

**FLORIDA BUILDING COMMISSION  
LEGISLATIVE TELECONFERENCE MEETING  
CALL-IN NUMBER: United States: 1-(866) 899-4679  
WEB PARTICIPATION URL: <https://global.gotomeeting.com/join/272658565>  
MEETING ID/ACCESS CODE: 272-658-565  
March 2, 2018  
2:00 p.m.**

## ***MINUTES***

### **COMMISSIONERS PRESENT:**

Chairman Jay Carlson  
Hamid Bahadori  
Seven Bassett  
James Batts  
Bob Boyer  
Kelley Smith Burk  
Oscar Calleja  
Nan Dean  
Kevin Flanagan

Shane Gerwig  
Richard Goff  
Robert Hamberger  
Brad Schiffer  
Fred Schilling  
Jim Schock  
Jeff Stone  
Brian Swope  
Don Whitehead

### **COMMISSIONERS NOT PRESENT:**

Donald Brown  
David Gilson  
Brian Langille  
Diana Worrall

David Compton  
Jeffrey Gross  
Drew Smith

### **OTHERS PRESENT:**

Thomas Campbell  
Justin Vogel  
Jim Hammers

Mo Madani  
Chris Howell

**Welcome:**

Ms. Howell opened the meeting at 2:00 p.m., Friday, March 2, 2018.

**Roll Call:**

Ms. Howell called roll and a quorum was determined with 17 members present on the call.

Chairman Carlson welcomed the Commissioners, staff and members of the public to the call and advised the purpose of the meeting was to receive an update on relevant Legislative actions and legal issues

**Agenda:**

Chairman Carlson asked for a motion to approve the agenda as posted.

A motion was entered by Commissioner Boyer to approve the agenda as posted. Commissioner Schiffer seconded the motion. The motion passed unanimously with a vote of 17 to 0.

**Legislative Update and Bill Matrix: (ATTACHMENT A)**

Chairman Carlson asked Mr. Campbell to present the Legislative update.

Mr. Campbell advised that there had not been much activity to report. He stated there was movement on HB 725 and SB 1144 have continued to move and SB 1144 made its last Committee stop on Tuesday so we will have to wait to see if either bill gets passed. Mr. Campbell stated that the other bills have remained the same since the last meeting and that also includes HB 299 that would shrink the Commission size.

Mr. Campbell stated if nothing else occurs on the bills the call for the 16<sup>th</sup> will be canceled he will advise via e-mail.

**Update on Meeting locations:**

Mr. Campbell advised that the locations for two upcoming meetings have been determined. He stated that the second week of TAC meetings for June will be held in Daytona Beach and the August meeting will be in Miami with the TAC meeting on the 14<sup>th</sup> and the Plenary Session on the 15<sup>th</sup>.

**Public Comments: None**  
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**Legal Report:**

Chairman Carlson asked that Mr. Vogel provide the legal report.

Mr. Vogel stated that we are moving forward with the adoption of Rule 21G20-2.002 since its validity was upheld. He stated this would conclude his report.

**Public Comments: None**

Commissioner Swope joined the call bring the total count to 18 members.

**Commissioner Comments:**

Commissioner Schock stated he would like the Commission to look at the code development cycle. He stated looking at the structural material; there are a lot of editorial changes with no intent changes. He said since Florida is now the base code should these editorial changes be brought fourth along with those that have page changes and section numbering. Commissioner Schock asked if this could be discussed in April.

Chairman Carlson stated we could discuss at the April meeting.

**Closing Roll Call:**

Ms. Howell performed the closing roll call; there were 18 Commissioners remaining on the call.

**Adjournment:**

Chairman Carlson said there being no further business before the Commission the meeting would stand adjourned at 2:12 p.m.

**ATTACHMENT A:**

Changes since January 26, 2017 legislative update are written in red.

Bill #	Sponsor	Summary	Committees of Reference	Recent Activity
HB 299	McClain	Reduces the size of the Commission from 27 members to 11 members.	<del>Careers &amp; Comp Subco.</del> Commerce Committee	Careers and Comp Subco., voted 10-4 in favor. Now, in Commerce Committee.
SB 106	Campbell	Fire Safety Standards; Authorizing certain buildings to have specified balcony guard openings, etc.	Community Affairs Banking and Insurance Rules	Referred to committees and subcommittees.
HB 23	Fitzhegan	Creates standards for recovery care centers. The commission, with technical assistance from AHCA, is to update current special occupancy standards to include recovery care centers.	Health Policy Approp. Subco. HHS Appropriations	Has passed in the House. Referred to Senate committees/subcommittees.
SB 284 HB 327 HB 437 SB 372 HB 479 HB 655 SB 896	Book Richardson Lee Garcia Williams Edwards Farmer	Requiring nursing facilities to have emergency power supply available to keep essential functions operational.		Referred to committees and subcommittees.
HB 589	Newton	Public Meetings; Specifies that certain boards and commissions are subject to public meetings requirements; revises public meeting notice requirements; provides that member of public has right to speak at public meeting; requires members of board or commission to respond to questions made at public meetings within a specified	Oversight, Transparency, and Admin Subco. Local, Federal, and Veterans Affairs Subco. Government Accountability Committee	Referred to committees and subcommittees.

		timeframe; repeals provision relating to reasonable opportunity to be heard at public meetings; provides penalties.		
CS/CS/CS HB 725	Williamson	Permit Fees; Requires governing body of local government to post its permit and inspection fee schedules & link to annual building permit & inspection utilization report on its website; provides reporting requirements.	S. Community Affairs S. Approp. Subco. Finance and Tax S. Appropriations	Received by Senate and referred to committees.  Scheduled for Appropriations on 2/27.
CS/CS/SB 1144	Perry		<del>Community Affairs Approp. Subco., Finance and Tax Appropriations</del>	
HB 1077  SB 1322	Diamond  Powell	Defines open permits. Creates disclosures, procedures, and standards for closing "open permits." Requires the Building Commission to adopt procedures to encourage property owners and builders to timely close out permits.	Careers and Comp. Subco. Local, Federal, and Veterans Affairs Subco. Commerce Committee  Regulated Industries Community Affairs Rules	Referred to subcommittees and committees.
SB 1312	Thurston	Requires the Florida Building Code to contain a provision mandating all state-subsidized developments have an operational emergency power source that provides an independent source of electric power for at least one week during a power outage.	Community Affairs Regulated Industries Rules	Referred to committees.
CS/SB 908	Steube	Construction Bonds; Requires notice of nonpayment to be verified; provides notice of nonpayment requirements;	Judiciary Community Affairs Rules	Passed Judiciary Committee 9-0 as CS/SB 908.

HB 723	McClain	provides that claimant or lienor who serves fraudulent notice of nonpayment shall be deprived of rights under bond; requires notice of nonpayment to be in prescribed form; provides that provision relating to attorney's fees applies to certain suits brought by contractors; deems contractors to be insureds or beneficiaries for certain purposes; provides that contractor may record notice identifying bond as conditional payment bond prior to project commencement in order for duty of surety to pay lienors to be coextensive with contractor's duty to pay.	Careers and Competition Subco. Civil Justice Claims Subco. Commerce Committee	
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