committee objections of the Administrative Procedures
31 Committee.

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1 ~~(6)~~(5) The Electrical Contractors' Licensing Board and
 2 the Construction Industry Licensing Board shall each appoint a
 3 committee to meet jointly at least twice a year.

4 Section 29. Section 489.514, Florida Statutes, is
 5 amended to read:

6 489.514 Certification for registered contractors;
 7 grandfathering provisions.--

8 (1) The board shall, upon receipt of a completed
 9 application, and appropriate fee, and proof of compliance with
 10 the provisions of this section, issue: a certification in the
 11 appropriate category to

12 (a) To an applying registered electrical contractor a
 13 certificate as an electrical contractor, as defined in s.
 14 489.505(12); or

15 (b) To an applying registered alarm system contractor
 16 a certificate in the matching alarm system contractor
 17 category, as defined in s. 489.505(2)(a) or (b); or

18 (c) To an applying registered electrical speciality
 19 contractor a certificate in the matching electrical speciality
 20 contractor category, as defined in s. 489.505(19).

21 (2) Any any contractor registered under this part who
 22 makes application under this section to the board shall and
 23 can show that he or she meets meet each of the following
 24 requirements for certification:

25 ~~(a)~~(1) Currently holds a valid registered local
 26 license in the category of electrical contractor, or alarm
 27 system contractor, or electrical speciality contractor.

28 ~~(b)~~(2) Has, for that category, passed a written,
 29 proctored examination that the board finds to be substantially
 30 similar to the examination required to be licensed as a
 31 certified contractor under this part. For purposes of this

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1 subsection, a written, proctored examination such as that
 2 produced by the National Assessment Institute, Block and
 3 Associates, ~~or~~ NAI/Block, Experior Assessments, Professional
 4 Testing, Inc., or Assessment Systems, Inc., shall be
 5 considered to be substantially similar to the examination
 6 required to be licensed as a certified contractor. The board
 7 may not impose or make any requirements regarding the nature
 8 or content of these cited examinations.

9 ~~(c)(3)~~ Has at least 5 years of experience as a
 10 contractor in that contracting category, or as a inspector or
 11 building administrator with oversight over that category, at
 12 the time of application. For contractors, only time periods in
 13 which the contractor license is active and the contractor is
 14 not on probation shall count toward the 5 years required under
 15 this subsection.

16 ~~(d)(4)~~ Has not had his or her contractor's license
 17 revoked at anytime, had his or her contractor's license
 18 suspended in the last 5 years, or been assessed a fine in
 19 excess of \$500 in the last 5 years.

20 ~~(e)(5)~~ Is in compliance with the insurance and
 21 financial responsibility requirements in s. 489.515(1)(b).

22 (3) An applicant must make application by November 1,
 23 2004, to be licensed pursuant to this section.

24
 25 (Redesignate subsequent sections.)
 26
 27

28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 43, line 28, after the first semicolon,
 31

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1 insert:

2 amending s. 489.505, F.S.; revising the
3 definition of "personal emergency response
4 system"; amending s. 489.507, F.S.; limiting
5 the rule making authority of the Electrical
6 Contractors Licensing Board;

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