

LEGISLATIVE UPDATE

By Kari Hebrank, FSPA Lobbyist

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Senator LeMieux Gets Committee Tasks

On September 21, newly-appointed US Florida senator, Sen. George LeMieux received his committee assignments for his 18-month Washington stint. LeMieux will serve on the Armed Services and Commerce, Science and Transportation Committees and the Special Committee on Aging, all of which his predecessor, Sen. Mel Martinez, served on during his term. LeMieux was not assigned to the Banking and Housing Committee and Urban Affairs Committee, both to which Martinez was assigned. Ratification of the assignments by the Republican conference was expected to occur on September 22. Interestingly, FSPA lobbyist Kari Hebrank recently spoke with Senator LeMieux to congratulate him on his senatorial appointment and to encourage him to push for an extension of the housing stimulus plan which provides an \$8000 tax credit to first-time homebuyers. LeMieux indicated that he had been meeting on the issue with Republican leadership and that it would be a priority.

Workers' Compensation Hearing Set

Insurance Commissioner McCarty has set October 6th as the date for the National Council on Compensation Insurance (NCCI) to explain their 6.8% proposed decrease in workers' compensation rates. The NCCI credits a drop in the frequency of workers' comp claims and a continuing decrease in the average claim cost as the factors responsible for the proposed decrease. Incidentally, the NCCI rate filing includes a projected 10.8% decrease for contractors, bringing the cumulative drop in premiums for building contractors to 65.4% since the 2003 reforms to the workers' compensation system. Once approved, the decreases would be effective January 1, 2010.

Florida Building Commission Moves Forward on IAPMO Rule

On September 21, the Florida Building Commission conducted a rule hearing on Rule 9B-72.100 relating to product evaluation entities in order to add the International Association of Plumbing and Mechanical Officials Evaluation Service (IAPMO) to the list of approved evaluation entities included in the product approval rule. The Commission also amended the rule to require compliance with ISO/IEC Guide 65 for evaluation and certification agencies seeking approval as an evaluation entity. Some concerns were raised as to the limited criteria for evaluation entities, so the Commission agreed to adopt the rule as currently drafted in order to include IAPMO as an evaluation entity to ensure products that have already received approval by IAPMO would remain in effect and then revisit the criteria to strengthen the requirements for future entities seeking approval. Adoption of IAPMO as a listed product evaluation entity culminates from a two-year effort and is the result of a Legislative directive to the Commission to grant product manufacturers additional options for evaluation services.

Glitch Code Changes Takes Effect October 1

On June 9, the Florida Building Commission adopted changes to the Florida Building Code entitled "*2nd 2009 Supplement—effective October 1, 2009.*" Specific changes

include: amending Section 106.1 to specify “registered design professional” and the associated statutes, Chapter 471 and 481; clarifying Section 105.15 that if a homeowner of a site-built single-family detached residential structure pulls a building permit worth \$50K or more, and the home is valued at \$750K or more and is located in the wind-borne debris region, the home must have opening protection consistent with the new code requirements and specifying that this provision does not apply to single-family homes that complied with the Code by designing to internal pressure; **revising Section 424 relating to public pools to comply with Dept. of Health’s Rule 64E-9**; correcting a cross-reference for townhouse fire separation; cleaning up Chapter 13, the Energy Code and clarifying that the form for indicating compliance with Method B includes renovations, new heating, cooling and water systems and manufactured homes and buildings; clarifying the exception in Chapter 16, Structural, relating to the increases in allowable stress; and, **adopting the National Electrical Code in Chapter 27 and specifying an exemption in Section 2705 from GFCI protection for pool pump motors for one and two-family dwellings.** To view the glitch code changes, go to <http://www.floridabuilding.org/BCISOld/bc/default.asp> and click on “2nd Supplement-effective October 1, 2009.”

Former House Speaker Wins Senate Race

On Sept. 15, former House Speaker John Thrasher (R-Orange Park) won the Senate District 8 Primary Election and now faces 3 write-in opponents in the General Election on Oct. 6. Thrasher hopes to serve as the new state senator from Senate District 8, a seat formerly held by Sen. Jim King who sadly lost his battle with pancreatic cancer in August. Prior to serving in the Legislature and as Speaker of the Florida House of Representatives from 1998-2000, Thrasher was employed as the general counsel for the Florida Medical Association. Following his post as House Speaker, Thrasher became partners in Southern Strategies, a high-profile lobbying firm in Tallahassee. Endorsed by former governor Jeb Bush, Thrasher garnered close to 40% of the vote in the 4-way Republican Primary, beating Dan Quiggle, a businessman from Ponte Vedra Beach, Stan Jordan, former House member from Jacksonville and city councilman Art Graham. Thrasher, a friend to the business community, helped lead the charge for passage of meaningful tort reform while he was Speaker of the House.