

# Swimming pool/spa energy efficiency regulations - Be prepared for 2011

By Jennifer Hatfield, Director of Government & Public Affairs

In 2008 the Florida Legislature passed HB 7135, a comprehensive energy bill that included new requirements for swimming pools and spas. These requirements, slated to take effect July 1, 2011, were similar to the energy efficiency requirements passed in California under Title 20 and 24 of the California Energy Code. Since the passage of HB 7135, slight changes were made to Title 20 and 24, and the Association of Pool & Spa Professionals began developing

standards to help ensure that all states adopt the same energy efficiency guidelines rather than the industry ending up with 50 states adopting 50 different standards.

The Florida Swimming Pool Association recognized in 2009 that some of the language in the original HB 7135 was either inconsistent with developing national standards or was not entirely clear. Clarification language was put forth to be amended onto 2010 legislation. This

language:

- Clarifies that the July 1, 2011 effective date for all the pool/spa energy efficiency requirements applies to the manufacturing date of any products listed. This means the pool heating, pool pumps, pump motor, and portable spa requirements in the original legislation will apply to products manufactured after

*Continued on page 14*

## Where were you in 1970?

By Charis Tyson, Communications Specialist

In 1970 a step was taken by a group of people in the pool industry that affects everyone else today. It was in 1970 that this association in Florida became incorporated.

While this may not be as exciting as when we landed on the moon, I ask, "Where were you?" Some of you weren't born yet, others were young children, some were just getting into the pool business and others were shaping the industry through the Association.

Since then many of the faces have changed and even the name has changed a couple of times, but the core has remained the same; the Association is here to benefit the swimming pool and spa industry in Florida.

Over the years, using the strength built and progress made, the Association's success has continuously compounded. There is strength in numbers and those numbers are greater than they were in 1970. The Association has progressed to offer more benefits and programs than ever before.

Let's celebrate the last 40 years and the things that have been accomplished. In 1970 the association was Region VII of the national organization and was incorporated as the Florida Swimming Pool Industries Association. In 1973 the first annual trade show was held, in 1977 the first annual swim meet was held, in 1981 the 400 member

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## Florida Pool Pro<sup>sm</sup>

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## PRESIDENT'S COLUMN

### Do you mind?



**Eva Adcock**  
FSPA President

The list is endless with quotes about the mind. "Whatever you hold in mind tends to occur," "Great minds think alike," "A mind is a terrible thing to waste." What is the mind? What power does it have over us?

The economy seems to have taken its toll on business people, homeowners and everyone in general, including the swimming pool industry. I would like to suggest how the members of FSPA can use their minds to succeed.

The first step is to mind your thoughts. Doctors have been quoted as saying that the mind plays an important part in the overall success of recovering from serious illnesses. I am not suggesting that you can will cancer away, but I am suggesting that a positive mental attitude certainly doesn't hurt and may even help. Start each day with something to look forward to, even if it's just the hope that today will be better.

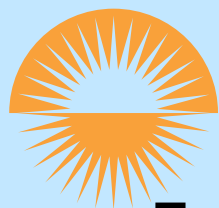
The second step is to mind your words.

Everyone knows that the economy is not what it used to be. Talking about it and rehashing it just doesn't seem productive. Additionally, when people in our own industry talk about how bad things are, what message does this send to our customers? We want our customers to be confident that they are hiring professional individuals that are secure in their businesses. "Now is the best time to hire a swimming pool professional!" This should be the slogan for all of us.

The last step is to mind your business. I am reminded of the book "Who Moved My Cheese" by Spencer Johnson. It's the short story of four mice that face unexpected challenges while in search of their cheese. The characters remind me of the various ways that we react to our circumstances, specifically the economy. Even the wisest of individuals do not know when the economy will change. Each of us needs to examine our own situations and adapt instead of hoping our "cheese" just magically returns. Living within our own present means is most likely the best choice; finding those limitations is the tough part.

In summary, Mark Twain summed it up best. "It's mind over matter; if you don't mind, it don't matter."

*We hope to see you there!*



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# YOUR BUSINESS

## Remember when?



Wendy Parker Barsell  
FSPA Executive Director

Do you remember the first pool you swam in, the first pool you regularly cleaned or the first pool you built? There have probably been hundreds since that first one, but the memory of it is probably triggered

when you drive down the road it was on, run into someone you worked on it with or maybe by the smell of a certain flower that grew in the yard.

Do you remember who introduced you to FSPA (or NSPI)? What's your first memory of going to a chapter meeting or the annual trade show? Hopefully, you were inspired by other industry members and encouraged by the strength of the Association and what it offers each individual.

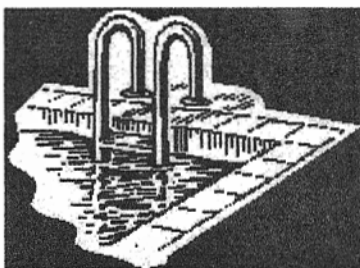
FSPA is celebrating its 40<sup>th</sup> anniversary as a Florida corporation serving the swimming pool industry. In that time memories have been formed by thousands of individuals, families and companies. These memories include winning design awards, scholarship awards for members' children, and probably even a few bikini contests and wing girls. While your mind swirls around that, I ask you to take some time to

remember other achievements. In recent years government relations efforts have saved you money on each pool built or repaired; the active committee structure provides a forum for everyone to provide feedback on pending legislation and regulations so that it makes sense in the field and not just on paper; timely continuing education courses provide you and your staff the opportunity to learn about the latest technologies; and our weekly e-news publications provide current information so you can stay informed early and often of anything that may impact your business.

Your annual FSPA membership dues invoice has probably arrived by now and hopefully there is no hesitation for you to send in payment. Just remember all the ways FSPA helps your business and the swimming pool industry at-large, along with those memories of being in the Association. By renewing your dues you are helping FSPA continue to serve the industry and create more memories for you, your family, your company and your colleagues.

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June 18-19, 2010

## Committee Meetings Board of Directors Meeting Lido Beach Resort Sarasota

### Thursday, June 17

3:00 p.m. – 6:00 p.m.  
Executive Committee

### Friday, June 18

8:00 a.m. – 9:00 a.m.

GR / Legislative Summary

*This meeting will present legislative and regulatory items which will be discussed and voted on during committee meetings.*

9:00 a.m. – 10:30 a.m.

Energy Committee

10:30 a.m. – 11:15 p.m.

PIPAC Committee (All Chapter Presidents)  
Presidents and Executive Committee  
(as time allows)

11:15 a.m. - 12:00 p.m.

Safety Council

12:00 p.m. – 1:00 p.m. Lunch

1:15 p.m. – 3:15 p.m.

Ed Rigsbee - Membership ROI  
(invite your chapter members to attend)

3:30 p.m. – 5:30 p.m.

Builders' & Service Council Joint Meeting

### Saturday, June 19

8:30 a.m.

Membership Committee

9:30 a.m.

Board of Directors Meeting

### Hotel Information:

Lido Beach Resort  
700 Ben Franklin Dr.  
Sarasota, FL 34236

Room rate: \$125 - (800) 441-2113  
(make reservations by May 18 to ensure rooms are available and rate is honored)

# FLORIDA POOL PERMITS

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| County Name                | April 2009 | April 2010 |
|----------------------------|------------|------------|
| <i>Alachua County</i>      | 6          | 6          |
| <i>Bay County</i>          | 10         | 2          |
| <i>Brevard County</i>      | 35         | 21         |
| <i>Broward County</i>      | 45         | 17         |
| <i>Calhoun County</i>      | 0          | 0          |
| <i>Charlotte County</i>    | 18         | 17         |
| <i>Citrus County</i>       | 15         | 11         |
| <i>Clay County</i>         | 14         | 10         |
| <i>Collier County</i>      | 27         | 33         |
| <i>Dade County</i>         | 57         | 37         |
| <i>Duval County</i>        | 16         | 31         |
| <i>Escambia County</i>     | 11         | 12         |
| <i>Flagler County</i>      | 9          | 12         |
| <i>Franklin County</i>     | 2          | 0          |
| <i>Gadsden County</i>      | 0          | 0          |
| <i>Gulf County</i>         | 0          | 1          |
| <i>Hernando County</i>     | 7          | 0          |
| <i>Highlands County</i>    | 4          | 2          |
| <i>Hillsborough County</i> | 53         | 56         |
| <i>Holmes County</i>       | 0          | 0          |
| <i>Indian River County</i> | 13         | 15         |
| <i>Jackson County</i>      | 2          | 0          |
| <i>Jefferson County</i>    | 1          | 0          |
| <i>Lake County</i>         | 9          | 8          |
| <i>Lee County</i>          | 36         | 77         |
| <i>Leon County</i>         | 6          | 5          |
| <i>Liberty County</i>      | 0          | 1          |

| County Name              | April 2009 | April 2010 |
|--------------------------|------------|------------|
| <i>Manatee County</i>    | 20         | 34         |
| <i>Marion County</i>     | 11         | 8          |
| <i>Martin County</i>     | 7          | 17         |
| <i>Nassau County</i>     | 1          | 2          |
| <i>Okaloosa County</i>   | 13         | 16         |
| <i>Orange County</i>     | 28         | 51         |
| <i>Osceola County</i>    | 10         | 15         |
| <i>Palm Beach County</i> | 44         | 47         |
| <i>Pasco County</i>      | 27         | 13         |
| <i>Pinellas County</i>   | 21         | 21         |
| <i>Polk County</i>       | 26         | 28         |
| <i>Putnam County</i>     | 1          | 0          |
| <i>Santa Rosa County</i> | 13         | 12         |
| <i>Sarasota County</i>   | 11         | 20         |
| <i>Seminole County</i>   | 12         | 7          |
| <i>St Johns County</i>   | 30         | 21         |
| <i>St Lucie County</i>   | 16         | 21         |
| <i>Sumter County</i>     | 11         | 33         |
| <i>Volusia County</i>    | 14         | 14         |
| <i>Wakulla County</i>    | 1          | 1          |
| <i>Walton County</i>     | 7          | 3          |
| <i>Washington County</i> | 0          | 0          |
| <b>TOTALS</b>            | <b>720</b> | <b>758</b> |

Are you having trouble seeing opportunities in your market?

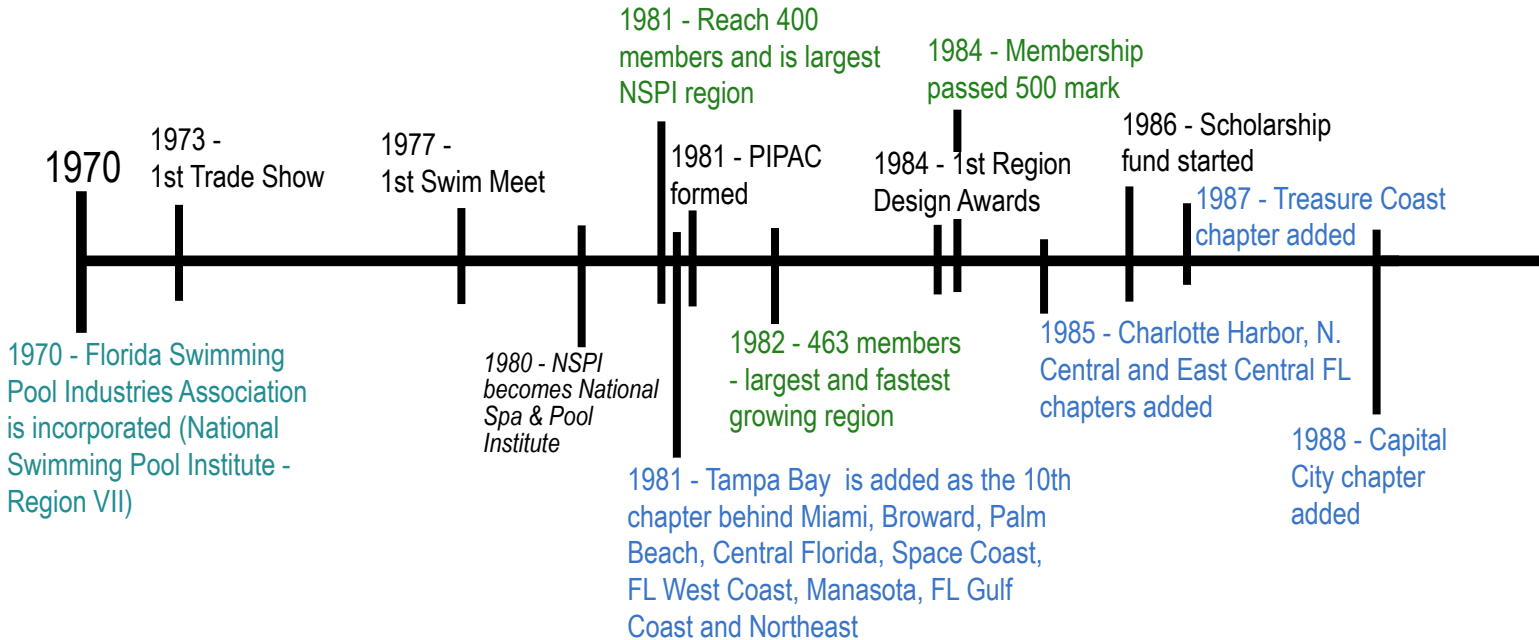


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## Where were you in 1970?

*Continued from front page*

mark was reached making Region VII the largest NSPI chapter; and the list goes on as you can see in the timeline above.

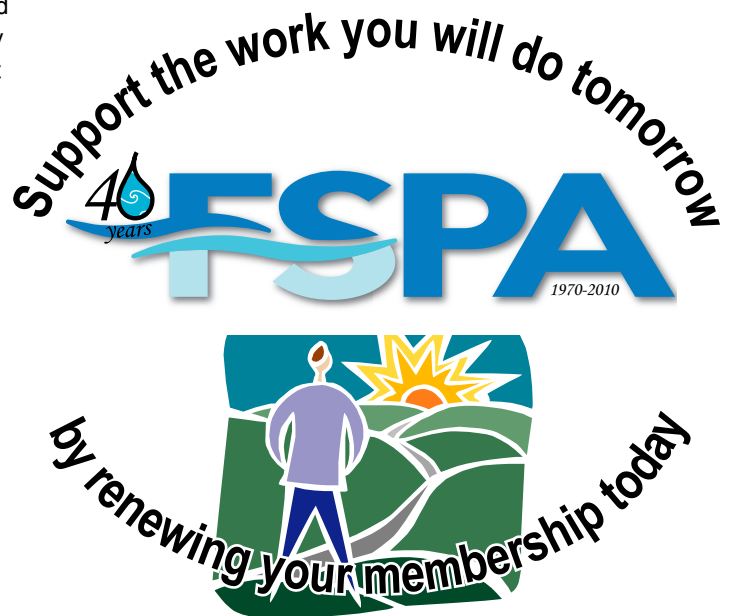
The region office was originally a payroll office to facilitate the hiring and record keeping associated with the part-time Chapter Executive Directors. Now it is where most of the action happens. The tradeshow, Board meetings and swim meet are planned there; the administration of continuing education for the show and chapter meetings is handled; information is disseminated to members via print, Web and E-newsletters; and membership management is performed.

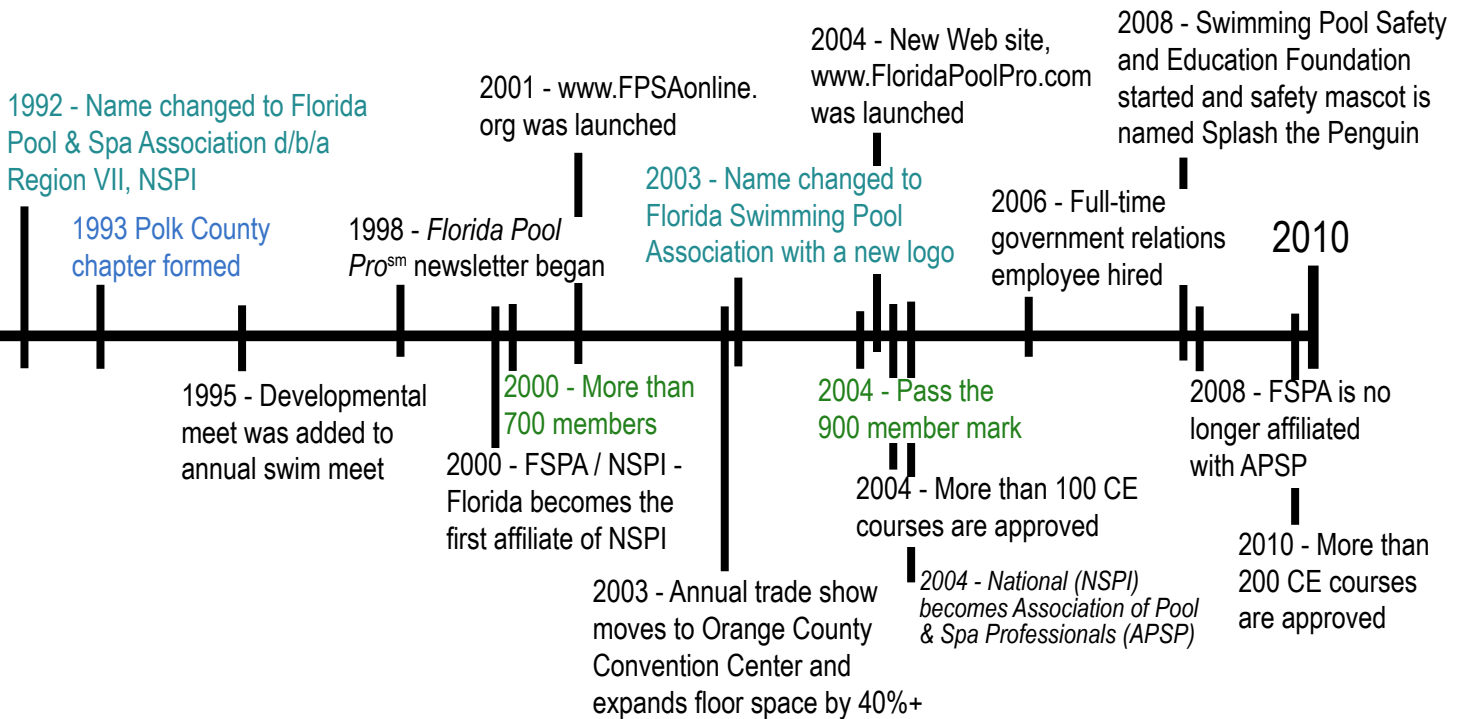
If you are newer to the Association, get to know it a little better by looking at this brief history. If you have been a part of the Association for a while, reminisce about the good times you have had. But, everyone can look at how the timeline will continue and what the new marks of accomplishment will be; how they will support the Association and what good memories will be added. Take a look at some of the noteworthy items on this timeline and think about what each one has meant in the long run for the Association and for the benefit of your company.

Great things have happened and they

will continue to happen with the constant support and commitment of industry members.

Two companies that joined in 1971 have renewed their membership every year since and should be commended: All-Pool Service & Supply and Triangle Pool Service. Each of these companies, even as the decision makers may have changed, saw the value of membership. They can say they didn't sit back and let the pool industry form around them, but they made the pool industry form with them.





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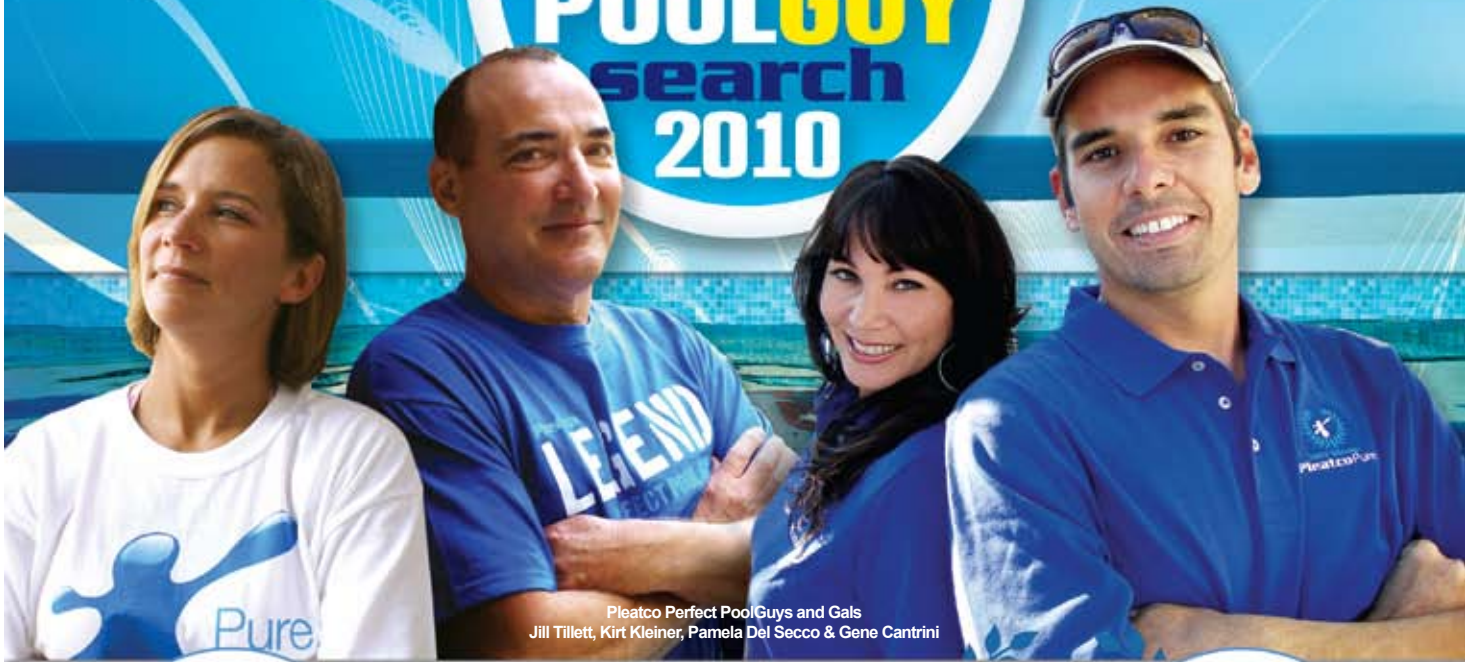
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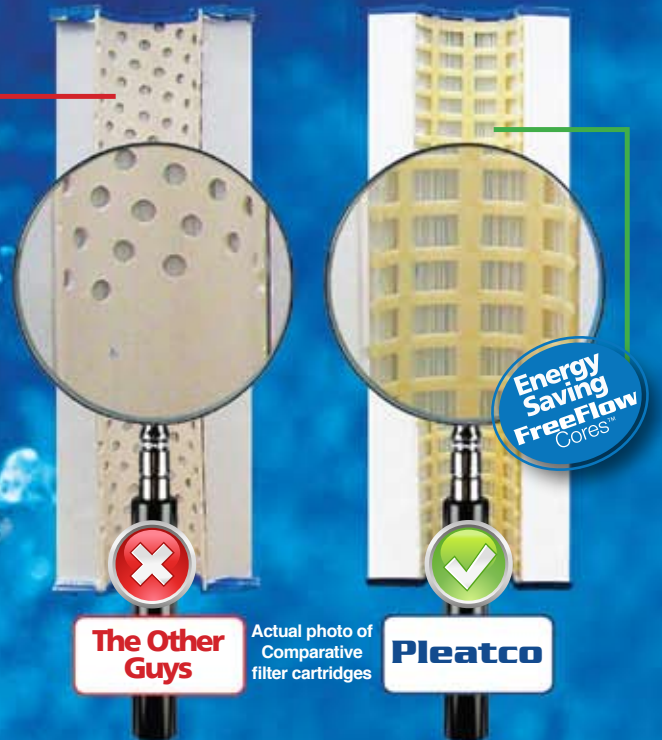
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# 2010 legislative session recap

By Kari Hebrank, FSPA Lobbyist

The 2010 Regular Session came to a close just before 9:00 p.m. on April 30 with the passage of 301 bills. Issues that failed to reach final passage include affordable housing, Medicaid program revamping, PSC reform, teacher merit pay (vetoed), renewable energy portfolio standard and an elimination of the ban on off-shore oil drilling.

**Budget:** The Legislature debated and finally approved a \$70.4 billion budget in the final hours of the session, with the hopes of another \$730 million from Congress through the Federal Medical Assistance Program (FMAP). The budget includes a \$1.22 million increase for education, increased tuition for college students, and rate reductions for hospitals, nursing homes and hospices. The Legislature preserved KidCare, Medically-Needy and Medicaid and tucked \$1.4 billion into reserves. Trust fund sweeps totaled \$507 million, including \$160 million from the State Transportation Trust Fund and \$148.4 million from the Affordable Housing Trust Fund. The recently-approved gaming compact with the Seminole Tribe pumped another \$437 million into the state coffers.

**Unemployment Compensation:** A priority for FSPA, the Legislature passed and the Governor signed legislation (H.B. 7033 by Rep. Murzin, Rep. Carroll; S.B. 1666 by Sen. Garcia) on the first day of session that delays the increase in the unemployment compensation tax for two years and delays the increase in taxable wages from the current \$7,000-\$8,500. Additionally, S.B. 1736 by Sen. Garcia also passed which will bring Florida \$30 million in extended unemployment compensation benefits—covering 42,000 unemployed Floridians whose coverage is expiring.

**STATUS:** H.B. 7033 was signed into law on March 2. S.B. 1736 was sent to the governor on May 11 and he has until May 26 to approve or veto the bill.

**Residential Fire Sprinklers:** S.B. 846 by Sen. Bennett (H.B. 7095 by Rep. Schenck) prohibits incorporation of mandatory residential fire sprinkler provisions into the Florida Building Code and prevents local governments from imposing sprinkler requirements on residential resort rentals.

S.B. 846 passed the Senate unanimously and the House by a vote of 111-3.

**STATUS:** S.B. 846 has not yet been sent to the Governor.

**Building Code:** FSPA's energy initiative passed in the omnibus building code bill, H.B. 663 by Rep. Aubuchon (S.B. 648 by Sen. Bennett). H.B. 663 passed the House on a 111-3 vote and the Senate unanimously. FSPA's provisions amend the temporary period that a pool pump motor's default circulation speed is allowed to be on high speed override from the current 120 minutes to a 24-hour standard; clarify the energy efficiency provisions that apply to commercial and residential swimming pool heaters and residential pool pumps and pool pump motors; and add "manufactured on or after July 1, 2011," rather than the current "sold after July 1, 2011" as to the effective date for the new efficiency standards. (See article on the front page for more details on pool energy provisions.) Other key provisions of H.B. 663 include:

- Creates a streamlined product approval process;
- Provides an expedited process for fire code interpretations;
- Provides for equivalency code standards to be incorporated expeditiously rather than delayed for the three-year code cycle;
- Grants rule authority for Florida Building Commission to establish voting requirements, such as super majority, for commission actions;
- Adds the International Association of Plumbing & Mechanical Officials to the statutory list of approved evaluation services;
- Specifies product approval fees solely fund product approval system and authorizes commission to charge fees for other commission functions, i.e., accessibility waivers, non-binding interpretations, etc.
- Revises the building permit surcharge calculation to provide consistency and adequate funding for the Building Code Administrators & Inspectors Board and the Florida Building Commission;
- Revises provisions relating to elevators and alarm systems for certain

condominiums;

- Includes provisions relating to the regulation of home inspectors, mold assessors and mold remediators (similar to HB 713)

**STATUS:** HB 663 was sent to the Governor on May 17 and he has until June 1 to approve or veto the bill.

**Energy(Solar)/Wind-Resistance:** Legislation referred to as "PACE" --which stands for Property Assessment Clean Energy--authorizes local governments to finance energy efficiency, renewable energy or wind-resistance property improvements with non-ad valorem tax assessments and create energy improvement districts funded by non-ad valorem tax assessments or bonds. H.B. 7179 passed the House 114-0, was amended in the Senate to create the Energy, Technology & Economic Development Guaranty Fund and an Energy Economic Zone Pilot Program. H.B. 7179 passed the Senate by a 31-4 vote and was sent back to the House for approval in the final minutes of the session by a vote of 119-0.

**STATUS:** H.B. 7179 was sent to the governor on May 17 and he has until June 1 to approve or veto the bill.

**DBPR Package/Home Inspectors/Mold Remediators:** H.B. 713 by Rep. Workman (S.B. 1330 by Sen. Fasano) amends several provisions to the regulation of home inspectors/mold remediators in response to workshops that were conducted by the Department of Business & Professional Regulation (DBPR) last fall.

H.B. 713 defines "home inspection," eliminates the certificate of authorization for companies, grants authority for applicants to take the licensure examination without having to obtain department approval, requires a criminal history check for applicants seeking home inspector licensure, and grants authority for disciplinary action for failure to meet standards of practice adopted by the DBPR.

The bill precludes home inspectors, or home inspector businesses, from performing, or offering to perform, repairs to a home on which the home inspector or business prepared a home inspection report.

*Continued on page 12*

# Tax incentives now available for hiring the unemployed

By Jennifer Hatfield, Director of Government & Public Affairs

On March 18, 2010 President Obama signed into law the Hiring Incentives to Restore Employment (HIRE) Act of 2010. This Act provides two new tax incentives for employers who hire and retain unemployed workers:

Employers who hire unemployed workers this year (after Feb. 3, 2010 and before Jan. 1, 2011) may qualify for a 6.2-percent payroll tax incentive, in effect exempting them from their share of Social Security taxes on wages paid to these workers after March 18, 2010.

- This reduced tax withholding will have no effect on the employee's future Social Security benefits, and employers would still need to withhold the employee's 6.2 percent share of Social Security taxes,

as well as income taxes

- The employer and employee's shares of Medicare taxes would also still apply to these wages.

It is important to understand that for this incentive to apply, the newly hired employee must have been out of work for 60 days prior to being hired with an allowance for a total of 40 hours work over that period. The law requires that the employer get a statement from each eligible new hire certifying this fact and the IRS is currently developing a form that can be used to make the required statement.

The second tax incentive offered is that for each worker retained for at least a year, businesses may claim an additional

general business tax credit, up to \$1,000 per worker, when they file their 2011 income tax returns.

As these tax breaks are meant to raise the employment level, a new hire may not fill an existing position unless that employee left on their own or was fired with cause. Hiring a family member or any relative also doesn't qualify for this break.

This law is good news for those in the industry currently out of work and for the employers seeing an uptick in business but who are still hesitant about hiring. These incentives might have come just at the right time – for additional information please consult your accountant or attorney.

## THE SCOOP ON SERVICE

# The other day I heard it again, "I got beat by price."

By Steve Bludsworth, All-Pool Service and Supply

The other day I heard it again, "I got beat by price."

Other industries have faced and defeated the same problem with successful analysis and long-term changes. When the big box stores of the home improvement industry opened up, many small hardware stores feared the worst; how could they survive facing the buying power of an international competitor? Many closed, but others pulled up their boot straps and met the challenge head on and survived.

Ace Hardware is a prime example of this. When you walk into one of their stores several, not just one, sales associates personally greet you at the door and ask how they can help. They walk you to the location of the item you are looking for, find it, and ask if there is anything else they can help you with. They proudly say, "Thank

you," before walking you to the register. The person at the register says, "Did you find everything today?" and asks if you have an Ace rewards card, then proudly thanks you again for shopping with them. There are no self-service checkout lanes, no unattended scanners. Their strength is plain and simple; honest, old fashioned personal service.

What do you have to offer your customers? How about half an hour of your time to present a written assessment of their pool? In a clean shirt and pants, show your knowledge about new features that could be added, not in a sales pitch but in an information session. Manufacturers have literature you can leave with the pool owner to review later, or you can use copies of *Florida Pool Pro*<sup>sm</sup> articles written by your peers. Our industry has energy efficient

pumps, new safety drain covers, heating that qualifies for a 30 percent federal tax credit and there is more. Leave price out until the issue comes up; you are there to show the value of why they have you doing their service and not some unlicensed, uneducated, uninsured non-professional taking care of their backyard center of fun.

Understand you cannot compete with low price and no customer service, and there are plenty of people willing to pay for that formula. But, there are more and more people willing to pay for quality service at a fair price if they perceive they are getting something of value for their hard earned money. Every time you see your client, don't forget to confidently look them in the eye, firmly shake their hand and proudly say, "Thank you."

## 2010 legislative session recap

*Continued from page 10*

However, H.B. 713 exempts construction contractors who are certified as a general contractor, building contractor or residential contractor from this prohibition against performing repairs to a home on which the home inspector prepared a report. Note: this exemption provision is NOT included in H.B. 663. The bill precludes home inspectors from inspecting any property in which the home inspector, or the home inspector's company, has a financial interest.

H.B. 713 outlines new grandfathering requirements and specifies grandfathering applications must be postmarked no later than March 1, 2011. The bill prohibits enforcement of unlicensed activity by home inspectors until July 1, 2011, and grants broad rule making authority of the DBPR to adopt rules to administer the program. HB 713 makes similar changes to the mold-related services licensure program.

Other relevant provisions of H.B. 713 include:

- Authorizes the department to call a licensee's last telephone number of record and publish in a newspaper if service via mail is unsuccessful;
- Authorizes an interagency agreement with the Department of Highway Safety and Motor Vehicles for access to photographic records for inclusion on department licenses;

- Creates a temporary professional license for spouses of active duty members of the Armed Forces of the United States who have been assigned to a duty station in Florida;
- Requires that if the department determines that a license was erroneously issued, or a license is revoked, the licensee must surrender his or her license to the department; and
- Prohibits an examinee whose examination materials were confiscated based upon suspicion of theft or unlawful reproduction of exam materials from taking another exam until conclusion of the criminal investigation.

**STATUS:** *HB 713 was sent to the governor on May 17 and he has until June 1 to approve or veto the bill.*

**Automatic Service Renewal:** H.B. 751 by McBurney (S.B. 1332 by Justice) requires clear and conspicuous disclosure of automatic renewal provisions in service contracts if the provision renews the contract for longer than one month and if the provision extends the contract beyond six months from the date of the initial contract. If the service contract is 12 months or more, and if the contract automatically renews for a period of more than one month, the provider must notify the consumer, in a clear and conspicuous manner, of the renewal and

how to cancel the renewal at least 30 days prior to but no more than 60 days before the renewal deadline. The contract renewal is effective until the consumer terminates the service contract and the consumer must notify the seller of his or her intent to terminate the contract. FSPA had amended the bill to exempt Chapter 489 and also to provide a waiver for consumers to opt-out of the notice requirement; however, the amendments were stripped off the Senate bill on the Senate floor. H.B. 751 passed the House 111-0 and the Senate 33-1.

**STATUS:** *H.B. 751 was approved by the governor on May 11; Chapter No. 2010-58.*

**Design Professionals Liability:** S.B. 1964 by Sen. Negron (H.B. 701 by Precourt) fixes two court decisions that found even when there is a contract design professionals are not limited to contractual liability. S.B. 1964 limits design professionals' liability and states there is no cause of action in tort, that there are no claims outside breach of contract and that a design professional is still liable for economic damages. S.B. 1964 passed the Senate 33-4 and the House 111-2.

**STATUS:** *Not yet sent to the Governor.*

**Economic Development—Jobs Bill:** Legislation aimed at creating jobs for Floridians passed the Legislature. SB 1752 by Sen. Gaetz (H.B./ 1509 by Rep. Weatherford) is a \$50 million comprehensive bill that includes provisions for the space industry, marina industry, aircraft industry and manufacturing; provides several business tax exemptions and tax credits; and addresses several other economic development statutes in order to stimulate the state's economy. The bill also reduces regulatory impediments on businesses seeking permits or extensions of development orders, including extending building permits for another year. S.B. 1752 passed the House 117-0, was amended in the Senate and passed 39-0 and then returned to the House where it was approved 115-0.

**STATUS:** *Not yet sent to the Governor. Economic impact review conducted on May 14.*

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*Continued on page 13*

**Recycling/Construction & Demolition Debris:** H.B. 7243 by T. Williams (S.B. 570 by Constantine) directs Enterprise Florida and the Department of Environmental Protection (DEP) to create the Recycling Business Assistance Center to coordinate between state agencies and the private sector to facilitate new markets for recyclables. The bill requires all levels of government and public schools to report their recycling rates on recyclable materials and includes recycling benchmarks that must be reached by the year 2020. Businesses are encouraged to report their recycling rates and counties must implement programs for recycling construction and demolition debris (C & D). H.B. 7243 requires reporting of processed C & D debris, and if economically feasible, all C & D debris are to be processed prior to disposal. The Department of Management Services must also track the state's purchases of green and recycled materials and the recycling rates of the capitol and buildings included in the state pool. H.B. 7243 also directs the Florida Building Commission to encourage recycling, composting and the use of recyclable materials. H.B. 7243 passed

the House unanimously and the Senate by a vote of 36-0.

**STATUS:** *H.B. 7243 was sent to the governor on May 17 and he has until June 1 to approve or veto the bill.*

**Chinese Drywall/Property Values:** H.B. 965 by Rep. McKeel (S.B. 2160 by Sen. Storms) requires the property appraiser to adjust the assessed value of affected single-family residential property by taking into consideration the presence of imported drywall and the impact it has on the assessed value. If the building cannot be used for its intended purpose without remediation or repair, the value of the building shall be \$0. If the affected property is homestead property, it will not be considered abandoned if the owner vacates the property during repairs and does not establish a new homestead. HB 965 contains a provision that the law will be repealed on July 1, 2017, unless reviewed and reenacted by the Legislature before that date. H.B. 965 passed the House 106-0 and the Senate by a vote of 37-0.

**STATUS:** *H.B. 965 was sent to the Governor on May 17th and he has until June 1st to approve or veto the bill.*

#### BILLS THAT FAILED TO PASS

**Arbitration:** FSPA successfully prevented an amendment that would have mandated an independent arbitrator for all industry arbitration programs from being added to any legislation.

**Lien Law:** S.B. 1048 by Sen. Baker was supposed to streamline the lien law notification process on residential construction projects and although S.B. 1048 passed the Senate, the companion (H.B. by Rep. Plakon) was never heard in a House committee so the bill died in Messages.

**Affordable Housing:** H.B. 665 addressed several issues relative to affordable and workforce housing and removed the cap on the Affordable Housing Trust Fund; however, a controversial amendment relating to an exemption from certain permitting requirements for a development in Palm Beach County was added to the bill in the Senate. The House refused to concur with the amendment and the Senate refused to recede, ultimately killing the bill. Fortunately, the Legislature did appropriate \$37.5 million in down-payment assistance for single-family homes.

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# Energy efficiency regulations - Be prepared for 2011

*Continued from front page*

July 1, 2011. Products manufactured before the July 1, 2011 date can still be sold; however, per the 2010 proposals to the 2010 Florida Building Code, selling and installing the older, less-efficient products will most likely not be allowed beginning December 31, 2011.

- Note that the pool heating requirements within the original legislation are already required per either the Florida Building Code or federal Department of Energy regulation.
- Clarifies that the new pump and pump motor requirements were only for residential filtration pumps and pump motors. Commercial pool pumps and motors do not fall under these new requirements, neither do residential pumps and pump motors that are not used for filtration purposes, i.e. special water feature pumps.
- Amends the temporary period that a pool pump motor's default circulation speed is allowed to be on high speed override from the current 120 minutes to 24 hours – this change was made to be consistent with California regulations and the proposed APSP energy standard.

This language was successfully amended onto H.B. 663 by Rep. Aubuchon and S.B. 648 by Sen. Bennett; the 2010 session's all encompassing building code legislation. H.B. 663 passed the House on a 111-3 vote and on the last day of the 2010 legislative session, it passed the Senate unanimously. The bill is on its way to the governor for his signature. The governor can veto H.B. 663, but at this time there is no indication he will do so, this piece of legislation has many pieces vital to the construction industry (for details regarding other provisions of the bill see the session recap on page 10).

It is also critical to understand that this legislation is only part of the impending new energy requirements. The Florida Building Commission put together a Pool Energy Workgroup that concluded additional code regulations needed to be developed in order to implement the legislative requirements. FSPA submitted the

workgroup's recommendations, along with additional FSPA recommended changes, as 2010 code changes. Here are the submitted code changes:

- Revise the 2009 International Energy & Conservation Code language to include the Florida legislative pool/spa requirements.
- Insert the draft APSP-15 Standard for Energy Efficiency for Residential Inground Swimming Pools and Spas as an appendix document that provides additional details on complying with the energy efficient requirements.
- Insert the draft APSP-14 Portable Spa Energy Efficiency Standard as an appendix document that provides additional details on complying with the spa test formula found in the legislation.
- Remove the current pool cover requirement except for portable spas; they must still have a cover with an insulation value of R-12.

These code changes will be vetted at the August FBC meeting in front of the Energy TAC. These code submittals do not change any of the legislative requirements; they serve to provide contractors with additional guidance. Most important to

recognize is that any pool and spa energy code changes adopted into the 2010 Florida Building Code will go into effect December 31, 2011. Therefore, if HB 663 is signed into law and the Florida Building Commission adopts the submitted code changes, the following are important dates to remember:

- July 1, 2011: Manufacturers sending products into Florida must comply with the new legislative regulations.
- December 31, 2011: Contractors can only install products that comply with the new regulations.

FSPA recognizes that various questions still exist in anticipation of these changes. At the upcoming June Board meeting the FSPA Energy Committee will have an open discussion to address these questions and work to provide guidance to all segments of the industry. Within the next year updates will continue to be provided to alert the industry and consumers of new developments regarding the pending changes, answers to questions posed will also be compiled and distributed. Additionally, development of CE courses on this subject matter has already begun. For questions please contact: Jennifer@floridapoolpro.com

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## INSURANCE UPDATE

# Workers' Compensation and the construction industry - Got coverage?

by Debra Tomaselli, CPCU, ARM, Insurance by Ken Brown, Inc.

Florida State law offers specific requirements regarding how many employees a business must have before being required to carry workers' compensation coverage. The rules differ, depending on whether you operate as a corporation, LLC, individual or sole proprietor, the number of employees and whether your organization is classified as construction or non-construction. In this article, we'll discuss a scenario for construction businesses.

When Stan the pool builder subbed out rebar work to Paul, he never expected Paul to hurt his back on the job. Even more surprising was when Paul submitted a bill for the medical services. "I shouldn't have to pay this!" Stan protested. "He's not even an employee of mine. He's a subcontractor!"

Is Stan right? Could he be held responsible for a subcontractor's injury? First, let's see if Stan is required to obtain workers' compensation.

First and foremost, an employer in the construction business who employs as

little as one part-time or full-time employee is required to carry workers' compensation. Furthermore, any individual, including officers of a corporation and members of a limited liability company, including partners and sole proprietors, is considered an employee. (In the construction industry only, members of a limited liability company are considered corporate officers.) Corporate officers may elect to exempt themselves from coverage requirements.

So if Stan the pool builder is operating as a sole proprietor, Stan should have his own workers' compensation policy in place.

If however, Stan incorporates his pool construction business, he may file an election to be exempt from coverage. This exemption would remove Stan's requirement to carry workers' compensation, provided he has no other employees.

Difficulties arise with the use of subcontractors. A construction industry contractor must obtain proof of workers'

compensation insurance or an exemption filing from each subcontractor before the work begins. In the absence of such paperwork, the subcontractor is considered an employee (from a workers' compensation standpoint). Without proper documentation, the contractor becomes responsible for any job-related injuries incurred by the subcontractor and its employees.

In other words, when Stan the pool builder subbed the rebar work to Paul, Stan should have immediately obtained either a certificate of insurance or an exemption filing from Paul, his subcontractor. If Stan didn't, he may indeed be liable for the unexpected medical bill of his subcontractor.

It is important to pay attention to detail when obtaining workers' compensation insurance, filing exemptions, and updating certificates of insurance and exemption filings from your subcontractors. If you have any questions, contact your agent for clarification.

## Do your company vehicles carry chemicals?

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FSPA members pay **only \$75/year** for live MSDS request telephone **assistance 24-7-365**. That means you have professional guidance, they can dispatch emergency responders and can provide access to professionals for any medical concerns related to exposure.

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|----------------------------------------------------------------------------------------------------------------------------------------------|------|------|-------|------|
| CILB Credit courses for State license renewal                                                                                                | √    |      |       | √    |
| Local regulations - continuous monitoring and participation                                                                                  | √    |      |       | √    |
| State legislation & regulation - continuous monitoring and active participation including CILB, FBC and Dept. of Health                      | √    |      |       | √    |
| Federal legislation & regulation - continuous monitoring and active participation with ICC and standards organizations including ANSI & ASTM | √    | √    |       |      |
| Active cooperation with Building Officials Association of Florida, Construction Coalition, DOH Office of Injury Prevention                   | √    |      |       | √    |
| MSDS - OSHA compliance program (Hazmat)                                                                                                      | √    | √    |       |      |
| Weekly E-newsletter focused on issues facing Florida                                                                                         | √    |      |       |      |
| Code of Ethics                                                                                                                               | √    | √    |       |      |
| Monthly newsletter focused on issues facing Florida professionals                                                                            | √    |      |       |      |
| Web site with find-a-member search capabilities for consumers, Chapter Web pages and a continuously updated resource for members             | √    | √    |       |      |
| Insurance programs paying cash dividends to FSPA members                                                                                     | √    |      |       |      |
| Health insurance and employee benefit programs                                                                                               | √    |      |       |      |
| Safety brochures for members to give consumers                                                                                               | √    | √    | √     |      |
| Produce and manage pool and spa industry trade show in Florida                                                                               | √    |      |       |      |
| Arbitration program for alternative dispute resolution                                                                                       | √    |      |       | √    |
| Profit recovery/ debt collection Program (fixed fee avge. less than \$10/ account)                                                           | √    |      |       |      |
| Background checks program                                                                                                                    | √    |      |       |      |
| E-mail marketing program                                                                                                                     | √    | √    |       |      |
| Scholarships for college students whose parents work for member companies                                                                    | √    |      |       |      |
| Award recognition of excellent pools and spas                                                                                                | √    | √    |       |      |

*\*FSPA dues and fees no longer include membership in APSP.*

## Attention contractors with workers' comp exemptions

If you have a workers' compensation exemption that is coming up for renewal be aware of All Florida Firm. This company contacts businesses with official-looking mail saying they will help expedite your renewal for a \$50 fee per exemption. This company simply fills out the paperwork which you can do yourself for free. You will also have to pay the state \$50 per exemption renewal.

This company also tries to become your registered agent. This means they would receive all your legal mail and would charge you for this service. If you have any questions about how to renew call 1-800-940-1543 or 321-397-3870.



*Bowling Tournament First Place winner - Van Kirk and Sons: Penny Magum, Allen Trimmell, Andy Klug and Dale Miller*



*Bowling Tournament Second Place winner - Shamrock Pools*



*Bowling Tournament Third Place - SCP*

## CHAPTER NEWS

### Broward

Chapter Coordinator: Michelle D'Aiuto  
(866) 930-3772  
FSPABroward@FloridaPoolPro.com  
www.FSPABroward.com

On April 25 the Broward Chapter annual bowling tournament was as competitive as ever with **Van Kirk and Sons**, defeating **Shamrock Pools** for the championship. The Van Kirk and Sons team was led by **Allen Trimmell** who was also this year's high bowler with an average score over 200 for the day. Good job, Allen. Special thanks to **Rick Myers, AquaCal - AutoPilot**, and **Brian Kelly, Shamrock Pools**, for helping with this event, and thanks to all of the bowlers for participating this year, the sore shoulders and muscles should subside by next year and we look forward to seeing you then.

Thank you to **HornerXpress** for hosting our Big E Meeting on May 18. Topics included "How to Become a More Energy Efficient Business Owner" and "The Myths & Truths About the Go Green Shift." Featured speakers were **Misty Knight, Zodiac Pool Systems; Rick Myers, AquaCal - AutoPilot; Nestor Reyes, Pentair Water Pool and Spa; Danny Schiffman, Zodiac Pool Systems; and Brian Swinford, Gunn Sales**. Great ideas for all of our Chapter members were shared.

The FSPA Broward and Palm Beach Chapters are conducting a government relations program and dinner. Join us June 24 at the Pavilion Grille in Boca Raton. You can find out more information and register for this event at [www.FSPABroward.com](http://www.FSPABroward.com)

Our annual Fishin' Mission will be held August 29. Please contact Michelle D'Aiuto if you would like to be a sponsor



*High bowler - Allen Trimmell, Van Kirk and Sons*

at [michelle@floridapoolpro.com](mailto:michelle@floridapoolpro.com) or 1-800-548-6774.

All FSPA members are invited to attend state committee meetings and Board meetings. Join us June 18 and 19 in Sarasota at the Lido Beach Resort. Be sure to check the Web site [www.floridapoolpro.biz](http://www.floridapoolpro.biz) for more information.

The Broward Chapter is always looking for members who want to make a difference in our industry. Please contact the Chapter Coordinator with any questions or ideas.

Please report any unlicensed activity! The Department of Business and Professional Regulation are happy to investigate any reports. Please call our Chapter Coordinator Michelle D'Aiuto or **Steve Schaefer, Coastline Pools**, at (954)742-3316 for information on the proper filing of a report.

### Central Florida

Chapter President: Steve Bludsworth  
(800) 416-6774  
FSPACentralFlorida@FloridaPoolPro.com  
[www.FSPACentralFlorida.com](http://www.FSPACentralFlorida.com)

The Chapter was asked to assist with some maintenance problems with the pool the Chapter previously built at the Children's Safety Village. A no-drain acid was done, the hand rail was cleaned up and a new heat pump was installed. Thanks to the following companies for helping with this project: **All-Pool Service and Supply, Superior Solar Systems, AquaCal and Sunsational Pool Systems**.

The Chapter held a Builders' Council meeting April 28 and had eleven members in attendance. The state Board meeting and Legislative Days, code proposals, and energy proposals were reviewed. Roy Edne, Chief Building Inspector, was present from the City of Orlando and reviewed the inspection procedures of a typical pool. These procedures were discussed and we made recommendations to improve the system. Our recommendations were welcomed and the inspector is going to take them back to the building department.

## Charlotte Harbor

Executive Director: Andy Mallison  
(800) 569-6774 Ext. 11

FSPACharlotteHarbor@FloridaPoolPro.com  
www.FSPACharlotteHarbor.com

Many thanks to **Rich Tarricone, Aquatic Pool Systems**, for his one hour CE presentation to the Chapter titled "Water Chemistry for Aggregate Pool Finishes" (CILB course #0009893, one hour, meets general requirement, FPSA d/b/a FSPA; providership #0000917).

The June Chapter membership meeting will be on Tuesday, June 8 at Visani's Restaurant on Kings Highway. The meeting will feature instructor Randy Dukes, Tech Lines, Inc., teaching a one hour CE presentation, "Understanding the Cost of Start Ups" (CILB course #0608025, one hour, meets general requirement, FPSA d/b/a FSPA providership #0000917).

The June Chapter Board of Directors meeting will be held at 4:30 p.m. on Wednesday, June 23 at 258 Bangsberg Road, Port Charlotte.

The Charlotte Harbor Chapter is continuing its six-week Cornhole Tournament Series (spread over six months) in Charlotte County. The cost to enter the series is \$25 per team of two. Sponsorships are available to anyone and are \$200 per cornhole box set, which is used for the entire series. You can look for further updates on Facebook. The fourth part of the series will be held on Sunday, June 27. Registration begins at noon and the tournament will start at 1:00 p.m.

## East Central Florida

Executive Director: Lynn Hecklinger  
(386) 673-0038

FSPAEastCentralFlorida@FloridaPoolPro.com  
www.FSPAEastCentral.com

The East Central Florida Chapter is once again offering a required CE course to members and non-members alike. On Wednesday evening, June 16, we will return to Our Deck Down Under in Port Orange for a Board meeting, membership meeting and "Workplace Safety" (CILB course #0006954, ECLB course #0007553, BOLA course #0008597, one hour, meets workplace safety requirement, FPSA d/b/a FSPA, providership #0000917). The instructor is **Jonathan Parker, Amerisure**



*FSPA East Central Florida Chapter sharing safety materials at the Run for those Who Can't 5K.*



**Insurance.** This is the last CE course and the last meeting before the Chapter's summer hiatus.

On May 8, the Chapter observed National Water Safety Month in a unique way – a table was sponsored at a 5K beach run/walk in Daytona Beach Shores. "The Run for Those Who Can't" event was sponsored by Volusia County and its lifeguard division with proceeds providing beach access for disabled individuals. It was a great opportunity to distribute water safety literature, children's coloring books and toy penguins to the beach run attendees and participants. Everyone – young and old – loved Splash the Penguin! The Chapter wants to thank Board member **Denise Craver, Aqua Clear Pools and Spas, Inc.**, for making the arrangements for the Chapter's participation in this event.

## Florida Gulf Coast

Executive Director: Mitch Brooks  
(800) 569-6774 Ext. 12

FSPAFloridaGulfCoast@FloridaPoolPro.com  
www.FSPAGulfCoast.com

The Chapter is looking for a few volunteers! The Chapter Board of Directors is seeking members to be active on the local Board and participate with issues with government relations, the Builders' Council and the Service Council. Contact Executive Director Mitch Brooks for information.

## Florida West Coast

Executive Director: Malinda Howard  
(727) 638-6072

FSPAFloridaWestCoast@FloridaPoolPro.com  
www.FSPAWestCoast.com

The Chapter Board of Directors met at noon on Tuesday, May 4 at **Belleair Pool Supply**. Thank you to **Fred Horowitz, Pentair Water Pool and Spa**, for sponsoring the luncheon. The next Board of Directors meeting will be held at noon on Tuesday, June 1 at Applebee's, 5110 East Bay Drive, Clearwater (Tri City Plaza). Remember that any Chapter member can sit on the Board of Directors and every member is encouraged to attend Board meetings. Our Board of Directors meetings are usually scheduled for the first Tuesday of the month but please call or e-mail the office if you plan to attend.

The Florida West Coast Chapter held its Annual Golf Tournament on Saturday, May 8 at The Eagles Golf Club of Tampa Bay in Odessa. There were 15 teams with a total of 56 golfers. The Chapter would like to especially thank the sponsors and volunteers who helped make this event such a success: **A Pool's Best Friend, AmeriGas Propane, AquaCal, Belleair Pool Supply, Flagstone Pavers, Florida Leak Locators, Gorman Company-Clearwater, Gorman Company-St. Pete, Hayward Pool Products, HornerXpress, Insurance by Ken Brown, Jack's Magic Products, Larry Ahern-Candidate, Paver Source, Pentair/Sta-Rite, Rick's Pool Service, SCP Distributors, Solar Source, The Pool Works of Pinellas County, Zodiac Pool Systems**, Tournament Chairman **David Oxley**, Chapter President **Brian Gangelhoff**, and volunteers **Ian Ferguson, Marcus Howard, Annie Marquis** and **Helen Daniels-Twinam**. Congratulations to the first place team from Pip's Pool, Inc. – Matt Pippin, Jim Ronecker, Corey Heffernan and Kevin Slattery. Matt Pippin also won longest drive, and Corey Heffernan also won closest to pin. Thank you to everyone who participated.

The Chapter is sponsoring a Government Relations program on Tuesday, June 22 at Ruth Eckerd Hall-Great Room, 1111 McMullen Booth Road, Clearwater. We are pleased to announce that Senator Mike Fasano will be the keynote speaker. The social will begin at 5:30 p.m. and the program will start at 6:00 p.m. Heavy hors

d'oeuvres and dessert will be served. The cost is \$20 per person. Please plan to attend this important event and meet some of our local senators and representatives. Call or e-mail the Chapter office for reservations or additional information.

Kick off your Independence Day celebration by joining the Florida West Coast Chapter for a night at the ballpark on Saturday, July 3 at Bright House Field in the Big Shark Café. Come watch the Clearwater Threshers play the Lakeland Tigers in a luxurious covered group area with padded seats. The gates open at 5:00 p.m. and the game starts at 6:30 p.m. Tickets are \$20 for adults and \$16 for children ages 5-12. Included in the admission cost is three hours (5:00 p.m. – 8:00 p.m.) of all-you-care-to-eat hot dogs, hamburgers, cheeseburgers, pulled pork sandwiches, baked beans, ice cream sandwiches, chips, peanuts, cookies, soft drinks and bottled water. Also, 16 oz. draft beer is just \$2 from 5:00 p.m. - 8:00 p.m. Post-game fireworks show included! Call Chapter Executive Director Malinda Howard for ticket information.

## Manasota

Executive Director: Andy Mallison  
(800) 569-6774 Ext. 11  
FSPANasota@FloridaPoolPro.com  
www.FSPANasota.com

The May Chapter Board of Directors Meeting will be held on Tuesday, June 8 in the FSPA state office boardroom in Sarasota beginning at 11:45 a.m.

A Chapter BBQ and Cornhole Tournament is being planned for Saturday, July 24 in Venice. Volunteers to serve on the committee are welcome. Information to sign up to participate will be sent to industry members. The event will be from 11:00 a.m. to 3:00 p.m.

## North Central Florida

Chapter Coordinator: Michelle D'Aiuto  
(866) 930-3772  
FSPANorthCentralFlorida@FloridaPoolPro.com  
www.FSPANorthCentral.com

The next Chapter and Board of Directors meeting will be held on June 9 in Ocala at Ruby Tuesday's beginning at

6:30 p.m.

All FSPA members are invited to attend state committee meetings and Board meetings. Join us June 18 and 19 in Sarasota at the Lido Beach Resort. Be sure to check the Web site [www.floridapoolpro.biz](http://www.floridapoolpro.biz) for more information.

The North Central Chapter is always looking for members who want to make a difference in our industry. Please contact the Chapter Coordinator with any questions or ideas.

## Northeast Florida

Chapter President: John Garner  
State office: (866) 930-3772  
FSPANortheastFlorida@FloridaPoolPro.com  
www.FSPANortheast.com

It's summer! The weather has finally changed and we are hearing from most of our members that the phones are ringing again!

The Annual Northeast Chapter Golf Tournament was held April 23 at The Champions Course at Julington Creek. We couldn't have asked for a more perfect day to play golf. We had 68 golfers who participated in this event. Thank you to our many sponsors: **Amerisure Insurance** donated 60 sleeves of golf balls, **AquaCal-AutoPilot** along with **HornerXpress** donated a heat pump for the silent auction, **American Leak Detection** was the Breakfast Sponsor, Old Castle Coastal was the lunch sponsor, **SCP Distributors** was a Beverage Cart Sponsor, and **Paradise Pool Service** was a Beverage Cart Sponsor.

A great breakfast and loads of coffee got the morning going for a shotgun start. Throughout the day the sponsored beverage carts provided liquid refreshments for the group of golfers, as well as the volunteers. A hungry group descended on the grill for fresh cooked hamburgers, hotdogs and all the fixings for lunch.

Thank you to our other sponsors for their generous donations that helped make this tournament such a success: Bozard Ford, **Devin Cahn Associates**, **Florida Stucco**, **Hayward Pool Products**, Holiday Inn Town Center, Hookey Hamilton Photographer, **Insurance by Ken Brown**, Intermatic, Karen Ewing/ReMax Realtors, Natural Chemistry, **Pool Barrier, LLC**, **David Pruette Electrical Services**, **Paul**

**Roth with Roll-A-Way Protective Pool Fence, Gorman Company, Raypak/Rheem, SCP Distributors, Surfside Pools, Swimcraft Pools & Spas, Superior Design Pools**, The Champions Course at Julington Creek and **Zodiac Pool Care/Jandy**.

A big thank you to our volunteers: **Susan Landregan, HornerXpress; Lindsey Landregan, Beth Gunti, Gorman Company; Stephanie Mitchell, Superior Design Pools; Debi Garner, Pools by John Garner, Inc.; Kim Williams; Denny Moyer and Lisa Lee Milne, Surfside Pools & Spas; Greg Hand, Pool Barrier, LLC; Regie Thompson, Vak Pak Builders Supply; Paul Roth, Roll-A-Way Protective Pool Fence;** and Andy Anderson. We couldn't do it without your commitment!

Congratulations to the winning team – **Paradise Pool Service!** The second place team was Extreme Hardscapes of Jacksonville and third place went to **Zodiac Pool Care**. Susan Landregan presented each team with some awesome engraved golf club trophies.

There was a chance to win \$10,000 cash for a hole-in-one on green #17 – it was missed by only four feet! The lucky shot did win closest to the pin and received a pallet of marcite donated by **Florida Stucco**. Lots of great raffle prizes were won, including stays at the Holiday Inn Town Center, golf foursomes, restaurant gift certificates, and a portable DVD player just to name a few! During lunch we were fortunate to have Tony Boselli, former NFL player with Jacksonville Jaguars, speak to our group.



*FSPA Northeast Chapter at the Jacksonville Zoo Water Safety Day. Above: Beth and Charles Starling, Classic Marcite. Below: Greg Hand, Pool Barrier - Jacksonville.*



On Saturday, April 24 many Chapter members participated in the Walk for ALS. **Brian Curts, Eagle Pools**, had a team called The Walking Eagles. **Brian** and **Amy Curts**, Don Curts (Brian's dad) who has ALS, **Stephanie Mitchell, Susan Landregan, Paul Roth**, and **Charles** and **Beth Starling** all participated in the walk. The team raised over \$12,000! Congratulations!

The Chapter is very involved with Safe Kids of Northeast Florida and joined them for a very hot Water Safety Day at the Jacksonville Zoo on May 8. There were many Chapter volunteers: **Greg Hand, Pool Barrier, LLC; Debi Garner, Pools by John Garner, Inc.; Charles** and **Beth Starling, Classic Marcite**; and **Susan Landegran** with her granddaughter Cassidy, **HornerXpress**. The kids loved playing the ring toss on the shark's nose game! We handed out water safety books to all the children, water safety information to parents, Water Watcher tags which were provided by Safe Kids and many Splash the Penguin toys. The penguins were a big hit as our booth was next to the penguin exhibit! There were approximately 1,200 people who came through the gates! Thanks to all the volunteers who braved the heat and promoted water safety.

Our next Chapter meeting will be held June 24 at the Holiday Inn Town. Non-members are always welcome at any Board or Chapter meeting. Invite your friends and peers to become part of our Chapter.

## Northwest Florida

Chapter President: Mack Crumpler  
(850) 902-1151

FSPANorthwestFlorida@FloridaPoolPro.com  
www.FSPANorthwest.com

The Northwest Florida Chapter will be offering the CE course "Green Equipment Choices for the Green Market Segment" (CILB course #0608042, ECLB course #0800067, two hours, meets general/technical requirement, FPSA d/b/a FSPA providership #0000917) on two dates. June 9 it will begin at 6:00 p.m. at Jackson Lodge, 2818 Apalachee Pkwy., Tallahassee. June 10 the course will begin at 6:00 p.m. at Ryan's Steakhouse, 3000 S. Ferdon Ave., Crestview.

The course is free for FSPA members!

It will be taught by **Jeff Farlow, Pentair Water Pool and Spa**.

## Palm Beach

Executive Director: Doris Rohner  
(888) 818-9618

FSPAPalmBeach@FloridaPoolPro.com  
www.FSPAPalmBeach.com

Palm Beach pool permits nearly doubled in May over one year ago. Signs of improvement can also be measured by the increase in attendance and the excitement at the May 8 membership meeting. Kudos to **Sean Assam, AquaCal-AutoPilot**, on his presentation on hydraulics. The two-hour CE class was informative for all that attended. Thank you to **Dave Ballard, Horizon Pool & Patio**, for reading the Anti-Trust Act. **Misty Knight, Zodiac Pool Systems** had the winning ticket for cash "Spin for Success" wheel. She donated 100% of her winnings back to the Chapter. Thank you Misty.

The next meeting is Thursday, June 24. The location has changed to the Pavilion Grille, 301 Yamato Rd., Boca Raton (in the Stonebridge Bank Building). Plan to join your peers from both the Palm Beach and Broward Chapters as they unite to hold a joint Government Relations Meeting. Many of your local legislators will be in attendance to provide legislative updates on the 2010 session, along with insight on future legislative issues that may be addressed. This will also be an excellent time for those running for re-election or another elected office to provide their candidacy platform. The program will be moderated by Jennifer Hatfield, Director of Government and Public Affairs. Plan to arrive at 6:00 p.m. for a meet and greet with legislators and at 6:30 p.m. there will be an Italian buffet. The program will start promptly at 7:00 p.m. Registration forms are posted at [www.fspa-pb.com](http://www.fspa-pb.com) or you can call the Chapter office for a faxed or e-mailed copy.

The Palm Beach Board of Directors will be supporting the Pool Industry Political Action Committee (PIPAC) and the Palm Beach Drowning Prevention Coalition with funds acquired through raffle ticket sales for a TV. Don't miss your chance to win. Tickets sell for \$20 each and only 600 will be sold, making the odds to win high. The winning ticket will be pulled on June 24 at the government relations meeting. You

*Dave Ballard,  
Horizon Pool  
& Patio,  
reading the  
Anti-Trust Act.*



*Sean Assam, AquaCal-AutoPilot, teaching  
CE for the Palm Beach Chapter.*

do not need to be present to win but if you want to hear the crowd cheer when your ticket is drawn you will need to be present. The winning ticket number will be posted at [www.fspa-pb.com](http://www.fspa-pb.com). Purchase your ticket for a 50" 3D Plasma HDTV at local distributors or contact Jim Bingold, Proline Distributors, [jimb@prolinedist.com](mailto:jimb@prolinedist.com) to reserve yours. You may also contact the Chapter office by e-mail or phone.

The CPO course is on our calendar for September 11 and 18; have you marked yours? This is a 16-hour class and will span over two Saturdays. It will be held at Contractors Business Park. The Chapter Board of Directors is pleased to offer this class for a member rate of \$215. Non-members are welcome and may attend for \$265. A registration form will arrive in your inbox soon or can be found at [www.fspa-pb.com](http://www.fspa-pb.com).

Please welcome our newest member **Todd Harrington, Artech Pools & Spas**, Palm Beach Gardens.

## Polk County

Chapter Coordinator: Michelle D'Aiuto  
(866) 930-3772

FSPAPolkCounty@FloridaPoolPro.com  
www.FSPAPolkCounty.com

Thank you to all Chapter and Board members who attended the May meeting at Abuelos Restaurant. All that attended are committed to growing the Polk County

Chapter and are excited to take new ideas and implement them for our Chapter members.

All FSPA members are invited to attend state committee meetings and Board meetings. Join us June 18 and 19 in Sarasota at the Lido Beach Resort. Be sure to check the Web site [www.floridapoolpro.biz](http://www.floridapoolpro.biz) for more information.

The Polk County Chapter is always looking for members who want to make a difference in our industry. Please contact the Chapter Coordinator with any questions or ideas.

## Space Coast

Chapter President: Dominick Montanaro  
State office: (866) 930-3772  
[FSPASpaceCoast@FloridaPoolPro.com](mailto:FSPASpaceCoast@FloridaPoolPro.com)  
[www.FSPASpaceCoast.com](http://www.FSPASpaceCoast.com)

The Chapter Annual Legislative Night has been rescheduled for Wednesday, June 9. The program will be held at the Home Builders and Contractors Association of Brevard, 1500-A West Eau Gallie Blvd., Melbourne. This event is probably the most important meeting of the year. This forum provides an opportunity to interact with your legislators and let them know our concerns regarding what is happening in our lives and our businesses.

There will be refreshments and appetizers starting at 6:00 p.m. and the program will start at 7:00 p.m. Jennifer Hatfield, FSPA Director of Government & Public Affairs, along with Franck Kaiser



*Bobby Johnson and family.*



*Pat McDonough, Jim Fisher and Bobby Johnson at the grill.*

Jr., Chief Executive Officer of the Brevard HBCA, will moderate the event. This has always been a successful event for our Chapter and we look forward to partnering with HBCA and interacting with our local representatives. Please contact Dominick Montanaro at 777-4847 or [dmontanaro1@cfl.r.com](mailto:dmontanaro1@cfl.r.com) to reserve your spot. There has always been a charge for this event in the past but as a member benefit, this year the event is free!

The annual Chapter Volleyball Picnic was a great success; over 100 people attended and had a great time. **Paradise Pools & Spas** won the tournament for the third straight year and will be holding the trophy until next year's event to see if they can fourpeat! The Chapter would like to thank **Jim Fisher, Pentair Water Pool and Spa; Pat McDonough, Paradise Pools & Spas; and Bobby Johnson, Aqua-Rite Pools & More**, for cooking at the grill all day. We celebrated Bobby Johnson's 50th birthday that day too. Thanks also go to **Eva Adcock, Best Pools of Brevard,**



*Around 200 people participated in the First Annual Not One More Child Drowns Awareness Walk on May 15. Chapter members gave out pool watcher badges, coloring books and beach balls.*



for checking everyone in and **Shelly Grundhoffer, Aqua-Rite Pools & More, and Dominick Montanaro, M&M Pools**, for shopping for all the goodies. The weather held up and everyone had a great time; thank you for coming.

The Chapter participated in their second safety event on Saturday, May 15 at the First Annual Not One More Child Drowns Awareness Walk hosted by Infant Swimming Research. The Chapter had a

table with various safety items including door and window alarms, VGB compliant drain covers, safety fencing and latches, and safety covers. We also handed out pool watcher badges and coloring books.

## Tampa Bay

Chapter Coordinator: Michelle D'Aiuto  
(866) 930-3772  
[FSPATampaBay@FloridaPoolPro.com](mailto:FSPATampaBay@FloridaPoolPro.com)  
[www.FSPATampaBay.com](http://www.FSPATampaBay.com)

Our next Chapter meeting will be the CE course "Workers' Compensation" (CILB course #0006955, ECLB course #0007551, BOLA course #0008584, one hour, meets workers' compensation requirement, FPSA d/b/a FSPA providership #0000917). Learn about any recent changes in workers' compensation laws and their effects on business practices and exemptions. Course date and time will be available soon. For more information please go to [www.FSPATampaBay.com](http://www.FSPATampaBay.com).

All FSPA members are invited to attend state committee meetings and Board meetings. Join us June 18 and 19 in Sarasota at the Lido Beach Resort. Be sure to check the Web site [www.floridapoolpro.biz](http://www.floridapoolpro.biz) for more information.

The Tampa Bay Chapter is always looking for members who want to make a difference in our industry. Please contact the Chapter Coordinator with any questions or ideas.

## Treasure Coast

Executive Director: Susan Gilbert  
(772) 263-2653  
[FSPATreasureCoast@FloridaPoolPro.com](mailto:FSPATreasureCoast@FloridaPoolPro.com)  
[www.FSPATreasureCoast.com](http://www.FSPATreasureCoast.com)

After our success at the YMCA Healthy Kids Day in April, the Martin County Fire Department asked the Chapter to participate in EMS Week. They will be holding events May 21-23 at Station 21-Palm City, Station 16-Jensen Beach and Station 30-Port Salerno from 5:00 p.m. – 7:00 p.m. Their focus will be childhood injury prevention. They appreciated our presentation and safety information that we had available at the YMCA and we will share this important safety information at

*Treasure Coast Chapter volunteers at the YMCA Healthy Kids Day in April.*



this event as well. We will give an update on the EMS Week in the next issue!

Thank you, YMCA volunteers: **Vincent Fuggetta, Safety Pool Covers; Bob Miller, Palm City Pool & Spa; and Amos Gilbert, Palm City Pool & Spa.**

The Chapter is looking forward to see guest speaker Ed Rigsbee at the state Board meeting in June in Sarasota. Several Chapter members will attend and bring back valuable information so we can make a difference in our local Chapter!

Our next Board and Chapter meetings will be at 6:30 p.m. on June 24 at Palm city Grill, Palm City. We will review all the great information gathered at the state meetings and from the guest speaker. Please, come and join us!

For additional information about any of the events or meetings listed in the Chapter News, please contact the Executive Director listed at the top of each Chapter's News. Event meeting and information can also be found in Chapter newsletters sent to members and available at local distributors.



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# CALENDAR OF EVENTS

## June 2010

- 1 FSPA Florida West Coast Chapter Board Meeting  
Noon at Applebee's, 5110 East Bay Drive, Clearwater
- 8 FSPA Charlotte Harbor Chapter Meeting
- FSPA Manasota Chapter Board Meeting
- 9 FSPA North Central Chapter and Board Meeting  
6:30 p.m. Ruby Tuesday's, Ocala
- FSPA Northwest Chapter CE Course  
5:30 p.m. Jackson Lodge, 2818 Apalachee Pkwy, Tallahassee
- FSPA Space Coast Chapter Legislative Meeting  
1500 W. Eau Gallie Blvd., Melbourne
- 10 FSPA Northwest Chapter CE Course  
5:30 p.m. Ryan's Steakhouse, 3000 S. Ferdon Ave., Crestview
- 16 FSPA East Central Florida Chapter Meeting, Board Meeting and CE  
Our Deck Down Under
- 18 FSPA State Committee Meetings**
- 19 FSPA State Board Meeting**
- 22 FSPA Florida West Coast Chapter Government Relations Meeting  
5:30 p.m. Social  
6:00 p.m. Program  
Ruth Eckerd Hall - Great Room, 111 McMullen Booth Rd., Clearwater
- 23 FSPA Charlotte Harbor Chapter Board Meeting
- 24 FSPA Broward Chapter and Palm Beach Chapter joint  
Government Relations Dinner  
6:00 p.m. Meet and Greet  
6:30 p.m. Dinner  
7:00 p.m. Program  
Pavillion Grille, 301 Yamato Rd., Boca Raton
- FSPA Northeast Florida Chapter Meeting  
Holiday Inn Town Center
- FSPA Treasure Coast Chapter and Board Meeting  
6:30 p.m. Palm City Grill, Palm City
- 27 FSPA Charlotte Harbor Chapter Cornhole  
Tournament

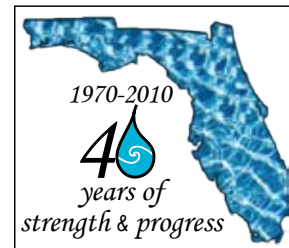
## July 2010

- 3 FSPA Florida West Coast Chapter Night at  
the Ballpark  
6:30 p.m. Clearwater Threshers vs. Lakeland Tigers  
Bright House Field, Clearwater
- 6 FSPA Florida West Coast Chapter Board Meeting

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## Upcoming Meetings:

**Construction Industry Licensing Board:  
June 8-11  
Embassy Suites, Altamonte Springs**

**Florida Building Commission:  
June 7-8  
Rosen Centre Hotel, Orlando**