

By Senator Clary

7-62-01

1 A bill to be entitled
2 An act for the relief of Santa Rosa County;
3 providing an appropriation to compensate the
4 county for losses sustained by the
5 inappropriate actions of employees of the
6 Department of Business and Professional
7 Regulation; providing an effective date.

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9 WHEREAS, Martin Riley, George Parker, and Randy Jones,
10 three Santa Rosa County employees licensed under part XII of
11 chapter 468, Florida Statutes, the Building Code
12 Administrators and Inspectors regulatory law, were notified in
13 September 1997 that they were under investigation by the
14 Department of Business and Professional Regulation, and

15 WHEREAS, staff of the department refused for over 18
16 months to provide Santa Rosa County or the employees with any
17 information regarding the status of the investigation, and

18 WHEREAS, the acting general counsel for the department
19 later indicated that disciplinary investigations should be
20 completed within 6 months under section 455.225, Florida
21 Statutes, and

22 WHEREAS, the bad-faith action of the department staff
23 was further demonstrated when they attempted to obstruct Santa
24 Rosa County's lawful payment of the employees' defense costs,
25 and

26 WHEREAS, on July 20, 1999, the State Building Code
27 Administrators and Inspectors Board found that no probable
28 cause existed that a violation of chapter 468, Florida
29 Statutes, had occurred, and

30 WHEREAS, the prolonged investigation by the department
31 significantly disrupted the county's inspection department by

1 preventing the affected employees from upgrading their state
2 certification, and

3 WHEREAS, the unprofessional animosity of certain
4 Department of Business and Professional Regulation employees
5 against Santa Rosa County was further demonstrated when the
6 department insisted that the state license of Charles Hoodless
7 be revoked even though the department's own rules provided
8 that if the charge against Mr. Hoodless was proven, revocation
9 of his license was not the proper punishment, and

10 WHEREAS, Santa Rosa County was required to expend
11 approximately \$25,000 to defend Mr. Hoodless, and

12 WHEREAS, Santa Rosa County was required to expend a
13 total of \$54,757.10 in defense of its four employees against
14 the inappropriate investigations by the Department of Business
15 and Professional Regulation, NOW, THEREFORE,

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. The facts stated in the preamble to this
20 act are found and declared to be true.

21 Section 2. The sum of \$54,757.10 is appropriated out
22 of funds in the State Treasury to the credit of the Department
23 of Business and Professional Regulation to be paid to Santa
24 Rosa County as relief for its losses.

25 Section 3. The Comptroller is directed to draw a
26 warrant in favor of Santa Rosa County in the amount of
27 \$54,757.10 from funds in the State Treasury to the credit of
28 the Department of Business and Professional Regulation not
29 otherwise appropriated, and the Treasurer is directed to pay
30 that amount out of those funds.

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