

HOUSE MESSAGE SUMMARY

BILL: CS/SB 220 [S0220.HMS]
SPONSOR: Regulated Industries Committee
SUBJECT: Florida Engineers Management Corporation Act
PREPARED BY: Senate Committee on Regulated Industries
DATE: May 4, 2000

I. Amendments Contained in Message

House Amendment 1 - 795133 (body)

House Amendment 2 - 143073 (body with title)

House Amendment 3 - 392009 to House Amendment 143073 (body with title)

II. Summary of Amendments Contained in Message

House Amendment 1 requires the Florida Engineers Management Corporation to provide for performance bonding of corporate personnel who have responsibility for receiving and depositing fee and fine revenues and makes a technical change.

House Amendment 2 can be divided into three parts. First, it incorporates into the bill the substance of CS/SB 1064 by Senator Forman on fire protection systems, which is now on Special Order. That bill requires professional engineers to sign, date, and seal final bid documents which are provided to the owner and defines “layout” for purposes of the fire prevention and control statutes.

Second, the amendment incorporates the substance of CS/SB 1800 by Senator Mitchell on construction, now on Special Order, with deletions, modifications, and additions. Unlike CS/SB 1800, the amendment *does not* move the Construction Industry Licensing Board from Jacksonville to Tallahassee.

Like CS/SB 1800, it includes provisions to:

- Increase the validity period for a provisional certification for a newly employed or promoted building code official from the current period of 1-3 years to 3-5 years.
- Allow a building code administrator who holds a limited or provisional certificate in any county with a population of less than 75,000 to provide direct supervision of a newly employed person who has filed a provisional certificate application and is performing the duties of a plans examiner or building code inspector.
- Establish special disciplinary procedures for building code enforcement officials.
- Clarify the job scope of pool contractors.

Beyond the scope of the Senate bills, the amendment adds provisions to:

- Clarify the statutes on certification and grandfathering of construction contractors and electrical and alarm system contractors and require applicants desiring to obtain certification under the grandfather provisions to do so by November 1, 2004.

- Allow the inclusion in a construction contract of a requirement that a party indemnify the other party for damages due to the negligence, recklessness, or intentional wrongful conduct of the indemnifying party.
- Provide that any proposed rule of the Electrical Contractors Licensing Board that has not been modified to address an Administrative Procedures Committee objection must be approved by the Department of Business and Professional Regulation prior to filing with the Department of State for adoption. The Department may repeal any such rule which has taken effect without being modified.

Third, the amendment requires the Office of Program Policy Analysis and Government Accountability, in consultation with the Legislative Committee on Intergovernmental Relations, to conduct a study of, and make recommendations relating to, public and private construction retainage methods.

House Amendment 3 deletes an extraneous section from House amendment 2.