

**FLORIDA BUILDING COMMISSION
TELECONFERENCE MEETING
March 18, 2013**

COMMISSIONERS PRESENT:

Dick Browdy, Chair
Hamid Bahadori
Bob Boyer
Oscar L. Calleja
Nanette (Nan) Dean

Charles L. Frank
Dale Greiner
Jeffery Gross
Jon Hamrick
Bradley Schiffer
Tim Tolbert

COMMISSIONERS NOT PRESENT:

Kevin Flanagan
Herminio Gonzalez
Ken Gregory
Rafael Palacios

John Scherer
James Schock
Drew Smith
Jeff Stone
Brian Swope

OTHERS PRESENT:

Ila Jones
Mo Madani
Chris Burgwald

Jim Richmond
April Hammonds
Dick Wilhelm, FMA

WELCOME:

Jim Richmond opened the meeting at 10:00 pm., EST, Monday, March 18, 2013. Roll was called and a quorum was determined.

Chairman Browdy advised that the Commission would now go through the list of bills. He asked Jim for any updates and to address any questions or comments from the members.

Mr. Richmond explained the purpose of the call was to review and discuss the current status of House and Senate Bills that have language affecting the Building Commission. Jim explained the matrix and provided the link www.leg.state.fl.us that the Commissioners could use to view the bill(s) online. Jim explained the bill process and how companion bills work.

Chairman Browdy requested the name of the sponsors for these bills.

Jim advised he does not have them all but would be glad to provide them.

PENDING LEGISLATION UPDATES:

HB 201/SB 1088:

Jim provided current information on these bills and stated he felt that some of the reasoning behind it may have been from the Newtown, CT school tragic shootings. The bill requires retrofit of doors and windows of schools including bullet-resistant elements and security related requirements. He identified some of the requirements listed.

Jim asked for comments or questions.

Chairman Browdy questioned if there was a economic study attached?

Jim replied not yet, but stated there could be an impact to the local school boards but not on the Department or Commission.

Chairman Browdy asked if Commissioner Hamrick had any comment.

Commissioner Hamrick advised there would be an impact on schools as bullet resistant glass is much more expensive. He stated the other concern is moving windows away from doors to eliminate the possibility of someone being able to reach in.

Commissioner Frank stated that the Fire Marshall's Office had great concerns regarding the impact on fire safety and will continue to monitor this legislation.

HB 703/SB 944:

Mr. Richmond stated these bills would create Florida Concrete Masonry Council, Inc., It appears to establish a public/private entity called a direct support organization to the Building Code Commission that is authorized to collect a surcharge on all masonry products sold in the state and to use the funds as well as funds obtained through other sources, i.e. grants, loans gifts etc. to promote concrete and the masonry products, Nationally and Internationally. The Council will provide for designated seating for the industry. Jim stated Representative Davis is the sponsor of the House Bill; he would get the sponsor of the Senate Bill.

Jim asked for comments or questions.

PENDING LEGISLATION UPDATES (cont):

HB 703/SB 944 (cont.):

Chairman Browdy stated the first copy of the bill did not have specific amount per masonry unit, there was not specific cost involved which was problematic. Secondly he stated it could set precedence for other types of building products and industries to set up something similar for their type of construction, which would be beneficial for their products, building products, and specific types of professionals. Chairman Browdy further stated that typically public/private partnerships are set up usually for the purpose of determining or creating research opportunities for the product and expanding the use of the product. With his experience with NAHB, typically he said this is done by the individual trades or associations rather than with public funds. He feels this is very unusual.

Commissioner Schiffer stated he agreed with Chairman Browdy and asked for clarification on the language of a Building Commissioner serving on their Board should it pass.

Jim Richmond responded stating that the language was saying that a Building Commissioner would be appointed to their Board.

Commissioner Schiffer asked if there were any other councils in the state that had this type of representation.

Jim responded no, not with regard to the Commission. This bill does contain that specific language. He said there is an established means of voting the amount or at least the skeleton of the means of voting the amount of the surcharge, time limitations. The Commission should not be involved; it should be at Association level in marketing members and funds.

Commissioner Boyer stated he also agreed stating that it could open the door for other construction functions and elevate cost to our citizens.

HB 973/SB 1442:

Mr. Richmond advised this bill creates alternate enforcement process for system for low voltage alarms; language speaks to permit stickers in advance of system, installation and notification to local building inspector with a set fee of \$60.00 for the home owner per sticker, applies to all low voltage alarms with no limitations. Reference was made to Chapter 489, FS.

PENDING LEGISLATION UPDATES (cont.):

HB 973/SB 1442 (cont.):

Chairman Browdy asked if the purpose was to expedite the permit, or avoid plan review.

Mr. Madani stated it appears that the bills are trying to create permit uniformity for low voltage alarms; however, the bill is too broad and includes more than just normal low voltage alarms.

Commissioner Calleja stated that these bills are similar to what has occurred in West Palm Beach with sticker permits, the idea was to bring more installations under a permit and then audits would be performed.

Commissioner Tolbert asked if this was for residential only.

Mr. Richmond stated there is currently no language to determine so it is for both residential and commercial.

Commissioner Frank stated he and the Fire Marshall had the same concerns on how broad the bills are with regard to installation and no plan review.

Mr. Richmond advised that he will be sending out the names of the bills sponsors.

SB 1050:

Mr. Richmond advised this bill is sponsored by Senator Flores and currently does not have a House companion bill. He stated this bill renders 423 the state requirements for educational facilities to be a permissive alternative for school boards rather than being a required minimum, essentially in theory equalizing their position with that of charter schools which can in some forms elect to comply with 423 or just comply with the general e-occupancy of the Building Code

Chairman Browdy stated that this is typically because most charter schools are privately owned. Mr. Richmond agreed.

PENDING LEGISLATION UPDATES (cont):

SB 1050 (cont.):

Commissioner Hamrick said he found this interesting that all would have to comply with State and National Standards. He stated there is a high cost impact and when he did work with DOE did not support the legislation the last time it was introduced.

Chairman Browdy asked if school boards have the ability exempt charter school facilities under the state requirements.

Commissioner Hamrick stated school boards do not and charter schools go through local municipality.

Chairman Browdy then asked if typically charter schools acquire existing facilities and retro fit them, and asked if that was a correct statement.

Commissioner Hamrick stated yes, they will do that or use of portable buildings.

Mr. Richmond stated that Ms. Hammonds had advised the sponsor of 1442 is Senator Lee on the Senate Bill.

HB 1245/SB 1252:

Mr. Richmond provided background and information on the bills. Jim stated bills affect both the Department and the Building Commission activity. HB 247 was taken out as contents are in this bill and one of the requirements section six of this bill relates to electronic site plans being kept at a building site, electronically rather than paper copies available. The bill also addresses Departmental approval of products that demonstrate compliance by submitting an evaluation report from an approved evaluation entity. This re-designates the energy code as the Florida Building Code-and Energy Conservations in sections 8-14 and revises the States roll in the building energy rating system program to one of oversight and recognition of nationally developed programs in sections 15-18. Jim advised the House sponsor is Representative Davis and the Senate Sponsor is Senator Simpson.

Commissioner Schiffer asked when working with site plans do they work on the plans from that location or other sites.

PENDING LEGISLATION UPDATES (cont):

HB 1245/SB 1252 (cont.):

Jim stated that was one of the concerns and there is some lack of clarity. He said they could be missing 90% of documentation. He stated he did not think that was their intent, they have made this recommendation for clarification.

Chairman Browdy stated members need to understand legislative updates and how to translate their concerns. He requested that Jim speak to these issues.

Mr. Richmond advised the Commissioners that the procedures had changed due to new administration under Governor Scott. Jim stated in the past he had been a lobbyist and prior his service Suzanne Schmith was the lobbyist. Now he advised we work through DBPR's legislative affairs office. He verbally provided a list of participants in that office and how the Commissioners can track these bills.

Jim also told the group that they can contact their local government, local representatives to voice their concerns and opinions.

Jim urged the Commissioners to try and keep up with the actions as this is a long process with a lot to be completed. He then provided the group with time lines and actions that occur during bill formation.

Chairman Browdy asked if there were any further questions of staff, Jim, April or Mo.

Commissioner Calleja do we have a position on any legislation or is this for discussion. Is this for us as a whole?

Jim stated there is an opportunity for the Commission to take a stand if there is an issue they would want to take up. They need to be reserved in order to have greatest impact to only those issues that are so important and vital to the Commission and its service overall. This is something you can select as a collegial body.

Jim asked if there were any other questions. He also advised that we would be sending a completed list of the sponsors of all of the bills. He did ask if any other Commissioners joined the call since roll call.

ADJOURNMENT:

Chairman Browdy announced meeting stands adjourned at 10:41 am