SEGA Chairman’s Message

Hello again. When I was in middle school, I had a good friend in the class one year behind me. Let’s call him Dave. At the beginning of his freshman year, he became the target of a high school bully who transferred to our school district over the summer. Dave was/is a truly nice guy and well liked by virtually everyone with whom he came in contact, a good student and a good citizen of our school.

Almost every morning, a bully would corner Dave as soon as he got off the school bus and take his lunch money. When Dave stopped bringing money to school and started carrying his lunch, the bully beat him up and then started taking his lunches. There was no way Dave could stop this assault by himself. But the one thing the bully didn’t count on was that Dave had friends. A few of us got together and agreed Dave didn’t have to take it anymore. One morning when the bully approached Dave, a group of us surrounded him and made it clear that if he didn’t stop bullying Dave, both on and off the campus, he would have to deal with all of us at one time. That solved Dave’s problem, and created a strong bond between everyone that was there with Dave.

As subcontractors, we are Dave, and we are being bullied. If nothing changes, we will not stop the bullying. We are fighting as individuals; and for that reason, we lack the strength and resources to defend ourselves. The bullies want to continue to keep us beat down; and all the while, they call us “partners.”

Don’t be persuaded by the old “partnership” ruse. When was the last time you walked away from a meeting with your client and felt like a partner? When was the last time you signed an agreement and felt like you were entering into a partnership? When was the last time you felt like your client had your back, which is what you would expect from your partner? When was the last time you encountered a problem on a project site that was not of your doing; and when you went to your client to discuss the problem, you walked away feeling like he was going to make it all better because he was your partner? Don’t kid yourself. We are being bullied. You may think you have a “special” relationship with one or more of your clients, but 99% of the time they will throw you under the bus if it is in their best interest. That’s not my definition of a partner or friend.

There’s good news. You have friends, and a lot of them. Unfortunately, you don’t look at them that way. Your best friend in this business is your competition. Yes, there are a few exceptions; and in the Marine Corps, we called them the 10%. But in general, your competitors are hard working honest men and women whose main goal in life is to do what they love doing and make a decent living from it. When you look at them, you are looking at a version of yourselves. They are like minded and experience the same difficulties you face every day. Professionally, they are interested in the same things. How would you label a friend? In this context, I think you label them as your competitor. They know where you hurt because they hurt in the same places. They face the same trials and tribulations. That certainly sounds like a friend to me. Stand back and ask this question, “Who’s on my side,” and then think about when you have conversations who sympathizes and commiserates with you. It’s your competitors.

But wait, there’s more! We can band together and

Continued on Page 3
**SEGA 2012 OFFICERS**

**Chairman of the Board**  
Dick Petrie  
Architectural Glass Services

**Vice Chairman**  
Woody Watters  
Pensacola Glass Company

**Secretary/Treasurer**  
Will Smith  
Glazing Consultants International, LLC

**SEGA 2012 DIRECTORS**

Frank D’Aprile – Designbasis, Inc.  
Troy Hein – YKK AP America, Inc.  
Keith Leombruno – LMG Glass and Mirror, Inc.  
Jeff Miller – Lore L. Ltd.  
Bill Smith – Coral Architectural Products

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Assistant Executive Director  
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**Southeast Glass Association Calendar of Events 2012**

**November**

14–16......................CILB Board of Director’s and Committee Meetings, Embassy Suites Tampa/USF, Tampa

27......................SEGA Board of Director’s Meeting, Conference Call

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**January**

TBA......................CILB Board of Director’s and Committee Meetings

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**February**

19–20............Glass & Glazing Specialty License Exam

TBA......................CILB Board of Director’s and Committee Meetings

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**March**

TBA......................CILB Board of Director’s and Committee Meetings

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**April**

TBA......................CILB Board of Director’s and Committee Meetings

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**May**

TBA......................CILB Board of Director’s and Committee Meetings

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**June**

18–19............Glass & Glazing Specialty License Exam

TBA......................CILB Board of Director’s and Committee Meetings

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**July**

TBA......................CILB Board of Director’s and Committee Meetings

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**August**

TBA......................CILB Board of Director’s and Committee Meetings

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**September**

10–12.............GlassBuild America: The Glass, Window & Door Expo, Atlanta, GA

TBA......................CILB Board of Director’s and Committee Meetings

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**October**

TBA......................CILB Board of Director’s and Committee Meetings

TBA.............Glass & Glazing Specialty License Exam

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**November**

TBA......................CILB Board of Director’s and Committee Meetings

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Please submit your news releases, articles and comments for this publication to the SEGA office, attention: Julie, 231 West Bay Avenue, Longwood, FL 32750–4125. Advertising Space is also available. Please call the SEGA office at (407) 831–7342 for current rates and information.
fight with combined strength and resources. This is not a crazy dream it is a reality. If this were a commercial, about this time a person in a SEGA suit would walk in carrying a shield. On the shield would be a crest that looks like the SEGA logo, and it would say “E Pluribus Unum,” “out of many, one.” I know by now I’m getting ready to lose you, but I don’t think most of you understand how close this is to becoming a reality. All it takes is a few more members, and we open doors that up until now have not been possible to open. We are very close to actually being able to start lobbying on issues. Right now, we can afford monitoring, and our SEGA Executive Director does an outstanding job of that. But for a few dollars more, we can actually go to our state legislators and plead our case. Once we reach that plateau, the possibilities are endless.

Are you tired yet of waiting 45–90 days or more to get paid? I know for a fact that a project is being built that has contract language saying the owner will not release funds until 75 days after the date of application. Wait until that gets out and other owners start following suit. We lose legislative battles important to us as subcontractors because general contractors and owners have strong representation in Tallahassee, and many of them are cash cows for certain politicians. They understand the importance of being members of strong associations. Why don’t we? It’s certainly affordable. We don’t need to raise dues. We simply need to increase membership. As we increase our membership, our collective voice gets louder and stronger. When you have many minds addressing the issues, you come to realize there are many ways to skin the cat.

In the words of our illustrious Executive Director, when referring to our business environment, “This isn’t your father’s association anymore.” Some of you may not recognize this as a paraphrase of an old advertising slogan for an automobile manufacturer. It goes back quite a few years. I can only assume our Executive Director picked this up from his dad. Well, SEGA shouldn’t be your father’s association anymore either. We are no longer a social club where a bunch of cronies get together, pay for their crappy chicken dinner, smoke cigars, drink their manhattans and martinis and listen to a boring presentation of material they don’t particularly care about. What we should be is an angry bunch of like minded individuals getting together in fist-slamming meetings to fight the bullies. Information should be shared among our members for the good of our industry. There’s plenty of room for good old fashioned competitiveness, but to continue to stand alone quite frankly is insanity. One solid definition of insanity is the act of performing the same act over and over again expecting different results. That’s what we are doing as subcontractors.

I said earlier that we are close. We are 30 to 40 members away from reaching the first plateau, and it’s a very important one. We all know glass companies and suppliers that are nonmembers. Historically suppliers have played an important role in our association. If we can get them to believe in our association, they will continue to play that role. In addition to their dues, our suppliers have played important roles as event sponsors and the presenters of meeting content. I charge each and every current member to bring in one new member. I challenge you as a member to attend the meetings and make demands of your association. I challenge you to steer the board of directors in the right direction and demand they focus on the matters that most concern you. I challenge you to get some fire in your bellies and stand up and shout, “We are not going to take it anymore.” I challenge the board of directors to start acting like directors. You are the heart of this association, and we need a strong heart. We need forward thinking service-minded directors that are dedicated to devoting a few hours a month to steer this ship on the proper course for the sake of our members and industry.

At a time when strong subcontractor associations are needed the most, they are becoming weaker. Why? Because of the cost of membership, and the members do not put forth the effort to make the association what they want and need it to be. That doesn’t make any sense to me. We have a great opportunity to turn the tide of the battle. Let’s not waste the opportunity. Think of it this way, “The enemy of our enemy is our friend.” Let’s band together as brothers and start fighting back.

Sincerely,

Richard Petrie
SEGA Chairman
Constitutional Amendments

The following amendments will appear on the General Election ballot on November 6, 2012:

**Amendment 1: Health Care Services**

**Summary:** Proposing an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and taxes for paying directly or accepting direct payment for lawful health care services; and prohibit laws or rules from abolishing the private market for health care coverage of any lawful health care service. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers’ compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

A “yes” vote means you want the Florida Constitution to include a provision that prohibits the government from requiring you to purchase health insurance.

A “no” vote means you do not want the Florida Constitution to include a provision that prohibits the government from requiring you to purchase health insurance.

**Amendment 2: Veterans Disabled Due to Combat Injury; Homestead Property Tax Discount**

**Summary:** Proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to expand the availability of the property discount on the homesteads of veterans who became disabled as the result of a combat injury to include those who were not Florida residents when they entered the military and schedule the amendment to take effect January 1, 2013.

A “yes” vote means you want the state to give a property tax discount to disabled veterans who moved to Florida after entering the military.

A “no” vote means you do not want to extend the tax discount to disabled veterans who moved to Florida after entering the military.

**Amendment 3: State Government Revenue Limitation**

**Summary:** This proposed amendment to the State Constitution replaces the existing state revenue limitation based on Florida personal income growth with a new state revenue limitation based on inflation and population changes. Under the amendment, state revenues, as defined in the amendment, collected in excess of the revenue limitation must be deposited into the budget stabilization fund until the fund reaches its maximum balance, and thereafter shall be used for the support and maintenance of public schools by reducing the minimum financial effort required from school districts for participation in a state–funded education finance program, or, if the minimum financial effort is no longer required, returned to the taxpayers. The Legislature may increase the state revenue limitation through a bill approved by a super majority vote of each house of the Legislature. The Legislature may also submit a proposed increase in the state revenue limitation to the voters. The Legislature must implement this proposed amendment by general law. The amendment will take effect upon approval by the electors and will first apply to the 2014–2015 state fiscal year.

A “yes” vote means you want the state to change the
A “no” vote means you do not want the state to change the way it calculates its revenue limit.

Amendment 4: Property Tax Limitations; Property Value Decline; Reduction for Nonhomesteaded Assessment Increases; Delay of Scheduled Repeal

Summary: (1) This would amend Florida Constitution Article VII, Section 4 (Taxation; assessments) and Section 6 (Homestead exemptions). It also would amend Article XII, Section 27, and add Sections 32 and 33, relating to the Schedule for the amendments. (2) In certain circumstances, the law requires the assessed value of homestead and specified nonhomestead property to increase when the just value of the property decreases. Therefore, this amendment provides that the Legislature may, by general law, provide that the assessment of homestead and specified nonhomestead property may not increase if the just value of that property is less than the just value of the property on the preceding January 1, subject to any adjustment in the assessed value due to changes, additions, reductions, or improvements to such property which are assessed as provided for by general law. This amendment takes effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2013. (3) This amendment reduces from 10 percent to 5 percent the limitation on annual changes in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013. (4) This amendment also authorizes general law to provide, subject to conditions specified in such law, an additional homestead exemption to every person who establishes the right to receive the homestead exemption provided in the Florida Constitution within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the Florida homestead exemption applied. The additional homestead exemption shall apply to all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property’s just value on January 1 of the year the homestead is established. The additional homestead exemption may not exceed an amount equal to the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for the shorter of 5 years or the year of sale of the property. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Article VII, Section 4(d), whichever is greater. Not more than one such exemption shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2011, if approved by the voters at a special election held on the date of the 2012 presidential preference primary, or to property purchased on or after January 1, 2012, if approved by the voters at the 2012 general election. The additional exemption is not available in the sixth and subsequent years after it is first received. The amendment shall take effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013. (5) This amendment also delays until 2023, the repeal, currently scheduled to take effect in 2019, of constitutional amendments adopted in 2008 which limit annual assessment increases for specified nonhomestead real property. This amendment delays until 2022 the submission of an amendment proposing the abrogation of such repeal to the voters.

A “yes” vote means you favor the enhanced tax breaks being proposed.

A “no” vote means you are against the enhanced tax breaks being proposed.

Amendment 5: State Courts

Summary: Proposing a revision of Article V of the State Constitution relating to the judiciary. The State Constitution authorizes the Supreme Court to adopt rules for the practice and procedure in all courts. The constitution further provides that a rule of court may be repealed by a general law enacted by a two-thirds vote of the membership of each house of the Legislature. This proposed constitutional revision eliminates the requirement that a general law repealing a court rule pass by a two-thirds vote of each house,
thereby providing that the Legislature may repeal a rule of court by a general law approved by a majority vote of each house of the Legislature that expresses the policy behind the repeal. The court could readopt the rule in conformity with the public policy expressed by the Legislature, but if the Legislature determines that a rule has been readopted and repeals the readopted rule, this proposed revision prohibits the court from further readopting the repealed rule without the Legislature’s prior approval. Under current law, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, the Governor appoints a justice of the Supreme Court from a list of nominees provided by a judicial nominating commission, and appointments by the Governor are not subject to confirmation. This revision requires Senate confirmation of a justice of the Supreme Court before the appointee can take office. If the Senate votes not to confirm the appointment, the judicial nominating commission must reconvene and may not renominate any person whose prior appointment to fill the same vacancy was not confirmed by the Senate. For the purpose of confirmation, the Senate may meet at any time. If the Senate fails to vote on the appointment of a justice within 90 days, the justice will be deemed confirmed and will take office. The Judicial Qualifications Commission is an independent commission created by the State Constitution to investigate and prosecute before the Florida Supreme Court alleged misconduct by a justice or judge. Currently under the constitution, commission proceedings are confidential until formal charges are filed by the investigative panel of the commission. Once formal charges are filed, the formal charges and all further proceedings of the commission are public. Currently, the constitution authorizes the House of Representatives to impeach a justice or judge. Further, the Speaker of the House of Representatives may request, and the Judicial Qualifications Commission must make available, all information in the commission’s possession for use in deciding whether to impeach a justice or judge. This proposed revision requires the commission to make all of its files available to the Speaker of the House of Representatives but provides that such files would remain confidential during any investigation by the House of Representatives and until such information is used in the pursuit of an impeachment of a justice or judge. This revision also removes the power of the Governor to request files of the Judicial Qualifications Commission to conform to a prior constitutional change. This revision also makes technical and clarifying additions and deletions relating to the selection of chief judges of a circuit and relating to the Judicial Qualifications Commission, and makes other nonsubstantive conforming and technical changes in the judicial article of the constitution.

A “yes” vote means you want the Senate to have confirmation power over Supreme Court appointees, and some authority over changes to the rules that govern the state’s courts. You also want to grant the House access to Judicial Qualifications Commission’s investigative files on judges.

A “no” vote means you do not want these proposed changes made to the state’s judiciary.

Amendment 6: Prohibition on Public Funding of Abortions: Construction of Abortion Rights

Summary: This proposed amendment provides that public funds may not be expended for any abortion or for health–benefits coverage that includes coverage of abortion. This prohibition does not apply to an expenditure required by federal law, a case in which a woman suffers from a physical disorder, physical injury, or physical illness that would place her in danger of death unless an abortion is performed, or a case of rape or incest. This proposed amendment provides that the State Constitution may not be interpreted to create broader rights to an abortion than those contained in the United States Constitution. With respect to abortion, this proposed amendment overrules court decisions which conclude that the right of privacy under Article I, Section 23 of the State Constitution is broader in scope than that of the United States Constitution.

A “yes” vote means you support putting the existing federal ban on the use of public funds for abortions into the state constitution; and you support eliminating the state’s privacy right with respect to a woman’s right to choose.

A “no” vote means you are against placing the existing federal ban on using public funds for abortions into the state constitution; and you are against eliminating the state’s privacy right with respect to a woman’s right to choose.

Amendment 7: This proposal was known as Amendment 7 until a legal challenge by opponents led to the rewriting of some of the ballot language and
its reinstatement on the ballot as Amendment 8. This is the reason there is no Amendment 7 on the 2012 ballot.

**Amendment 8: Religious Freedom**

**Summary:** Proposing an amendment to the State Constitution providing that no individual or entity may be denied, on the basis of religious identity or belief, governmental benefits, funding or other support, except as required by the First Amendment to the United States Constitution, and deleting the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

A “yes” vote means you want to remove from the Florida Constitution a prohibition against the state funding religious institutions and replace it with a provision that prohibits the state from denying funding to institutions based on religious affiliations.

A “no” vote means you want to retain the provision in the Florida Constitution that prohibits the state from funding religious institutions.

**Amendment 9: Homestead Property Tax Exemption for Surviving Spouse of Military Veteran or First Responder**

**Summary:** Proposing an amendment to the State Constitution to authorize the Legislature to provide by general law ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or to the surviving spouse of a first responder who died in the line of duty. The amendment authorizes the Legislature to totally exempt or partially exempt such surviving spouse’s homestead property from ad valorem taxation. The amendment defines a first responder as a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic. This amendment shall take effect January 1, 2013.

A “yes” vote means you want the state to grant the full homestead exemption to the surviving spouses.

A “no” vote means you do not want the state to grant the full homestead exemption.

**Amendment 10: Tangible Personal Property Tax Exemption**

**Summary:** Proposing an amendment to the State Constitution to: (1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner’s tangible personal property is greater than $25,000 but less than $50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls. (2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance. This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

A “yes” vote means you want to double the tangible personal property tax exemption and allow cities and counties to expand the exemptions beyond that.

A “no” vote means you do not want to double the tangible personal property tax exemption and you do not want to allow cities and counties to expand the exemptions.

**Amendment 11: Additional Homestead Exemption; Low–Income Seniors Who Maintain Long–Term Residency on Property; Equal to Assessed Value**

**Summary:** Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than $250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

A “yes” vote means you think cities and counties should have the authority to grant a full property tax discount to eligible seniors.

A “no” vote means you do not think that cities and counties should have the authority to grant a full property tax discount to eligible seniors.

**Amendment 12: Appointment of Student Body President to Board of Governors of the State University System**

**Summary:** Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student
member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

A “yes” vote means you want the state to create a new council of university student presidents from which the student representative to the Board of Governors will be chosen.

A “no” vote means you want to keep the current system of selecting the student representative to the Board of Governors.

Don’t forget to vote on November 5!

Glass and Glazing Contractors License Update

*Senate Bill 704*, which passed during the 2012 Legislative Session, was approved by Governor Rick Scott on April 6, 2012. This bill repealed the Glass and Glazing contractor category from the mandatory Division II licenses under Chapter 489, Part I, Florida Statutes. The removal of the license category took effect on July 1, 2012.

After July 1, 2012, the Department will still offer the certified specialty contractor license in the glass and glazing category. All existing Certified Glass and Glazing (CGG) contractors will be reclassified to the certified specialty contractor license (SCC). The Department will no longer be able to register local specialty glass and glazing contractor licenses after July 1, 2012.

Please see our updated *Glass and Glazing Contractor FAQs* for more information.

Notice of Workers’ Compensation Exemption Law Change

The Florida Legislature passed and the Governor signed into law *Chapter No. 2012–213, CS/HB 941*, which amended Sections 440.02(9) and 440.05, Florida Statutes. These amendments will streamline the filing and processing of exemption applications. Highlights of *Chapter No. 2012–213* include:

- Provides applicant the ability to electronically file their applications via a web–based system.
- Eliminates the requirement for the application to be notarized; and
- Eliminates the need to submit a copy of the stock certificate or documentation of ownership evidencing 10% ownership in a company.

Additionally, the legislative changes provide that all Certificates of Elections to be Exempt issued on or after January 1, 2013, are valid for 2 years after the effective date and, beginning July 1, 2013, non–construction limited liability members will be treated as corporate officers, and will be eligible to apply for an exemption.

On July 1, 2012, a new DWC Notice of Election to be Exempt web–based system will be available for applicants to electronically apply for or renew their Certificate of Election to be Exempt. This system will be convenient and easy to use.

If you have questions regarding this notice, please contact the Division of Workers’ Compensation’s Customer Service Representatives at (850) 413–1609. To learn more about these issues and other Workers’ Compensation information, please go to [http://www.myfloridacfo.com/WC](http://www.myfloridacfo.com/WC).

Re–employment Services have Transferred to the Division of Workers’ Compensation

*Chapter No. 2012–135, CS/HB 5203*, from the 2012 Legislative Session, which was signed by Governor Scott on April 20, 2012, transferred
workers’ compensation reemployment services responsibilities from the Department of Education to the Division of Workers’ Compensation.

Questions about these services can be directed to (800) 342–1741 – option 4, or e-mail wcres@myfloridacfo.com.

CILB Update

Advertising: Signs to Social Media, License Numbers Required!
Advertising is important to Florida contractors and can make the difference between a great business year and just making ends meet. Florida contractors have many new ways of promoting their businesses with the increased use of internet websites and the advent of social media technologies. As advertising evolves, it is important for Florida contractors to remember that their license number must be included in all offers of service, bids, business proposals, contracts or advertisements, regardless of the medium. Pursuant to Rule 61G4–12.011, F.A.C., advertisements include any electronic media including Internet sites. So please remember to include your license number on your websites, social media pages and other advertisements.

If you have any questions regarding advertising requirements please review the Construction Industry Licensing Board’s FAQs or you may contact the Department’s Customer Contact Center at (850)487–1395.

Re-activation of Inactive Licenses:
Chapter No. 2012–61, CS/HB 517, passed during the 2012 Legislative Session and was approved by Governor Rick Scott on April 6, 2012. This bill reduces the number of continuing education credits an inactive or delinquent contractor licensee must complete prior to reactivating his or her license. Effective July 1, 2012, an inactive or delinquent licensee will only need to complete the continuing education requirements for the renewal cycle immediately preceding license reactivation.

Applications and Licensure – Streamlined Applications Released:
In an effort to assist applicants through the licensure process and to reduce the number of deficient applications, the Department of Business and Professional Regulation (DBPR) and the Construction Industry Licensing Board (CILB) conducted a complete review and revision of construction applications. The new application forms provide clearer instructions, reduce paperwork and provide clear criteria to establish financial stability/responsibility and work experience.

The CILB will begin accepting the Department’s new streamlined applications beginning April 13, 2012. There will be a ninety (90) day transition period during which the Department will continue to accept submission of the old applications; this period will end on July 16, 2012.

If you would like more information on the new bonding form or the required credit score, please visit the Department’s financial responsibility and stability website by clicking the following link: Contractor Financial Responsibility and Stability.

Examination and Re-examination: Board Increases Time Limit to Pass of All Examination Parts.
The CILB has amended Rule 61G4–16.009, Florida Administrative Code, to grant candidates more time to complete all portions of the initial licensure examination. Beginning November 1, 2011, examination candidates will be permitted four years from the date he or she initially sat for the initial licensure examination to pass all portions of the examination and will not be limited in the number of times they may re-take a test during the four year period. If you have any question regarding the Board’s change, you may visit www.myfloridalicense.com/dbpr/pro/cilb/index.html or call (850) 487–1395 for more information.

Florida Homeowners’ Construction Recovery Fund Experiencing Funding Shortfall
Due to a shortfall in funding, there are not sufficient funds available to pay claims received by the Florida Homeowners’ Construction Recovery Fund at this time. The Department will monitor revenues for the Recovery Fund and make payments as funds become available.

The Department will continue to process claims until the claims are complete and ready for review by the CILB. The Department will then present claims to the Board, in the order they are completed, as funds become available. The Department will notify claimants by mail when the claims are complete and when they are ready for Board review. For more information, please refer to the Frequently Asked Questions regarding the status of the Recovery Fund.
or contact the Department’s Customer Contact Center at (850) 487–1395.

2012 Legislature Addresses Lack of Recorded Bonds for Public Projects

By — Deborah Lawson, Governmental Affairs Consultant

Best estimates are that 40–50 percent of all bonds for public construction projects are not properly recorded in the public records as required by statute. The 2012 Legislature acknowledged this deficiency and imposed a penalty on the general contractor for failure to record the payment and performance bond(s).

HB 897 by Moraitis provides that the public entity may not make payment to the contractor until the contractor has delivered a certified copy of the recorded bond to the public entity. This provision applies regardless of other laws or contractual provisions regarding the timing of payment to the contractor, and applies to all contracts entered into on or after October 1, 2012. See, s. 255.05(1)(b), Florida Statutes 2012.

Why is this important? The bond information is critical to all subcontractors and suppliers working on your public projects. The payment bond is their only protection if payment is not properly made by the general contractor. A side–benefit for public entities — if payment bonds are properly recorded and available in the public records, direct requests to public entities for copies of bonds should be substantially reduced, benefitting all involved.

Section 255.05(1), Florida Statutes, sets forth the requirements for contractors to obtain payment and performance bonds, record them and provide them to the public entity. The section also sets forth in detail what information must be contained on the front page of the bond which includes correct names, phone numbers and addresses for the owner, contractor and surety; the contract number assigned by the public entity; the bond number; a descriptions of the project and the improvement; and a legal description or street address for the property being improved. This information is intended to aid subcontractors and suppliers in identifying the correct bond for the correct project.

Florida law still requires public entities to provide copies of bonds upon request, but it is our hope that this will become less and less necessary and recording of bonds in a timely manner becomes the norm.

Deborah Lawson is a governmental affairs consultant who lives and works in Tallahassee, Florida. She specializes in representing construction subcontractors and material suppliers before the Florida Legislature and State agencies.

“Government” Scams — Be Aware

Every year, consumers lose billions of dollars to scammers claiming to be officials from government agencies and legitimate businesses. Recently, the Florida Department of Agriculture and Consumer Services has noticed an increase in complaints regarding consumers who have been contacted by individuals falsely claiming to be from government agencies. These scammers attempt to get money or personal information for purposes of identity theft. Although elderly consumers tend to be disproportionately targeted, anyone can be a victim.

Variations of the scam that have been reported include:

• A representative claiming to be from the local electric company knocks on your door and informs you that the government has a special program to assist you in paying your utility bill. You’ll then be pressured into disclosing your Social Security number to apply for the program. In return, you’ll receive a bogus routing and account number to provide to the utility company as payment.

• Your phone rings and a person claiming to represent Medicare informs you that they are issuing a new national Medicare card to all beneficiaries. The caller asks for the number on your current Medicare card and your mailing address for “verification purposes.” They may also ask for bank information, claiming that they can provide a new Medicare card, but for a fee.

• A person claiming to be from the State Attorney’s
office calls to inform you that they have received restitution on your behalf. The caller requests that you send money, by wire transfer or another untraceable method, to cover the “filing fees.”

- You receive an e-mail from someone claiming to represent the United States Department of State. The e-mail will inform you of an inheritance from another country that belongs to you. All you have to do is provide your personal information such as your bank account number or Social Security number. You may also receive a request to wire fees to cover your taxes in advance.

**Here are a few tips to help protect you from becoming a victim of a scam:**

- Know who you are dealing with by obtaining and then confirming the identity of the person requesting information from you. Be wary of verifying an individual’s identity by contacting a number they have given you. Scammers will give a potential victim a phone number and then have a third party available to verify their identity.

- Do not give your checking account number or Social Security number in response to solicitations from unknown individuals.

- Be wary of anyone requiring payment by a method that’s difficult to track, such as wire transfer, money order or by sending cash via an overnight courier. This is usually one of the first indications of a scam. Get details in writing before signing any agreements, sending money or giving out any credit card or bank information.

- Take your time and resist the urge to act quickly no matter how good the offer is. It’s better to think things through than make an impulsive decision based on an emotional whim. If it sounds too good to be true, it probably is.

- Be wary of unsolicited e-mails. Cyber criminals may use the names of government agencies or law firms and spoofed e-mail or web addresses to add legitimacy to their scams.

- If you do seek assistance in dealing with a business transaction, remember that state consumer protection agencies do not charge fees for complaint mediation or for accepting and processing consumer refunds.

The Department is available to assist consumers who have received unsolicited calls or visits and are concerned about the possibility of fraud. We’ll assist you in finding answers for any consumer related questions you may have or direct you to the best resource for assistance. Please call 1–800–HELP–FLA (435–7352) within Florida, 1–800–FL–AYUDA (352–9832) en Español, (850) 410–3800 from outside of Florida or visit us online at [www.800helpfla.com](http://www.800helpfla.com). The Consumer Assistance Center is staffed with trained analysts who answer more than 218,000 calls and e-mails annually from consumers and businesses. Through our website, you will find the department’s online A–Z Resource Guide, a directory of agencies and other resources that consumers can utilize to find appropriate assistance on a wide variety of subjects. As always, an educated consumer is the best defense against fraud and deception!

**Distracted Driving is an Epidemic**

Each year the leading cause of work–related fatalities in the U.S. is motor vehicle crashes. A large portion of these deaths are caused by distracted drivers.

The leading driver distractions are the use of electronic devices while driving. Reaching for a cell phone or using a hands–free devise takes a driver’s focus off the road.

Distracted driving is an epidemic that threatens your workers, their families, your business and the public. Insurance claims from distracted drivers increase both worker’s compensation and auto liability insurance costs. Employers that implement a Distracted Driving Company Policy create “safe driving” awareness for their employees and reduce the probability of a severe financial loss.

To view a sample Distracted Driving Policy for your review, please go to Page 15 in this issue of the Glass Facts. We encourage employers to adopt some form of electronic devise usage policy. (Please review the sample Distracted Driving Policy with your legal Council prior to implementation).

**Statistics**

The National Highway Safety Administration reports that Florida is the third deadliest state for automobile fatalities. In 2010, the state of Florida had 2,445 fatalities, behind California with 2,715 and Texas with 2,998 fatalities. Approximately 35 million Americans...
are cell phone users. Distracted drivers are the number one cause of accidents in America.

According to a study conducted by the University of Toronto, people driving while on a cell phone are four times more likely to be involved in traffic accidents. The study also concluded that texting while driving has a greater probability of an accident than driving while drunk.

The National Highway Safety Council reports that there were 2.24 Million people injured in motor vehicle accidents in 2010. Evidence illustrates that texting while driving is a major loss driver for both bodily injury and property damage on our highways throughout America.

On average, texting causes drivers to look away from the road for 4.6 seconds. At 55 MPH, the vehicle travels the length of an entire football field while the driver is not looking at the road ahead.

I will never Text and Drive after viewing this video

We invite you to contact our Risk Management Coordinator, Lucille LoPinto at lucille@furmaninsurance.com. Lucille will be pleased to e-mail or discuss with you proven strategies to reduce the probability of a serious financial loss to your firm, as a result of distracted drivers. Our mission is to help our clients contain very costly rear–end accidents that are largely caused by distracted drivers.

FACT: 29% of the automobile insurance claim costs are a direct result from rear–end accidents, by distracted drivers.

About Us . . . Established in 1962
For the past 50 years, our deeply experienced Risk Advisors have protected our client’s assets. We strategically align with trusted “A” rated world class insurance companies that consistently deliver cost containment to our clients. The Furman Agency invests the resources to create an “Ease of Doing” business for our clients, allowing them to focus on their core revenue generating tasks.

Contact:
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SEGA is Connected through LinkedIn
SEGA has set up a link on its home page for LinkedIn. What is LinkedIn? It is the world’s largest professional network with over 100 million members and growing rapidly. LinkedIn connects you to your trusted contacts and helps you exchange knowledge, ideas, and opportunities with a broader network of professionals.

SEGA is now an open group on LinkedIn. We are available for open discussion group. All future discussions will be fully visible, searchable and shareable on the web. All past discussions are now closed in a members–only archive. Your network is full of industry experts willing to share advice. Have a question? Just ask.

We look forward to our future discussions now joining the broader conversation of the wider web. Join today by going to the SEGA website at www.southeastglass.org and click on the LinkedIn logo.

Not a Member of SEGA?
Are you receiving the Glass Facts but are not a member of SEGA? Need help with the glass and glazing licensing process? Join SEGA today for as low as $225.00 per year. Pay full year dues and get the remainder of 2012 free.

To take advantage of this pricing today and join the
southeast’s premier glass and glazing trade association, please click here for a SEGA Membership Application or contact the association office at (407) 831–7342 and request a membership application.

Welcome New Member!
SEGA extends a hearty welcome to the following new member. We thank them for joining our association and look forward to their participation in helping this association achieve its goals.

Commercial Glazing Solutions, Inc.
Robert F. Moxham, III, CSI, CDT, S.M.ASCE
1600 West Eau Gallie Boulevard, Suite 201-M
Melbourne, FL 32935
Phone: (321) 507–1050
FAX: (321) 574–3142
E-mail: robert@cgsgroup.us
Website: www.cgsgroup.us
Consulting

2013 SEGA Board of Directors
SEGA needs your help. We need members to volunteer to serve on the SEGA Board of Directors. By serving on the board of directors, you can develop self-satisfaction; get an insight into how the organization is run; sharpen your leadership abilities; build prestige for you and your company; network with other peers; share various responsibilities; have an opportunity to give something back to the industry as well as help the industry; and develop a sense of accomplishment.

Term:
• The term of the office for a member of the Board of Directors is one year starting on January 1.

Responsibilities:
• Board of Directors shall be responsible for the entire management of the association and of the income and property thereof, including authority to issue debentures or borrow money for corporate purposes.
• The Board of Directors shall establish all rules and regulations necessary to conduct its business and may change the same from time to time.
• Attend at least three Board of Director’s Meetings yearly.

If you are interested in serving on the board or becoming a committee member for 2012 or 2013, please contact the SEGA office at (407) 831–7342.

Division of Workers’ Compensation Offers Free Classes
The Florida Department of Financial Services, Division of Workers’ Compensation, is offering free classes regarding Florida’s workers’ compensation laws and workplace safety to business owners, licensed contractors and employers.

Workers’ compensation topics covered include:
• Review of Key Statutory Definitions
• Contractor Responsibilities
• Exemptions
• Insurance Coverage Requirements
• Enforcement Provisions

Workplace safety topics presented by OSHA (U.S. Dept. of Labor, Occupational Safety and Health Administration) include:
• Direct and Indirect Costs
• Inspections
• Florida Fatalities

The following is a list of class dates and times for future sessions.

November 14, 2012
2:00 p.m. – 3:00 p.m. EST
Workers’ Compensation
WEB Based class

November 15, 2012
2:00 p.m. – 3:00 p.m. EST
Workplace Safety
WEB Based class
December 12, 2012
2:00 p.m. – 3:00 p.m. EST
Workers’ Compensation
WEB Based class

December 13, 2012
2:00 p.m. – 3:00 p.m. EST
Workplace Safety
WEB Based class

The Division of Workers’ Compensation is an authorized provider (Provider Number: 0004354) for continuing education purposes through the CILB. Course Number: 0010118 – one hour satisfies the workers’ compensation requirement and Course Number: 0010630 – one hour satisfies the workplace safety requirement.

Advanced registration is required. The form is available on the Division’s website at www.myfloridacfo.com/WC. For additional information, e-mail bocseminars@MyFloridaCFO.com, or call (813) 221-6518.

Make sure your vote counts!
Don’t forget to vote on November 6, 2012!
[Company Name] Distracted Driving Policy

Please read the Distracted Driving Policy, sign and return to your supervisor.

In order to increase employee safety and eliminate unnecessary risks behind the wheel, [Company Name] has enacted a Distracted Driving Policy, effective [Date]. We are committed to ending the epidemic of distracted driving, and have created the following rules, which apply to any employee operating a company vehicle or using a company-issued cell phone while operating a personal vehicle:

- Company employees may not use a hand-held cell phone while operating a vehicle – whether the vehicle is in motion or stopped at a traffic light. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, and text messages.

- If company employees need to use their phones, they must pull over safely to the side of the road or another safe location.

- Additionally, company employees are required to:
  - Turn cell phones off or put them on silent or vibrate before starting the car.
  - Consider modifying voice mail greetings to indicate that you are unavailable to answer calls or return messages while driving.
  - Inform clients, associates and business partners of this policy as an explanation of why calls may not be returned immediately.

- [Company consequences for failing to follow policy]

I acknowledge that I have received a written copy of the Distracted Driving Policy, that I fully understand the terms of this policy, that I agree to abide by these terms, and that I am willing to accept the consequences of failing to follow the policy.

_________________________________________               ______________________
Employee Signature       Date

_________________________________________
Employee Name (printed)