



Florida Solar Energy Industries Association

## INDUSTRY NEWS

# 2011 LEGISLATIVE SESSION UPDATE

**W**e're nearing the end of the 2011 Legislative Session. Many issues still remain unresolved. The key is the Budget. During the 60-day Legislative Session, the only duty that the legislature is charged with is passing a balanced budget. In order for lawmakers to adjourn the 60-day Session on time, the budget must be finished and given to legislators no later than May 3 since the state constitution mandates a 72-hour cooling off period before a final vote. The conferees were recently appointed during the eighth week of the Legislative Session. Will they be able to meet the time frame? Only time will tell.

One of the complications of the budget is that the Governor wants his corporate tax cuts. Currently this is not part of either the House or Senate proposals. Governor Rick Scott expressed confidence that "the most fiscally conservative Legislature in history" will start phasing out Florida's 5.5-percent corporate income tax.

The last time a major Energy Bill passed the Florida Legislature was 2008. Immediately following the Senate Budget Committee Meeting on Tuesday, April 26, 2011, where **SB 2078** was heard and temporarily postponed by **Chairman J.D. Alexander**, it



became clear that there would be no renewable energy bill again this year. Speaking with reporters, **Chairman Alexander** declared the renewable energy bill, **SB 2078**, dead. **Senator Lizbeth Benacquisto**, the Senate Communications, Energy & Public Utilities Committee Chair, was quick to agree.

FlaSEIA had worked throughout the Session with the Governor's office, Legislative leaders and other stakeholders to ensure that distributed generation was included in any legislation.

FlaSEIA has long advocated for a balance approach between utility scale solar and distributed generation. Without that balance,

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**BILL GALLAGHER**  
**FLASEIA PRESIDENT**

**H**ello fellow FlaSEIA members, Spring is upon us, and the Legislative Session is under way. The pace, (no pun intended), is hectic, and it seems that there is never enough time to see everyone who may have a role in making decisions that will impact our industry.

For those folks reading this letter who have not had the opportunity to participate in the legislative process, I encourage you to take a couple of days off and “head north.” I am certain that you will leave Tallahassee with a new appreciation for the effort involved in “moving the renewable energy ball forward.”

Leading up to this year’s session, we were able to schedule meetings with some key people that will have a say in the direction renewable energy is headed. Representative Seth Mc Keel was first on our list, so we traveled to Lakeland to share our goals and to take the political temperature. The meeting went well, and we left with a vision of the task ahead.

Over the years, to our great benefit, Bruce has developed a great working relationship with members of the House, Senate and their staff. It is comforting to know that the legislators we are visiting respect FlaSEIA as the industry leader and look to us for direction on solar issues.

Our first “official” task was making presentations to the House Energy & Utilities Subcommittee. (Special thanks to Tresa for her help in putting together our power point at the last minute). The presentations

went well, and we were able to make our points within the time allowed.

The issue was, and remains, whether or not distributed solar generation will be part of any bill being proposed. The current House Committee Bill includes provisions to encourage customer owned solar systems. The Senate Committee Bill initially was without this language. Bruce was able to file an amendment on our behalf minutes before the deadline. We travelled to Tallahassee to provide testimony that supported the benefits of this amendment for all Floridians.

FlaSEIA is working diligently to make certain that legislation moving forward includes a distributed generation carve out to ensure the stability and growth of the solar industry, while providing opportunities for Florida residents to enjoy the benefits of the sun’s FREE ENERGY.

Other news that positively affects our industry is the “roll out” of Progress Energy’s solar pilot program. To say that homeowners and business owners were anxiously awaiting this event is the understatement of the decade. The million dollars earmarked for the solar electric rebate was exhausted in about five hours! This tells us a little about the pent up demand for customer owned solar systems. The moral of the story . . . provide an incentive to the consumer to purchase their solar systems and watch renewable energy development flourish, unemployment shrink, and our economy recover.

2010/2011 EXECUTIVE COMMITTEE & BOARD OF DIRECTORS

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More exciting news! On March 25th, FPL announced the standards for their solar pilot program. We anticipate a start date of late June or early July for their solar initiatives. We are grateful to Progress and FPL for these programs since they provide incentives and encouragement to the public to utilize renewable energy.

We appreciate everyone's assistance in helping Florida assume its rightful role as the "Sunshine State" when it comes to renewable energy.

Sincerely,  
  
Bill Gallager  
FlaSEIA President

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we will see a reduced potential for job growth and a delay in our state's economic recovery.

**SB 2078** was not perfect. FlaSEIA was able to amend the bill to include a 5% solar carve out with 50% of the carve out going to systems 10Kw or smaller. This would have been accomplished by allowing the utilities to enhance the existing demand-side renewable energy system incentive program approved by the Public Service Commission pursuant to section 366.82.

There was one provision of SB

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**Industry News** is the official newsletter of the Florida Solar Energy Industries Association (FlaSEIA), a nonprofit, professional association of companies involved in the solar and energy conservation industries. **Industry News** is published four times per year and distributed to all member companies of FlaSEIA and a broad range of other interested parties.

• (2011 Legislative Session Update Continued from Page 3)

• **2078** that FlaSEIA would not support. That provision would have dealt a blow to the current Net Metering rule. FlaSEIA was working with **Senator Benacquisto** to fix this provision if the bill ever advanced. FlaSEIA invested many years of hard work to establish a policy that protects homeowners and business owners interests with one of the best Net Metering rules in the country. The provision would have changed the rate paid to the consumer for any excess energy that they put back on the grid. The change would have only allowed for consumers to receive a rate based on wholesale vs. the current retail rate. This would have been a decrease in the rate that the consumers currently receive.

• FlaSEIA is, of course, disappointed that another year will pass without advancing renewable energy in the state. However, we remain committed to work with the Governor, Legislature and other stakeholders to address Florida's renewable energy future.

• One of FlaSEIA's priorities this year is addressing the property tax exemption issue. **CS/CS/HB 531 by Representative Frishe (R - Belleair Bluffs)** is awaiting final action in the House. The Senate companion, **CS/SB 434 by Senator Jack Latvala (R - St. Petersburg)**, remains in the Senate Budget Committee, the last stop before going to the floor of the Senate for final approval.

• The bill would implement the 2008 Constitutional Amendment.

Specifically, the bill defines “changes or improvements made for the purpose of improving a property’s resistance to wind damage” and “renewable energy source device.” It provides that, in determining the assessed value of real property used for residential purposes, the property appraiser may not consider the just value of changes or improvements made for the purpose of improving a property’s resistance to wind damage or the installation and operation of a renewable energy source device. The bill specifies that the provision applies to new and existing construction.

During the 2010 Legislative Session, the Legislature passed **CS/HB 7179**, which created s. 163.08, F.S. The new law (**Chapter 2010-139**, Laws of Florida) provides the expressed authority to local governments regarding qualified improvements to real property. The program is commonly known as Property Assessed Clean Energy (PACE). FlaSEIA actively



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supported the legislation last year. As the solar rebate program was winding down, FlaSEIA saw PACE as a bridge to get the solar industry to the next level. That has become a bridge to nowhere thanks to federal regulatory overreach.

On July 6, 2010, the Federal Housing Finance Agency (FHFA) acted to halt the local option finance programs contemplated in s. 163.08, F.S. This action on the part FHFA constitutes federal interference regarding the right of local governments to place assessments on real property. If enacted, this memorial would request that Congress act to affirm the authority of local governments to implement energy conservation and efficiency, renewable energy, and wind resistance improvements programs as authorized under **Chapter 2010–139**, Laws of Florida.

FlaSEIA testified on behalf of the bill. **CS/HB 7153** is now on second reading on the House Special Order Calendar.

On behalf of FlaSEIA, we want to thank FlaSEIA President Bill Gallagher, FlaSEIA Legislative/Regulatory Committee Chairman Chris Maingot and all the members of the FlaSEIA Legislative/Regulatory Committee for the time they have given during this Legislative Session to review bills and amendments, be available for conference calls and making trips to Tallahassee to testify before committees and/or meet with Senators and Representatives. We greatly appreciate their dedication and devotion to the association.

## 1099 Paperwork Burden Repealed!

Marking a huge win for fellow

member organizations of the Small Business Coalition for Affordable Healthcare (SBCAH), the Senate passed the Comprehensive 1099 Taxpayer Protection and Repayment of Exchange Subsidy Overpayments Act of 2011 (H.R. 4) on April 5. The legislation repeals the onerous "1099 paperwork requirement" that was buried in last year's healthcare bill. It would have required businesses to report business-to-business transactions above \$600 to the IRS. For many, this would have meant sending hundreds of 1099 reports to the IRS and businesses. In a letter to the Senate, the SBCAH said that recent studies show that the cost of complying with the tax code is 66% higher for small business than large; that small businesses lack the tracking and reporting capabilities; and that they would have to pull capital out of their businesses that could be better used to reinvest in them and create jobs. After defeating (by 58 to 41) an earlier amendment calling for a study, the Senate overwhelmingly voted to repeal the measure by 87–12 vote.

After the vote, an SBCAH press release stated that "small businesses are finally cheering the repeal . . . The ill-conceived mandate was intended to pay for the health care reform law, but instead . . . created a costly accounting challenge for small businesses everywhere. If Congress allowed it to go into effect . . . it would have crippled job growth."

On April 14, 2011, President Obama signed a law that removes the expanded "1099" reporting requirement from the Affordable Care Act. This is a big win for small businesses.



*Industry News* is published quarterly by the Florida Solar Energy Industries Association (FlaSEIA). Ideas, opinions and views expressed herein are not necessarily those of FlaSEIA.

## Unemployment Compensation Taxes are Due by April 30

Your unemployment compensation taxes for the quarter ending March 2011 are due to the state of Florida by April 30, along with your Employer's Quarter Report (UCT-6). On the UCT-6 report, you must list all employees' names and social security numbers, plus the amount of wages you paid them for the quarter. If you have fewer than 10 employees, the Florida Department of Revenue will mail you this form each quarter. If you have 10 or more employees, you are not allowed to use a paper form and you must file your UCT-6 report online through the Department of Revenue's website, unless you have received a waiver. **Please note:** if you no longer have 10 or more employees and you would like to opt out of electronic filing, you can fax a request to be excused from e-filing to the Department of Revenue at (850) 922-5088.

As it stands right now, unemployment tax rates have increased in 2011. Employers who are at the lowest tax rate are slated to pay \$72.10 in tax per employee for the calendar year 2011. This is an increase of \$44.90 a year per employee (last year the tax per employee for employers at the minimum tax rate was \$25.20). The Florida Legislature is currently working on legislation that would lower the minimum tax rate back to \$54.00 per employee. The bill would also make it harder for employees to qualify for unemployment and shorten the time they can receive benefits. As this newsletter went to press, this bill is still pending and is not yet effective. Unless and until you receive a revised tax notice from the Florida Department of

Revenue, you are obligated to pay the unemployment tax rate listed on the notice you received from the state in December.

FlaSEIA will keep you posted on this issue.

## Division of Workers' Compensation Revises Workers' Compensation Notice Posters

The Division of Workers' Compensation recognizes the importance of providing stakeholders with more information to assist them in fulfilling their rights and responsibilities under the Workers' Compensation Law. As a result, the Division is pleased to announce three new enhancements that have been added to the Proof of Coverage Database. These enhancements will provide information relating to the number of employees reported for each employer; the governing classification code reported for each employer; and the scope of business or trade(s) listed on Certificates of Exemption. A detailed description of each enhancement is listed below:

1. Total Number of Employees – Represents the total number of employees for each employer as reported by the insurance carrier. The total number of employees is displayed for each location reported on the policy. Insurance carriers are required to report the total number of employees for all policies that are issued with an effective date of October 1,

- 2009 or after.
2. **Governing Classification Code** – Represents the workers’ compensation classification code which best describes the business operation and which includes the most payroll generated by the business as reported by the insurance carrier.
  3. **Scope of Business or Trade** – Refers to the trade or business activity that best describes the business as reported by the corporate officer. The scope of business or trades are displayed for each Certificate of Exemption. The Certificate of Exemption only applies to the scope of business or trade listed on the certificate.

Rule 69L–6.007, Compensation Notice, Florida Administrative Code, has been adopted and will become effective on January 30, 2011. The rule adopts the revised workers’ compensation notice posters, including the Spanish version of the poster and updates the information that is required to be included on the poster. Section 440.40, F.S., requires every employer who has secured workers’ compensation insurance to post in its place of business a workers’ compensation notice and

an Anti-Fraud Reward Program notice. Section 440.40, F.S., also authorizes the Department, by rule, to prescribe the form of the notices and to require carriers to provide the notices to policyholders.

For a transitional period of 90 days from the effective date of the rule, an insurer or self-insurance servicing agent may use the “broken arm” posters identified and adopted in subsection 69L–6.007(1), Florida Administrative Code, or the corresponding poster(s) in effect prior to the adoption of the rule. After the completion of the 90 day transitional period, only the revised posters adopted in this rule may be used.

Copies of the rule text and the revised workers’ compensation notice posters may be obtained as follows:

- **Rule text** [15K PDF]
- **English poster | Spanish poster** [1MB PDF]

The person to be contacted regarding the rule is Tasha Carter, Chief, Bureau of Compliance, Division of Workers’ Compensation, 200 E Gaines

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# 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 locations, dates and times for future sessions.

### April 14, 2011

Tampa  
State Office Building  
1313 North Tampa Street, Suite 605  
Tampa, FL 33603

### April 19, 2011

Fort Myers  
State of Florida Office Building  
2295 Victoria Avenue, Room 165A,  
Fort Myers, FL 33901

### April 22, 2011

Miami  
State Office Building  
401 NW 2nd Avenue, North Tower,  
Room 423  
Miami, FL 33128

### May 13, 2011

Pompano Beach  
Workforce One  
2301 West Sample Road, Bldg. 4  
Pompano Beach, FL 33073

### May 19, 2011

Jacksonville  
Florida Department of Law  
Enforcement  
921 North Davis Street, Bldg. E,  
Room A  
Jacksonville, FL 32209

### May 26, 2011

Pensacola  
Alabama Associated General  
Contractors, Northwest Florida  
Section  
201 South F Street  
Pensacola, FL 32502

### May 26, 2011

Orlando  
State Office Building, Hurston  
Complex  
400 West Robinson Street, South  
Tower, Conference Room A & B  
Orlando, FL 32801

### June 2, 2011

Largo  
Pinellas County Construction  
Licensing Board  
12600 Belcher Road, Suite 102  
Largo, FL 33773

### June 9, 2011

Tallahassee  
Southwood Complex, Betty Easley  
Conference Center  
4075 Esplanade Way, Room 180  
Tallahassee, FL 32399

### June 10, 2011

West Palm Beach  
Central Career Center  
1951 North Military Trail, Room 204  
West Palm Beach, FL 33409

The Division of Workers'

## State Certified Solar Exam

June 21–22, 2011  
October 18–19, 2011  
February 21–22, 2012  
June 19–20, 2012

Applications may be  
obtained by logging on  
to

[www.proftesting.com](http://www.proftesting.com)

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.myflorida.cfo.com/WC](http://www.myflorida.cfo.com/WC). For additional information, e-mail [bocseminars@MyFloridaCFO.com](mailto:bocseminars@MyFloridaCFO.com), or call (813) 221-6518.

## U.S. Labor Department Fall Protection Directive Upheld in U.S. Court of Appeals

The U.S. Court of Appeals for the Seventh Circuit rejected a challenge by the National Roofing Contractors Association to the Occupational Safety and Health Administration's December 2010 directive on the use of fall protection in residential construction. The directive withdrew an earlier one that allowed certain residential construction employers to bypass some fall protection requirements.

"Fall protection saves lives," said OSHA Assistant Secretary Dr. David Michaels. "There are effective means available to protect residential construction workers from falls. We applaud the court's decision upholding this updated, common sense directive."

Data from the department's Bureau of Labor Statistics estimates that an average of 40 workers are killed each year as a result of falls from residential roofs. One-third of those deaths represent Latino workers, who often lack sufficient access to safety information and protections. Latino workers comprise more than one-third of all construction employees.

"Fatalities from falls are the number one cause of death in construction," added Michaels. "These deaths are preventable, and we must prevent them."

OSHA's new directive, Standard 03-11-002, rescinded the Interim Fall Protection Compliance Guidelines for Residential Construction, Standard 03-00-001. Prior to the issuance of this new directive, Standard 03-00-001 allowed employers engaged in certain residential construction activities to use specified alternative methods of fall protection rather than the conventional fall protection required by the residential construction fall protection standard. With the issuance of the new directive, all residential construction employers must comply with 29 Code of Federal Regulations 1926.501(b)(13). Where residential builders can demonstrate that traditional fall protection is not feasible, 29 CFR 1926.501(b)(13) still allows for alternative means of providing protection.

The case was litigated by Lauren Goodman and Heather Phillips from the Division of Occupational Safety and Health in the department's Office of the Solicitor.

Construction and roofing companies have until June 16 to comply with the new directive. OSHA has developed training and compliance assistance materials for small employers and will host a webinar for parties interested in

• learning more about complying  
 • with the standard. To view the  
 • directive and for more information,  
 • visit [http://www.osha.gov/doc/  
 • residential\\_fall\\_protection.html](http://www.osha.gov/doc/residential_fall_protection.html).

• Under the Occupational Safety and  
 • Health Act of 1970, employers are  
 • responsible for providing safe and  
 • healthful workplaces for their  
 • employees. OSHA's role is to  
 • ensure these conditions for  
 • America's working men and women  
 • by setting and enforcing standards,  
 • and providing training, education  
 • and assistance. For more  
 • information, visit [http://  
 • www.osha.gov](http://www.osha.gov).

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## • Public Works • Contracts – • New • Requirement • for a • Certificate of • Entitlement

• Section 212.08(6), Florida Statutes  
 • (F.S.) and Rule 12A–1.094, Florida  
 • Administrative Code (F.A.C.),  
 • (Public Works Contracts), govern  
 • the taxability of transactions in  
 • which contractors and  
 • subcontractors purchase supplies  
 • and materials for use in public  
 • works contracts. Public works  
 • contracts are projects for public  
 • use or enjoyment, financed and  
 • owned by the government, in which  
 • private persons install tangible  
 • personal property that becomes a  
 • part of a public facility. The  
 • exemption in Section 212.08(6),  
 • F.S., is a general exemption for  
 • sales made directly to the  
 • government. Rule 12A–1.094,  
 • F.A.C., establishes the criteria that  
 • govern whether a governmental  
 • entity, rather than the public works  
 • contractor, is the purchaser of the

materials.

Effective January 2, 2011, Section 8, Chapter 2010–138, Laws of Florida (L.O.F.), requires governmental entities (excluding the federal government) to issue a Certificate of Entitlement to each vendor and each contractor in order to purchase supplies and materials for use in public works contracts tax-exempt under Section 212.08(6), F.S. The Certificate of Entitlement certifies that: (1) the materials and supplies purchased will become part of a public facility; (2) the governmental entity will be liable for any tax, penalty, or interest due should the Department later determine that the items purchased do not qualify for exemption; and (3) the criteria established in Rule 12A–1.094, F.A.C., are being followed.

No changes are being made to the criteria established in Rule 12A–1.094(4)(b), F.A.C., to determine whether a governmental entity, rather than the public works contractor, is the purchaser of the materials. The purpose of the amendment to Rule 12A–1.094, F.A.C., is to: (1) maintain, without change, the current criteria governing whether a governmental entity is the purchaser of materials and supplies that qualify for exemption under Section 212.08(6), F.S.; (2) provide the requirements and format of the Certificate of Entitlement required by Section 8, Chapter 2010–138, L.O.F., effective January 2, 2011; and (3) provide that the governmental entity is prohibited from transferring the liability for tax, penalty, and interest to another party by contract or agreement.

**Click here** for the format of the Certificate of Entitlement to be issued by the governmental entity, as provided by the amended Rule 12A–1.094(4)(c)4., F.A.C.

The amended Rule 12A–1.094,

F.A.C., is effective January 12, 2011.

References: Section 212.08(6), Florida Statutes (2010) and Chapter 2010-138, Laws of Florida (Section 8, CS/HB 7157, 1st Engrossed).

For forms and other information, visit our Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor) or call Taxpayer Services, 8:00 a.m. to 7:00 p.m., ET, Monday through Friday, excluding holidays, at (800) 352-3671.

For a detailed written response to your questions, write the Florida Department of Revenue, Taxpayer Services, 5050 West Tennessee Street, Tallahassee, FL 32399-0112.

Want the latest tax information and due-date reminders for sales tax and unemployment tax returns? Go to [www.myflorida.com/dor](http://www.myflorida.com/dor) and click on: "Subscribe to Our Tax Publications." It's fast, easy, and secure.

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## Distracted Driving: No Texting

More workers are killed each year in motor vehicle crashes than any other cause.

Businesses can help solve this big problem.

### **Workers' Safety is Your Business**

Texting while driving puts millions of Americans who drive on the job at risk every day. That risk continues to grow as texting becomes more widespread. As a business owner or manager, it's your legal responsibility under the Occupational Safety and Health Act to safeguard drivers at work. This holds true whether they drive full-time or only occasionally to

carry out their work, and whether they drive a company vehicle or their own. When your workers are behind the wheel doing your company's work, their safety is your business. That's why the Occupational Safety and Health Administration (OSHA), which enforces worker safety laws, has joined with the Transportation Department, other Labor Department agencies and key associations and organizations to enlist the help and cooperation of businesses – large and small – in a nationwide outreach, education and enforcement effort to stop the dangerous practice of texting while driving. OSHA is prepared to act quickly. When OSHA receives a credible complaint that an employer requires texting while driving or organizes work so that texting is a practical necessity, we will investigate and will issue citations and penalties where necessary to end this practice.

### **Safety at Work is No Accident**

Building a workplace culture of safety requires clear, explicit policies and sound practices. Send a clear message to workers and supervisors that your company neither requires nor condones texting while driving. Employers should:

- Prohibit texting while driving. OSHA encourages employers to declare their vehicles "text-free zones" and to emphasize that commitment to their workers, customers and communities.
- Establish work procedures and rules that do not make it necessary for workers to text while driving in order to carry out their duties.
- Set up clear procedures, times and places for drivers' safe use of texting and other technologies for communicating with managers, customers and others.
- Incorporate safe communications practices into worker orientation and

## Registered Contractor License Renewal Reminder

Just a reminder that the Registered Contractor licenses from the Department of Business and Professional Regulation (DBPR) are up for renewal on August 31, 2011. Current law requires licenseholders to obtain 14 hours of continuing education with at least one hour in workplace safety, one hour in workers' compensation, one hour in business practices, one hour in the advance building code module, one hour in laws and rules (Chapter 489) and one hour in wind mitigation (this requirement only affects general, residential, building, roofing and glass and glazing contractors).

Don't forget to notify DBPR of any address change. Section 489.124(2) gives sole responsibility to the licensee for notifying DBPR in writing of the licensee's current mailing address and phone number. Failure to notify DBPR of a change of address shall constitute a violation of this section. In addition, if your address changes and you do not notify DBPR, you may not receive important mailings such as your renewal notice.

training.

- Eliminate financial and other incentive systems that encourage workers to text while driving.

**How OSHA Helps**

OSHA’s distracted driving webpage ([www.osha.gov/distracted-driving/index.html](http://www.osha.gov/distracted-driving/index.html)) provides useful resources, including:

- a model policy to use or adapt for your business
- information about how employers are combating this hazard
- research findings
- educational materials

The U.S. Department of Transportation website ([www.distraction.gov](http://www.distraction.gov)) provides updates and information on the national campaign to prevent distracted driving.

**Additional Assistance**

OSHA’s consultation program can help small and medium-sized businesses, at no cost, keep workers safe by providing:

- free and confidential advice
- on-site consultation
- assistance with identifying workplace hazards
- advice on compliance with OSHA standards
- assistance with safety and health programs

To learn more about how OSHA can help, visit [www.OSHA.gov](http://www.OSHA.gov) or call OSHA at (800) 321-OSHA (6742).

**Dangers of Distracted Driving**

- Distracted driving crashes killed more than 5,400 people and injured nearly 500,000 in 2009.
- Researchers report that texting while driving claimed more than 16,000 lives from 2001 to 2007.
- Reaction time is delayed for a driver talking on a cell phone as much as it is for a driver who is

legally drunk.

- Drivers who are texting take their eyes off the road 400% more than when they are not texting.
- More texting leads to more crashes. With each additional 1 million text messages, fatalities from distracted driving rose more than 75%.

## What Benefits and Resources Does OSHA Provide Small Businesses?

**OSHA’s Free On-site Consultation Program**

OSHA’s free On-site Consultation Program offers free and confidential advice to small and medium-sized businesses in all states across the country, with priority given to high-hazard worksites. On-site Consultation services are separate from enforcement and do not result in penalties or citations. Consultants from state agencies or universities work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management systems. *Read more about OSHA’s free On-site Consultation Program.*

**Compliance Assistance Specialists (CAS)**

Each OSHA Area Office in states under federal jurisdiction has a Compliance Assistance Specialist. These staffers respond to requests for help from a variety of groups, including small businesses. CAS’s put on seminars and workshops for small businesses and other groups. They promote OSHA’s cooperative programs, OSHA’s training

resources, and the OSHA web site. To read more about Compliance Assistance Specialists and find a directory of CAS's in your area, [click here](#).

**Penalty Reductions**

OSHA takes employer size into consideration when assessing penalties. Please see the [OSHA Administrative Penalty Information Bulletin](#) for additional information on small employer eligibility for penalty reductions.

**OSHA's Cooperative Programs**

OSHA offers [cooperative programs](#) under which businesses, labor groups, and other organizations can work cooperatively with the Agency to help prevent fatalities, injuries, and illnesses in the workplace. For help on deciding which cooperative programs are right for you, see [Find a Cooperative Program](#). If you are located in a State with an [OSHA-approved State Plan](#), please contact your state agency for information about cooperative programs. All States with OSHA-approved programs have their own cooperative programs.

**Hispanic/English-as-a-Second Language (ESL) Coordinators**

OSHA's Hispanic/English-As-Second-Language (ESL) Coordinators assist a variety of groups, including small businesses, trade associations, union locals, and community and faith-based groups with outreach, education and training to Spanish-speaking workers. The coordinators are available for Hispanic-related seminars, workshops, and speaking events. They promote cooperative programs, such as the Alliance Program, as well as Spanish/other than English training materials, compliance assistance resources, and tools available on the OSHA Web site. There is one Hispanic/ESL Coordinator in each of the ten OSHA Regions. To find the

Hispanic/ESL Coordinator in your Region, [click here](#).

**Training and Education**

[OSHA's Training Institute \(OTI\)](#) and [OSHA's Training Education Centers](#) across the country provide basic and advanced courses in safety and health. OSHA's area offices offer information services, such as audiovisual aids, technical advice, and speakers for special engagements. In addition, the Training Centers have begun offering one-day or one-half-day seminars to increase opportunities for small business employers to attend safety/health training.

**Susan Harwood Training Grants Program**

– Training and educational programs for small businesses is a priority for the grants program. The program has funded Small Business Development Centers.

**Electronic Tools and Resources**

[OSHA eTools](#) are “stand-alone”, interactive, Web-based training tools on occupational safety and health topics. They are highly illustrated and utilize graphical menus. Some also use expert system modules, which enable the user to answer questions, and receive reliable advice on how OSHA regulations apply to their work site.

- [OSHA's Safety and Health Management Systems eTool](#) provides guidance for employers looking to build effective safety and health management systems at their worksites.

**OSHA Safety and Health Topics Pages**

provide access to selected occupational safety and health information. The subjects of these pages include specific workplace hazards, as well as individual industries.

*(Continued on Page 18)*

## DBPR LICENSING PROCESS BETTER, FASTER, EASIER

DBPR continues to make the licensing process better, faster and easier. They have long been aware that moving the licensing process to an online environment would provide a better option for licensees, but until recently, a major impediment to moving the entire operation to an online system has been their inability to accept supporting documents electronically. DBPR took the necessary first step in upgrading their online services to fix this problem. They had been working with an outdated system, so the upgrade was very necessary and will, in time, become a huge improvement for customers. It will help DBPR achieve their mission of licensing efficiently and regulating fairly. It will be a good change.

It is, however, still a change. The upgraded system is new and a little different because it requires each customer to re-create their online profile, using their e-mail address as their new customer ID. After a new profile is created, the system automatically transfers all data associated with the old account (or multiple accounts) into the new profile. In addition to allowing DBPR to expand the number of things they can do electronically, the new system solves a problem that has plagued thousands of people who had licenses with them: it uses a customer's e-mail address as their online ID rather than the randomly generated number in the old system that was very difficult for people to remember.

Many people have found this upgrade process confusing, so DBPR staff updated the website with better instructions for the steps necessary to create the new account.

The system will also offer other

significant benefits. Users can receive registration confirmation via e-mail and retrieve a forgotten password. You'll be able to get answers to eligibility questions to ensure you are using the correct application, and you'll be able to log in and finish an incomplete application if you weren't able to complete the application when initially applying. You'll be able to check your application status and receive application summaries, and you'll be able to make payments and receive payment summaries.

Take a few minutes when you have time and create your new registration profile or, if you've already created a new profile, log in to the system and learn more about the different benefits it has to offer, like linking licenses to your account and maintaining license relationships. DBPR is available to answer any questions you might have along the way.

To set up your new account, you will find the new log-on procedure on the [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com) webpage for licensed contractors to renew their license, check their continuing education, etc.

To "re-register" or access your information in the future:

- Type or paste [www.myfloridalicense.com](http://www.myfloridalicense.com) in your Internet browser.
- Click on Renew/Maintain a License.
- Click on Construction Industry
- Click on Continue.

From there, you will input your information and create a new USER NAME (e-mail address) and security question. After you have registered, a temporary password will be e-mailed to you. Once the temporary password is e-mailed to you, you can log in and change your password. At this point, you will then need to link your license(s) to your new online profile. The entire

process only takes about 10 minutes.

Click on Link an Existing License to My Account. Once you put in one license number, any additional licenses under your name should appear. If not, click on add and follow the instructions.

In the future, you can access the log in page by pasting the following link into your Internet browser: <https://www.myfloridalicense.com/datamart/mainMenuFLDBPR.do>. Enter your e-mail address and password. You will now be able to do the following:

- Apply for a New License
- View User Profile
- Pay For Online Applications
- Link an Existing License to My Account
- Application Status Inquiry

If you have any questions or need additional information, please do not hesitate to contact the FlaSEIA office.

## THERE'S AN APP FOR THAT!!!

During the week of March 1, 2011, DBPR developed the first free iPhone and Android apps for a state agency. These apps will allow people to search for state licenses by name or license number, enabling people to check instantaneously whether an individual has a business or professional license in the State of Florida.

These apps will help DBPR answer questions faster and be more responsive to their customers who are on the go, increasing transparency and accessibility for Floridians. And, because DBPR wants to keep improving their services, they are already working on the second version with additional consumer tools.

Announcing these apps was the result of more than just several

months of development and creative thinking; these apps represent DBPR's never-ending quest to be quicker, smarter and faster. They built these applications entirely in house, working with their staff to determine what options would be most useful to our customers. They are a testament to DPBR's commitment to continue growing, improving and providing the best customer service they can and, after only a few days of being available, the iPhone app has already landed in the upper half of Apple's top 100 list of free business applications!

If you have an iPhone or Android phone, take a minute to download the apps, test them out, and send DBPR your feedback. Version 2 is in the works, and they'd love your input to keep making it better! You can send your thoughts to [website.feedback@dbpr.state.fl.us](mailto:website.feedback@dbpr.state.fl.us).

## IS YOUR COMPANY NAME DIFFERENT FROM WHAT YOU QUALIFIED WITH DBPR?

If you answered yes, there are some things that you need to know. Your company name must be identical to the entity name that your license qualifies with the Department of Business & Professional Regulation (DBPR). Therefore, your license with DBPR cannot qualify a company name (i.e., ABC Plumbing), but you list your company name on your website and with FlaSEIA as another company name (i.e., ABC Solar). Through Chapter 489, this would classify the non-qualified company (i.e., ABC Solar) as an unlicensed contractor.

Using the example above, you would have three options:

- 1) Eliminate the second company name and transfer everything over to the original qualified

- company name listed with DBPR (i.e., check book, contracts, proposals, business cards, etc.).
- 2) Maintain the original qualified company name with DBPR as the first entity under your current license number and qualify the second company name as an additional entity under your current license number. You will be required to file paperwork with DBPR and may be required to appear before the board.
- 3) Eliminate qualifying the original entity through DBPR with your current license number and qualify the second entity with DBPR. You will be required to file paperwork with DBPR.

• If you are going to keep your original company name and qualify a second company with your existing license, then you will need to complete and submit the Qualifying Additional Business Organization Application Package to DBPR. If you are changing the original company name to the new company name, then you will need to complete and submit the Request for Name Change for Construction Qualified Business Entities to DPBR. You can find the forms by going to <http://www.myflorida.com/dbpr/pro/cilb/forms.html>.

• Once you have received approval for the company name change with DBPR, please submit a copy of the new license and proof of workers' compensation insurance or exemption to the FlaSEIA office so that we can update our records.

Accordingly to F.S. 489, you, as the licenseholder, are required to notify DBPR of any changes to your license. If you start to write proposals, contracts or place your license number on the new company letterhead and business cards without qualifying the company through DBPR, you could be reported to DBPR for unlicensed contracting.

According to Rule 61G4–12.011(3), it defines the terms of “advertise” and “advertises” shall apply to business cards, business proposals, contracts, construction site signs, all newspaper, airwave transmission (other than internal company communications), any electronic media including Internet sites, phone directory. This means that companies who have a website are required to list their license number on their website. Your license number should be listed in a very conspicuous place (preferably right under your company name at the top of the website on the home page). Rule 61G4 was implemented to further define Chapter 489.

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# Not a Member of FlaSEIA?

JANUARY–MARCH 2011

**A**re you receiving the *Industry News* but are not a member of the Florida Solar Energy Industries Association (FlaSEIA)? [Click here for a Membership Application.](#)

Some of the FlaSEIA Membership Benefits include:

### Legislative Awareness

- SEIA Legislative Alerts
- Voting Records
- Weekly updates during the Legislative Session
- Participated in the development of a statewide Energy Future
- Political Action Committee: Solar Power PAC

### Publications

- Quarterly Newsletter, Industry News
- Membership Directory

### Business Development

- Local Referral Network
- State Referral Network
- Annual Dinner/Auction

### Safety Training/Education

- Continuing Education courses for license holders are being offered

### Advertising Opportunities

- Florida Manufacturers Initiative

- Program (FMI Program)
- Annual Auction
- Annual Golf Tournament
- Website

### Regulation

- Construction Industry Licensing Board (CILB)
- Public Service Commission (PSC)
- Florida Energy & Climate Commission

### Other

- Website: [www.flaseia.org](http://www.flaseia.org)
- Opportunity to participate in the Southeast Building Conference (SEBC) – Exhibitor Space
- Consumer Hotline – Provide referrals to solar contractors in their area

Please consider joining FlaSEIA today! We anticipate an active Legislative Session. We are hopeful that the Legislature, as well as the Governor, will support a strong solar energy initiative this session. Your participation in Florida's only solar industry trade association is essential to the success of these efforts.

If you have any questions or need additional information, please do not hesitate to contact the FlaSEIA office at (407) 339-2010.



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# Welcome New Members

FlaSEIA extends a hearty welcome to the following new members who have joined the association from December 22, 2010 through April 15, 2011. We thank them for joining our association and look forward to their participation in helping this association achieve its goals.

## **Independent Power Producer Clean Focus Corporation**

Stanley Chin  
150 Mathilda Place, Suite 206  
Sunnyvale, California 94086  
Phone: 408/329-9279  
FAX: 408/329-9281  
E-mail:  
[stanley.chin@cleanfocus.us](mailto:stanley.chin@cleanfocus.us)  
Website: [www.cleanfocus.us](http://www.cleanfocus.us)

## **Associate**

**REepedia Corp.**  
Ron Greene  
2431 Aloma Avenue, Suite 300  
Winter Park, Florida 32792  
Phone: 321/972-8812  
E-mail: [rgreene@reepedia.com](mailto:rgreene@reepedia.com)  
Website: [www.reepedia.com](http://www.reepedia.com)

## **Patron**

**Daytona State College**  
Alireza Rahrooh  
Advanced Technology College  
1770 Technology Boulevard  
Daytona Beach, Florida 32117  
Phone: 386/506-4106  
FAX: 386/506-4191  
E-mail:  
[rahrooa@daytonastate.edu](mailto:rahrooa@daytonastate.edu)  
Website: [www.daytonastate.edu](http://www.daytonastate.edu)

## (What Benefits and Resources Does OSHA Provide Small Businesses? Continued from Page 13)

- Recordkeeping injury and illness resources.

**OSHA's Compliance Assistance Quick Start** is a tool to introduce employers and employees, especially those at new or small businesses, to the compliance assistance resources on OSHA's website.

**OSHA's \$afety Pays Program** is an interactive expert system to assist employers in estimating the costs of occupational injuries and illnesses and the impact on a company's profitability. This system uses a company's profit margin, the AVERAGE costs of an injury or illness, and an indirect cost multiplier to project the amount of sales a company would need to generate in order to cover those costs.

**Frequently Cited OSHA Standards** is a query tool which allows the user to determine the most frequently cited Federal and State OSHA standards for a given SIC code. The SIC code may be determined by accessing the online SIC Manual.

## **Publications**

OSHA has many publications, including **specific topics for small businesses** that are available or can be **ordered online**.

# Initiative:

**F**laSEIA wishes to thank the following companies for their financial commitment to FlaSEIA and the Florida solar energy industry as participants in the Florida Manufacturers' Initiative (FMI) program.

**DHW COLLECTORS**

AET d/b/a Thermafin Manufacturing  
SunEarth, Inc.

**POOL COLLECTORS**

Heliocol USA, Inc.  
Solar Hydronics Corp/The LeverEdge

**PUMPS AND CONTROLS**

Ivan Labs, Inc.

You can best show your appreciation by buying products from these manufacturers and by urging unlisted manufacturers to participate in the FMI program.

# Horizon:

## 2011 Calendar of Events

**Building Officials Association of Florida  
Annual Conference & Trade Expo  
The Naples Grande Beach Resort, Naples, FL  
May 13-15**

**ASES National Solar Conference  
Raleigh Convention Center, Raleigh, NC  
May 17-21**

**FAPHCC Annual Convention & Trade Show  
Rosen Centre Hotel, Orlando, FL  
June 21-24**

**FlaSEIA Board of Director's Meeting  
June (TBA)**

**Southeast Building Conference  
Orange County Convention Center, Orlando, FL  
July 21-23**

**AIA Florida Annual Convention  
The Naples Grande Beach Resort, Naples, FL  
July 27-30**

For additional information on the above meetings and/or events, please contact the FlaSEIA office at (407) 339-2010.



231 West Bay Avenue  
Longwood, FL 32750-4125  
Phone: (407) 339-2010  
FAX: (407) 260-1582  
Website: [www.FlaSEIA.org](http://www.FlaSEIA.org)