



February 2010

## New Board of Directors



Board Members: Past President – **Dustin Stehr, CBD, CKD**, VP Membership – **Al Kramer**, VP Gov. Relations – **Roy McLain**, President – **Dave Warfel**, Treasurer – **Liz Watters**, VP Tech/Com. – **Denise Newcomer, AKBD**, Chapter Rep. - **John Petrie, CMKBD**, Secretary – **Becky Ward, AKBD**, VP Prof. Development – **Ron Hedges, CMKBD**, missing from photo 1<sup>st</sup> VP Programs – **Rod Haupt**, VP Strategic Planning. – **John F. Beaver**, VP Acad. Rel. - **Valerie S.B. Kissinger, CKD**

## Lead Paint Certification

**LOCATION:** Silver Spring Presbyterian Church, 444 Silver Spring Road, Mechanicsburg, PA

**DATE:** March 25, 2010

**TIME:** 8:00AM to 4:00PM

If you are going to renovate or disturb any surface painted that contains lead paint (built before 1978) this

new requirement applies to you. This requirement is from the Environmental Protection Agency.

This 8-

hour course covers the following topics:

- Background on lead paint
- Applicable federal regulations

- Training and testing paint before initiation of a project
- Containing dust on the work site
- Worker protection
- Record keeping

We will be hosting a 1-day training class that will enable you to become certified. After successful completion of this course (including participation in all hands-on activities) and passing the course test you will receive a training certificate that will serve as a qualification to perform the duties of

a certified remodeler or dust sampling technician for projects regulated.

The cost of the training is \$210 per person. As an NKBA member the chapter will pay \$100 toward the cost for one person from each company membership. Any additional attendees from the same business

will need to pay the cost in full. There is a limit of 18 people per class so registration is based on a first

come, first serve. If the class gets full, we will consider scheduling another class at a future date and time.

Note: Non-members can attend by paying \$250.00 per person.

If you need more information on this class, or would like to register for this class, please contact Roy McLain, CMKBD at (717) 697.0557.

## Upcoming Opportunities for Involvement with Habitat for Humanity

### **The Harrisburg Habitat group:**

-Will be having a walk at City Island funded by Highmark to help raise donations for the group in May 2010.

### **The Lancaster Habitat group:**

-They are in the process of the Fairview Build of 19 homes that will be an ongoing project for a while.

-They also have a "ReStore" that is a new and used building supply store off the Greenfield Exit (they resell donated cabinets, plumbing fixtures, appliances, tools, etc) that they are always glad to receive donations which are tax deductible. They also would be glad for any volunteers to help in the store a few hours during the day.

-They are planning a "woman's build" and will advise with dates when planned.

-They will also be having their annual Fall Banquet event later in the year.

### **The York Habitat group:**

-Are planning a "Cancer Survival Build" in March to rebuild row homes that recently burned down in York.

## Federal Court Declares Florida Interior Design Title Restriction Unconstitutional

Earlier this month U.S. District Court Judge Robert Hinkle handed down his decision in the legal challenge to the Florida interior design practice act, overturning a portion of the law and limiting its enforcement in commercial settings.

The Judge declared that the title aspect of the law which prohibited anyone other than a "licensee" from using the term "interior designer" was unconstitutional. Florida has now joined nearly every other state which has either had their law overturned by the courts or voluntarily agreed to the change in order to avoid a lawsuit. Judge Hinkle held that *"the state cannot prohibit a person from describing her lawful services using words of her own selection, so long as they are true and not misleading. In an age when the choice of language may determine the hits produced by computerized search engines, a ban on using the most popular term ordinarily used to describe a person's lawful work imposes a burden that is not inconsequential"*. So now in Florida, you are free to call yourself an interior designer, as well as use the terms "interior design", "space planning" etc. whether you are a Florida licensee or not.

The second aspect of the decision is somewhat more confusing; the Judge seems to leave open the question of exactly what interior design services in a non-residential setting are prohibited under the law. The Judge first found that the restrictions on the practice of interior design previously enforced by the Florida Board of Architecture and Interior Design were overly broad and prohibited activities that should have been allowed under the law. The court noted that the state had now *"advocated the limited construction adopted by this order partly to obtain a favorable ruling in this case"*, and that the design community could now *"justifiably rely on the ruling set out in this order without fear that the Florida Board of Architecture and Interior Design will revert to incorrect positions it has taken earlier - without the Attorney General's approval - in other investigations or prosecutions."* While it appears that the restriction on design services involving "nonstructural interior elements" of a nonresidential space are still in place under the law, the dividing line between those "nonstructural interior elements" and other design practices is still somewhat murky. For example, the Judge found that the selection of surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted lighting, surface-mounted fixtures, and loose furnishings not subject to regulation under applicable building codes would not be considered "nonstructural interior elements" of a building or structure. But he also said that a "fixture" ordinarily is. What is clear, however, is that non-licensees are now permitted to perform a wide variety of services in commercial settings that the Board had previously sought to restrict, so long as they do not "relate to nonstructural interior elements of a building", whatever that term may mean.

While we are extremely pleased that the court has declared the title provisions of the Florida law unconstitutional, and that the Judge has ordered a narrow interpretation of the limitations on non-licensees practicing in a commercial space, a portion of the law still exists so that Florida is only one of two other states that restrict the practice of interior design. We've been advised that the Institute for Justice and the Plaintiffs in this case will appeal Judge Hinkle's decision to the Federal Appeals Court and we will continue to follow the progress of the case.

## [NKBA Susquehanna Chapter on Facebook](#)

We have a facebook page. Become a fan! Post your comments, view event photos, interact with other members.

<http://www.facebook.com/?ref=logo#!/pages/NKBA-Susquehanna-Chapter/165915488343?ref=sgm>

## Upcoming Meetings

March 16, 2010: Networking and connecting with similar industry professionals

April 2010: No meeting - KBIS

May 18, 2010: York Area, Closet with Linda Hughes, Hafele & Rev-a-Shelf

June 8, 2010 (tentative): Golf Outing

July, 2010: Barnstormers Baseball game or similar outing

## Photos from Past Meetings



Kate Zimmerman from Lancaster Area Habitat for Humanity received our donation with our Community service chairmen Meredith Thurston and President Dave Warfel. Winners of the wonderful door prizes while at Martins Appliances in Brownstown.



Dave Warfel is being sworn into office of President by our Chapter representative John Petrie.